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Journal of the Assembly

DURING THE

FORTIETH SESSION

OF THE

Legislature of the State of California

1913

Began on Monday, January sixth, and ended on Monday,
May twelfth, nineteen hundred and thirteen



SACRAMENTO

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CALIFORNIA LEGISLATURE—ASSEMBLY

FORTIETH SESSION

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, January 6, 1913.

Pursuant to the requirements of the Constitution and the law, at the hour of twelve o'clock m., the Assembly of the fortieth session of the Legislature of California was called to order by L. B. Mallory, Chief Clerk of the extra thirty-ninth session.

In conformity with law, the following officers of the thirty-ninth (extra) session were also present: H. A. Harper, Minute Clerk, and Ed. H. Whyte, Sergeant-at-Arms.

PRAYER.

By invitation of the Chief Clerk, prayer was offered by Rev. Frank K. Baker of Sacramento, Chaplain of the Assembly of the thirty-ninth session.

APPOINTMENTS.

The Chief Clerk announced the following appointments of attachés for the temporary organization of the Assembly:

Postmistress—M. C. Liston.
Page—Earl Smith.
Porter—John Kofad.

ROLL CALL OF COUNTIES.

The Chief Clerk directed that as the roll of counties was called the members-elect, representing such counties, should proceed to the Clerk's desk and take and subscribe to the oath of office.

MEMBERS SWORN IN.

As required by Section 239 of the Political Code, the Chief Clerk called the roll of counties in alphabetical order, and the following members-elect appeared before the bar of the Assembly, presented their certificates of election, and duly qualified by taking and subscribing to the following oath, administered by Albert G. Burnett, Judge of the Third District Court of Appeals:

OATH OF OFFICE.

I do swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the

duties of the office of Member of the Assembly of the State of California, according to the best of my ability.

ROLL CALL BY COUNTIES.

Alameda—Geo. Beck, Wm. C. Clark, Daniel Ferguson, Geo. Fitzgerald, Geo. Elder, Alfred Morgenstern, Frank M. Smith, C. C. Young.

Amador, El Dorado, Alpine and Calaveras—William A. Dower.

Butte—John H. Guill.

Contra Costa—T. D. Johnston.

Del Norte and Siskiyou—William B. Shearer.

Fresno—L. B. Cary, W. F. Chandler, W. A. Sutherland.

Humboldt—H. C. Nelson.

Imperial—H. W. Moorhouse.

Kings—J. W. Guiberson.

Kern—William E. Simpson.

Los Angeles—Thomas L. Ambrose, H. S. Benedict, F. H. Bloodgood, Elijah A. Emmons, Lyman Farwell, Howard J. Fish, Egbert J. Gates, W. A. Johnstone, C. W. Kingsley, Arthur G. Kuck, Frank H. Mouser, Howard A. Peairs, W. A. Roberts, John H. Strine, Frank E. Woodley.

Marin—Charles W. Byrnes.

Mariposa, Tuolumne, Mono and Inyo—George A. Clarke.

Mendocino—T. J. Weldon.

Merced and Madera—J. J. Griffin.

Monterey and San Benito—John K. Alexander.

Napa and Lake—James M. Palmer.

Nevada and Placer—George B. Finnegan.

Orange—Hans V. Weisel.

Plumas, Lassen, Modoc and Sierra—A. F. Shartel.

Riverside—Wm. H. Ellis.

Sacramento—Hugh D. Bradford, J. M. Inman.

San Bernardino—George H. Johnson, James E. Cram.

San Diego—E. C. Hinkle, Fred E. Judson.

San Francisco—William B. Bush, Victor J. Canepa, William M. Collins, John J. Ford, Jr., William C. McCarthy, Walter A. McDonald, E. J. D. Nolan, I. A. Richardson, J. J. Ryan, Milton L. Schmitt, William S. Scott, Arthur S. Shannon, Edward P. Walsh.

San Joaquin—J. W. Stuckenbruck, W. C. Wall.

San Luis Obispo—A. B. Green.

San Mateo—Henry Ward Brown.

Santa Barbara—Henry C. Bagby.

Santa Clara—L. D. Bohnett, Dan R. Hayes.

Santa Cruz—D. B. Bowman.

Shasta and Trinity—William C. White.

Solano—W. S. Killingsworth, Sr.

Sonoma—G. W. Libby, H. W. Slater.

Stanislaus—David W. Tulloch.

Tehama, Glenn and Colusa—Harry Polsley.

Tulare—G. W. Wyllie.

Ventura—Thomas G. Gabbert.

Yuba, Sutter and Yolo—J. A. Murray.

ANNOUNCEMENT.

The Chief Clerk announced that the next order of business was the election of officers for the fortieth session of the Assembly, and declared that nominations for the office of Speaker of the Assembly were now in order.

NOMINATIONS FOR SPEAKER.

Mr. Sutherland placed in nomination for Speaker Hon. C. C. Young of Alameda.

Mr. Benedict seconded the nomination of Mr. Young.

Mr. Bohnett seconded the nomination of Mr. Young.

Mr. Gelder seconded the nomination of Mr. Young.

Mr. Killingsworth placed in nomination for Speaker Hon. J. W. Stuckenbruck of San Joaquin.

Mr. Polsley seconded the nomination of Mr. Stuckenbruck.

Mr. Brown moved that nominations close.
Motion carried.

ELECTION OF SPEAKER.

The roll was called, with the following result:

For Hon. C. C. Young—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Johnstone, Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Smith, Strine, Stuckenbruck, Sutherland, Weisel, White, Woodley, and Wyllie—56.

For Hon. J. W. Stuckenbruck—Messrs. Alexander, Bagby, Beck, Bradford, Dower, Finnegan, Ford, Griffin, Guiberson, Killingsworth, Libby, McCarthy, Palmer, Polsley, Richardson, Shannon, Shearer, Simpson, Slater, Tulloch, Wall, Walsh, Weldon, and Young—24.

The Chief Clerk announced the vote of the Assembly, and declared Mr. Young the choice of the Assembly for Speaker.

APPOINTMENT OF COMMITTEE OF ESCORT.

The Chief Clerk appointed Messrs. Benedict, Sutherland and Bohnett a special committee to escort Speaker-elect Young to the chair.

OATH OF OFFICE.

Upon arriving at the bar of the Assembly Speaker-elect Young took and subscribed to the following oath administered by Albert G. Burnett, Judge of the Third District Court of Appeals:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and I will faithfully discharge the duties of the office of Speaker of the Assembly to the best of my ability.

NOMINATIONS FOR SPEAKER PRO TEM.

The Speaker declared the election of Speaker pro tem. next in order, and called for nominations.

Mr. Peairs placed in nomination for Speaker pro tem. Hon. W. A. Johnstone of Los Angeles.

Mr. Ryan seconded the nomination of Mr. Johnstone.

Mr. Guiberson placed in nomination for Speaker pro tem. Hon. Henry C. Bagby of Santa Barbara.

Mr. Weldon seconded the nomination of Mr. Bagby.

Mr. Johnston of Contra Costa moved that nominations close.

Motion carried.

The roll was called, with the following result:

For Hon. W. A. Johnstone—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Smith, Strine, Sutherland, Weisel, White, Woodley, Wyllie, and Young—56.

For Hon. Henry C. Bagby—Alexander, Bradford, Finnegan, Griffin, Guiberson, Johnstone, Killingsworth, McCarthy, Palmer, Polsley, Richardson, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Walsh, and Weldon—20.

Mr. Johnstone being the choice of the Assembly for Speaker pro tem., the Speaker declared him duly elected, and appointed Messrs. Ryan, Bagby and Peairs a committee to escort Speaker pro tem. elect

Johnstone to the bar of the Assembly, where he took and subscribed to the following oath of office:

OATH OF OFFICE.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and will discharge the duties of the office of Speaker pro tem. of the Assembly according to the best of my ability.

NOMINATION OF CHIEF CLERK.

The Speaker next declared the nomination and election of Chief Clerk of the Assembly in order.

Mr. Clark nominated L. B. Mallory of Los Gatos.

Messrs. Hayes and Stuckenbruck seconded the nomination of Mr. Mallory.

The roll was called, with the following result:

For L. B. Mallory—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson of San Bernardino, Johnston of Contra Costa, Johnstone of Los Angeles, Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—80.

Mr. Mallory having received the unanimous vote of the Assembly, was declared duly elected Chief Clerk of the Assembly.

Mr. Mallory appeared before the bar of the Assembly, and took and subscribed to the following oath of office:

OATH OF OFFICE.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of Chief Clerk of the Assembly to the best of my ability.

NOMINATION OF MINUTE CLERK.

The Speaker declared the next order of business the nomination and election of Minute Clerk of the Assembly.

Mr. Wyllie placed in nomination H. A. Harper of El Dorado.

Mr. Farwell seconded the nomination of Mr. Harper.

ELECTION OF MINUTE CLERK.

The roll was called, with the following result:

For H. A. Harper—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson of San Bernardino, Johnston of Contra Costa, Johnstone of Los Angeles, Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—80.

Mr. Harper, having received the unanimous vote of the Assembly, was declared duly elected Minute Clerk of the Assembly and was directed to appear before the bar of the Assembly, where he took and subscribed to the following oath of office:

OATH OF OFFICE.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of Minute Clerk of the Assembly to the best of my ability.

ANNOUNCEMENT.

The Chief Clerk announced that in accordance with the power vested in him by the statutes he appointed T. G. Walker as First Assistant Chief Clerk of the Assembly, and asked that the Assembly confirm the appointment.

The question being upon the confirmation of the appointment.

The roll was called, with the following result:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Johnstone, Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—80.

NOES—None.

Whereupon the Speaker declared Mr. Walker duly elected First Assistant Chief Clerk, and directed him to appear before the bar of the Assembly, where he took and subscribed to the following oath of office:

OATH OF OFFICE.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of First Assistant Chief to the best of my ability.

ELECTION OF SERGEANT-AT-ARMS.

The Speaker declared the next order of business the nomination and election of Sergeant-at-Arms of the Assembly.

Mr. Inman nominated Mr. Ed. E. Reese of Sacramento.

Messrs. Ryan, Farwell, and Hinkle seconded the nomination of Mr. Reese.

There being no further nominations, the Speaker declared nominations closed.

The roll was called, with the following result:

For Ed. E. Reese—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Johnstone, Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—80.

Mr. Reese, having received the unanimous vote of the Assembly, was declared duly elected Sergeant-at-Arms, and was directed to appear before the bar of the Assembly, where he took and subscribed to the following oath of office:

OATH OF OFFICE.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office of Sergeant-at-Arms of the Assembly according to the best of my ability.

NOMINATIONS FOR CHAPLAIN.

The Speaker declared the next order of business the nomination and election of Chaplain of the Assembly.

Mr. Inman placed in nomination for Chaplain of the Assembly Rev. Frank K. Baker of Sacramento.

Mr. Farwell seconded the nomination of Rev. Baker.

Mr. Libby placed in nomination Rev. James Whittaker.

Mr. Slater seconded the nomination of Rev. Whittaker.

The roll was called, with the following result:

For Rev. Frank K. Baker—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Johnstone, Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—71.

For Rev. James Whittaker—Messrs. Finnegan, Libby, Shearer, and Slater—4.

The Speaker thereupon declared Rev. Frank K. Baker the duly elected Chaplain of the Assembly.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Bohnett:

Resolved, That the Chief Clerk be and he is hereby directed to inform the Senate that the Assembly has duly organized by the election of the following officers, namely:
 Speaker—C. C. Young.
 Speaker pro tem.—W. A. Johnstone.
 Chief Clerk—L. B. Mallory.
 Minute Clerk—H. A. Harper.
 Sergeant-at-Arms—E. E. Reese.
 First Assistant Chief Clerk—T. G. Walker.
 Chaplain—Frank K. Baker.

Resolution read, and on motion adopted.

By Mr. Benedict:

Resolved, That a committee of three be appointed by the Speaker to wait upon his Excellency, the Governor, and inform him that the Assembly has organized and awaits any communication he may have to make to it.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Benedict, Chandler and Guill as such committee.

By Mr. Sutherland:

Resolved, That the standing rules of the thirty-ninth session be and the same are hereby adopted as the temporary rules of this House until otherwise ordered, with the following changes, to wit: "1913" shall be inserted in lieu of "1911" wherever these latter figures appear.

Resolution read, and on motion adopted.

TEMPORARY RULES OF THE ASSEMBLY.

Hour of Meeting.

1. The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes a.m. Until January 16, 1913, adjournment shall be taken at twelve o'clock and thirty minutes p.m., and on and after said date a recess shall be taken at said hour to two o'clock p.m., unless otherwise ordered by a vote of the House.

Order of Business.

2. Order of business :

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File.
14. Business on General File and Third Reading of Bills.

Reports of Committee on Engrossed and Enrolled Bills.

3. It shall be in order for the Committee on Engrossed and Enrolled Bills to report at any time.

Messages From the Governor and Senate.

4. Messages from the Governor and from the Senate may be considered at any time by a vote of the House.

Messengers May be Introduced.

5. Messengers may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a member is addressing the House.

Petitions to be Presented With a Brief Statement of Contents.

6. Whenever petitions, memorials, or other papers addressed to the House are presented by a member, a brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

Introduction and Reading of Bills.

7. Any member desiring to introduce a bill shall rise in his place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it be the first, second, or third reading. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Introduction of Bills by Committee.

8. Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such a bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, ordered printed, and placed upon the Assembly file for further action.

Disposition of Senate Bills.

9. When a Senate bill has been received by the House with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however,* that when a Senate bill is received the provisions of which are stated by a member to be identical with those of an Assembly bill which has already been considered and reported by a committee of the Assembly, such Senate bill shall be referred to the Committee on Engrossed and Enrolled Bills for comparison, which committee shall report on the next legislative day whether or not said bill is identical with the Assembly bill; and if reported identical, shall be read the second time, be substituted for the Assembly bill (the latter being considered withdrawn), shall take the latter's place on the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided,* that the fact that the bills are identical shall be entered in the journal.

Joint Resolutions and Constitutional Amendments.

10. Joint resolutions shall be treated the same as bills; *provided,* that they shall be read but once, and that after they have been reported by a committee; and *pro-*

vided further, that the ayes and noes shall not be called upon their adoption, unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they shall have been reported by a committee.

Proceedings Touching Appropriations of Money to be Considered in Committee of the Whole.

11. All bills making appropriations of money shall be considered in a Committee of the whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

Reference of Bills.

12. No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House, by a majority vote, refer it to some other committee.

Referring with Special Instructions.

13. A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

Order of Making File.

14. Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 6. When reported back they shall be placed upon the General File, to be kept by the Clerk, as follows: All bills when reported to the House by the committees shall be placed at the foot of the Second Reading File, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third Reading File and Second Reading File, unless otherwise ordered by a two-thirds vote of the House. The bills upon third reading file shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of two thirds of the members present; *provided*, that if a bill is passed on file for any reason, other than the absence of the author by leave of the Assembly, note of the fact shall be made in the General File and when passed on file a second time, the bill shall be ordered to the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file, shall be omitted from the General File. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills in the General File, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

Order of Making Special File.

15. The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the state government and state institutions, revenue, election laws and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon. The Clerk shall also cause all bills reported to the Assembly by the Committee on the Revision and Reform of Laws to be printed in the General File under a separate heading to be entitled, "Special File: Bills reported by the Committee on Revision and Reform of Laws"; said bills to be disposed of at such sessions and at such times as shall be determined by the Speaker.

Taking Up Bills Out of Order.

16. When a member shall ask leave to have a bill taken up out of its regular order, he shall in making the motion give the number and title of the bill and its position on the file.

Engrossing and Enrolling Bills.

17. The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to the bills or preparation of bills before this House. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly.

Bills to Be Reported Back Within Ten Days.

18. All bills referred to any committee shall be, by such committee, reported back to the House with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

Speaker to Call House to Order.

19. The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and the Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

Speaker to Preserve Order; to Decide Points of Order; and May Speak to Same.

20. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

Speaker to Have Direction of the Hall; May Call Any Member to the Chair.

21. He shall have general direction of the hall. He shall have a right to name any member to perform the duties on the Chair, but such substitution shall not extend beyond an adjournment.

Speaker to Sign Resolutions, etc., Attested by the Clerk.

22. All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

Speaker May Order the Galleries and Lobby Cleared.

23. In case of any disturbance of disorderly conduct in the galleries or lobby, or whenever he shall deem it necessary, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

Duties of the Sergeant-at-Arms.

24. The Sergeant-at-Arms shall attend the House during its sittings, execute the commands of the Speaker of the House, and serve all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision of all the attachés of the House (except the clerks at the desk, the stenographers, bill clerks, bill filers, Journal Clerk and his assistants, the committee attachés, and the page to the Speaker, which page shall be under the exclusive supervision of the Speaker), and shall be responsible for the performance of and regular attendance upon their duties, and shall have power to suspend any attaché under him for dereliction of duty and shall report to the Speaker such suspension and the causes thereof; said attaché shall not receive any pay during the time of such suspension. The Speaker shall have the power to relieve the attaché of his suspension, and shall have the power to remove any attaché for incompetency or for willful neglect of duty.

Expenses of Sergeant-at-Arms.

25. The Sergeant-at-Arms shall receive his actual traveling expenses for himself or a special messenger when executing any process issued by the House or by any officer or committee thereof.

Assistant Sergeant-at-Arms to Be Doorkeeper.

26. The Assistant Sergeant-at-Arms designated by the Speaker shall be the Doorkeeper, and shall be sworn to keep the secrets of the House.

Standing Committees.

27. The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, Fruit and Vine Interests, to consist of seven members.
2. A Committee on Attachés and Employees, to consist of seven members.
3. A Committee on Banks and Banking, to consist of seven members.
4. A Committee on Building and Loan Associations, to consist of seven members.
5. A Committee on Claims, to consist of seven members.
6. A Committee on Commerce and Navigation, to consist of nine members.
7. A Committee on Commissions and Public Expenditures, to consist of seven members.
8. A Committee on Common Carriers, to consist of eleven members.
9. A Committee on Conservation, to consist of seven members.
10. A Committee on Constitutional Amendments, to consist of nine members.
11. A Committee on Contingent Expenses and Accounts, to consist of five members.
12. A Committee on Contested Elections, to consist of seven members.
13. A Committee on Corporations, to consist of nine members.
14. A Committee on Counties and County Boundaries, to consist of nine members.
15. A Committee on County and Township Governments, to consist of thirteen members.
16. A Committee on Direct Legislation, to consist of seven members.
17. A Committee on Election Laws, to consist of fifteen members.
18. A Committee on Education, to consist of nine members.
19. A Committee on Engrossed and Enrolled Bills, to consist of seven members.
20. A Committee on Fish and Game, to consist of thirteen members.

21. A Committee on Federal Relations, to consist of seven members.
22. A Committee on Governor's Messages, to consist of five members.
23. A Committee on Immigration, to consist of nine members.
24. A Committee on Insurance and Insurance Laws, to consist of thirteen members.
25. A Committee on Irrigation and Drainage, to consist of eleven members.
26. A Committee on Judiciary, to consist of twenty-one members.
27. A Committee on Labor and Capital, to consist of nine members.
28. A Committee on Live Stock, Dairies and Dairy Products, to consist of nine members.
29. A Committee on Manufactures and Internal Improvements, to consist of seven members.
30. A Committee on Mileage, to consist of five members.
31. A Committee on Medical and Dental Laws, to consist of nine members.
32. A Committee on Military Affairs, to consist of eleven members.
33. A Committee on Mines and Mining Interests, to consist of nine members.
34. A Committee on Municipal Corporations, to consist of eleven members.
35. A Committee on Oil Industries and Oil Mining Interests, to consist of nine members.
36. A Committee on Public Buildings and Grounds, to consist of eleven members.
37. A Committee on Public Health and Quarantine, to consist of nine members.
38. A Committee on Public Lands and Forestry, to consist of nine members.
39. A Committee on Public Morals, to consist of nine members.
40. A Committee on Public Printing, to consist of seven members.
41. A Committee on Public Works, State Capitol, and Parks, to consist of seven members.
42. A Committee on Public Charities and Corrections, to consist of seven members.
43. A Committee on Reapportionment, to consist of seventeen members.
44. A Committee on Reform of the Civil Service, to consist of seven members.
45. A Committee on Retrenchment and Reform, to consist of seven members.
46. A Committee on Revenue and Taxation, to consist of fifteen members.
47. A Committee on Revision of Criminal Procedure, to consist of eleven members.
48. A Committee on Revision and Reform of Laws, to consist of nine members.
49. A Committee on Roads and Highways, to consist of thirteen members.
50. A Committee on Rules and Regulations, to consist of five members, one of whom shall be the Speaker.
51. A Committee on State Hospitals and Asylums, to consist of eleven members.
52. A Committee on State Library, to consist of seven members.
53. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
54. A Committee on Swamp and Overflowed Lands, Levees, and River Improvements, to consist of eleven members.
55. A Committee on Ways and Means, to consist of twenty-one members.
56. A Committee on Universities, to consist of nine members.

Committees to be Appointed by Speaker.

28. All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

Committee on Contested Elections.

29. It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of such members returned to serve in this House as may have their seats contested, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question, and be referred to them by the House, or the Speaker thereof.

Committee on Ways and Means.

30. It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State Officers and State Boards or State Commissions, and all propositions relative to the revenue of the State, as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider and report thereon the amount of appropriation required, but such bill shall retain its place on file pending its consideration by said Committee on Ways and Means. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

Committee on Commissions and Public Expenditures.

31. It shall be the duty of the Committee on Commissions and Public Expenditures to ascertain what state commissions, institutions, or boards, if any, can be abolished or consolidated with advantage to the public, in view of a more economical adminis-

tration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; and to make a report thereon within thirty days after their appointment; also prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee.

Committee on Engrossed and Enrolled Bills.

32. It shall be the duty of the Engrossing Committee to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

Committee on Revision and Reform of Laws.

33. It shall be the duty of the Committee on Revision and Reform of Laws to take into consideration all petitions, bills and resolutions touching the revision and reform of the existing laws of the State of California as shall or may be presented or come into question and be referred to it by the Assembly.

Committee Expenditures.

34. No member of any committee shall be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House by a two-third vote of the members thereof.

Committee of the Whole House.

35. In forming a Committee of the Whole House, the Speaker as Chairman or a Chairman to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the Chairman. After being reported to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

Rules in Committee of the Whole.

36. The rules of the Assembly shall be observed in Committees of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes need not be taken unless demanded.

Motion to Rise Decided Without Debate.

37. A motion that the committee rise shall always be in order, and shall be decided without debate.

Reference of Bills.

38. When a motion is made to refer any subject, and different committee shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

Calling Member to Order When Transgressing Rules.

39. If any member, in speaking or otherwise, transgresses the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

Speaker to Decide Who Is Entitled to the Floor.

40. When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

Order in Speaking to Questions.

41. Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall have the right to close the debate. No member shall be allowed to speak more than five minutes upon any question except by leave of the House, and except further, the author shall be allowed five minutes to open and five minutes to close.

Called to Order for Offensive Words in Debate.

42. If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be

taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

Personal Explanation.

43. Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

Motions to be Stated by Speaker, and if Desired Shall be Reduced to Writing, or May be Withdrawn.

44. No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

Motion to Adjourn.

45. A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made and adjournment taken.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and tax levy.

Precedence of Motions During Debate.

46. When a question is under debate, or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, and, if carried, shall be considered equivalent to the objection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

Previous Question.

47. The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

Questions of Order After Previous Question Is Ordered.

48. All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

Previous Question Demanded.

49. The previous question shall only be put when demanded by three members.

Question Indefinitely Postponed.

50. When a question is postponed indefinitely, the same shall not again be introduced during the session.

Division of Questions.

51. Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

Substitute.

52. A substitute shall be deemed and held to be an amendment, and be treated in all respects as such.

Subjects Different From the One Under Consideration.

53. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

Printing of Bills.

54. Five hundred copies of all bills and as many additional copies as the House shall order, shall be printed. The Sergeant-at-Arms shall be required to certify to the reception by the House of all such printed matter, and the quality thereof.

Printing Extra Number of Bills, etc.

55. A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

Printing of Maps.

56. Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

Filling Blanks.

57. In filling up blanks the least sum and shortest time shall be first put.

Priority of Business.

58. All questions relating to the priority of business shall be decided without debate.

Reading of Papers.

59. When the reading of a paper is called for, except petitions, and the same is objected to by a member, such reading shall be determined by a vote of the House, without debate.

Notice of Reconsideration.

60. On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

Election by House.

61. In all cases of election by the House, the vote shall be taken *viva voce*.

Calling Ayes and Noes.

62. The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the name of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

Members at Clerk's Desk.

63. No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

Voting on Questions When Interested.

64. No person shall vote on any question in the result of which he is personally interested or involved.

Division and Count of House.

65. Upon a division and count of the House on any question, no person without the bar shall be counted.

Explaining or Changing Vote.

66. No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the chair.

Call of the House.

67. Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

Suspending and Changing Rules.

68. No standing rule or order of the House shall be rescinded or changed without a vote of two thirds of the members of the Assembly, and one day's notice being given of the motion therefor; *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the state government, its revenue, its various departments or commissions, or appropriations therefor.

2. Bills affecting county and township governments, or roads and highways.

3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.

4. Bills amending election or primary election laws.

5. Constitutional amendments.

6. Bills amending or repealing the Codes, or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendments by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

The Committee on Rules and Regulations may also, at any time, report a temporary rule or regulation. When such temporary rule or regulation shall have been adopted by a two-thirds vote of the House it shall have the effect, for the time being, of a standing rule, and if such temporary rule shall be in conflict with a standing rule it shall supersede said standing rule for the time being, and shall be enforced by the Speaker.

Members Absenting Themselves.

69. No member shall absent himself from the service of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House.

Persons Admitted to Floor.

70. No person except Senators, State officers, Governors and ex-Governors of States, Members of Congress, Judges of the Supreme, Appellate and Superior Courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their respective journals, ladies when especially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House cleared of any or all such persons. The Speaker is charged with the enforcement of this rule. *Provided, however*, any other guest of any member may be admitted to the floor of the House by written permission of said member, such permission being good for the sessions of the day on which it is given, the names of such members and guests to be entered in the Journal when requested by such members.

Smoking in Hall.

71. No smoking shall be allowed within the Assembly Chamber during the session of the House; *provided*, that during night sessions, this rule may be suspended by a vote of the majority of the members present, without notice or reference to committee.

Parliamentary Rules.

72. The rules of parliamentary practice contained in Roberts' Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and House of Assembly.

Use of Hall.

73. The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

Fees for Witnesses.

74. Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

Protests of Members.

75. It shall be in order for any member or members to protest against the action of the House, and have such protest entered upon the minutes.

Fees Allowed in Cases of Contest.

76. Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than two hundred dollars shall be allowed as counsel fees to either side.

Assignment of Attachés.

77. The Committee on Attachés and Employees shall assign the committee clerks and the official stenographers of the House to the various committees; *provided*, that the Speaker, the Committee on Judiciary and the Committee on Ways and Means shall each be entitled to one clerk and one stenographer, to be selected by the Speaker and chairman of those committees, respectively; *and provided further*, that the Committee on Attachés and Employees, on recommendation of the Chief Clerk, shall have authority to re-assign any clerk or attachés under him to special duties or other committees when the necessity arises.

All assignments of committee clerks and stenographers made by the Committee on Attachés and Employees under this rule shall be reported to the House and entered in the Journal.

Introduction of Bills After Fortieth Day.

78. On or prior to the fortieth day of the session the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the fortieth day shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of the bill and the Committee on Introduction of Bills may have the same time for reply.

Form for Printed Amended Bills.

79. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted; the new matter added by any amendments to be printed in italics and any matter proposed to be omitted by such amendments to be included in brackets.

Leaves of Absence of Members of the Assembly Visiting Public Institutions.

80. No leave of absence shall be granted any committee, special or standing, to visit any public institutions of the State or for any other purpose. Whenever any committee shall report to the Assembly that it is desirable that such committee receive information concerning any public institution, the Assembly may, by a two thirds vote of all its members, grant a leave of absence to not more than three

members of such committee, to be designated by the Chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Assembly in writing by the chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the names of the committeemen designated for that purpose and the name of the stenographer to accompany said committeemen, if one be necessary. Such application shall immediately, and without debate, be referred to the Committee on Rules and Regulations, with instructions to report upon the same on the next legislative day. Said members and their stenographer, if any, shall be allowed their actual expenses.

Duties of Chief Clerk.

§1. It shall be the duty of the Chief Clerk to have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. He shall have the supervision of all the clerks and assistants at the desk, of the journal clerk and his assistants, of all bill clerks, bill filers, stenographers, and of all committee attachés except the attachés to the Speaker and to the Committees on Judiciary and Ways and Means, and shall be responsible for the performance of and regular attendance upon their duties, and shall have power to suspend any such clerk, or attaché under him for dereliction of duty, and shall report to the Speaker such suspension and the causes thereof. Said clerk or attaché shall not receive any pay during the time of such suspension. The Speaker shall have the power to relieve the attaché or clerk of his suspension, and shall have the power to remove any clerk or attaché for incompetency or for wilful neglect of duty.

Lobbying.

§2. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business during the sessions of the Assembly, or be permitted on the floor of the Assembly at any time while the Assembly is in session, and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule.

This rule can not be suspended except by a two-thirds vote of the entire Assembly.

By Mr. Brown:

Resolved, That the Speaker be and is hereby authorized to appoint a Committee on Rules, to consist of five members, one of whom shall be the Speaker, and that said committee be and it hereby is directed to report, as speedily as possible, rules for the government of the Assembly.

Resolution read, and on motion adopted.

By Mr. Mouser:

Resolved, That a committee of three members be appointed by the Speaker on mileage.

Resolution read, and on motion adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Mouser, Ryan and Shartel as such committee.

MOTION.

Mr. Sutherland moved the appointment of a committee of three members of the Assembly, to meet with a like committee from the Senate, for the purpose of considering joint rules for the Senate and Assembly.

Motion carried.

APPOINTMENT OF COMMITTEE.

In accordance with the above motion, the Speaker appointed Messrs. Sutherland, Bohnett and Clark as such committee.

REPORT OF SELECT COMMITTEE.

The select committee appointed to wait upon the Governor filed the following report:

MR. SPEAKER: Your committee appointed to wait upon his Excellency, the Governor, and notify him that the Assembly had organized and was ready to receive any message which he might desire to make, begs to report that it has visited the Governor and in response to your message wishes to extend the compliments of the season to the members of the Assembly and will at once, through duly authorized officials, present his message to this body.

BENEDICT.
CHANDLER.
GUILL.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has this day duly organized by electing the following statutory officers:

President pro tem.—A. E. Boynton.

Secretary of Senate—Walter N. Parrish.

Minute Clerk—J. W. Kavanagh.

Sergeant-at-Arms—Joseph L. Coughlin.

Chaplain—B. Dent Naylor.

And is now ready to proceed with the business of the State.

WALTER N. PARRISH,
Secretary of Senate.

RECESS.

At two o'clock p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until four o'clock p.m. of this day.

RECONVENED.

At four o'clock p.m. the Assembly reconvened.

Speaker C. C. Young in the chair.

GOVERNOR'S MESSAGE.

The following message from the Governor was taken up and read:

FIRST BIENNIAL MESSAGE OF GOVERNOR HIRAM W. JOHNSON.

EXECUTIVE DEPARTMENT,
STATE OF CALIFORNIA, January 6, 1913.

To the Senate and Assembly:

In accordance with custom and the requirement of the Constitution, it becomes my duty to communicate with you by message.

INTRODUCTORY—POLICY.

You have assembled, at an exceptionally important time in the history of the State, to carry further forward the works of political and economic betterment so well begun by your immediate predecessors. The past two years have marked a new era in the governmental history of California. Obeying the mandate of the people, under which they were chosen, the present administration and the Legislature of 1911 came into office committed to the definite policy that effective political power should be lodged with the people themselves, that the allegiance of public servants to the people should be undivided, and that the legislative and administrative policies should be directed to the benefit of the people. The record of the past two years is the record of the fulfillment of that promise in the political reconstruction of the State, and of the greatest possible measure of progress in legislative and economic reforms. Your task is to see to it that nothing is lost of what has been achieved, to carry forward as well as possible what remains incomplete, and to do what in your wisdom you deem yet essential.

After only two years it is difficult to realize that we are so short a time removed from a system which had grown up by many years of acquiescence. The system of the domination of the public service by special interests was so all-pervasive and so familiar that it was accepted even by many excellent men as part of an unchangeable order of things. Yet it was a system which was of course fatal to true popular government and to administrative efficiency, and which offered constant temptation and opportunity to worse than inefficiency. An incident in the government of the water front of the city of San Francisco vividly illustrates how far this system of private dominance of public service extended. The Harbor Commission of San Francisco are required by law to fix the rentals to be paid to those who occupy space belonging to the State. The schedule of rentals just prior to the present administration was really fixed by the very corporation which was the principal tenant of the State at the harbor, and was adopted only after consent of that company. This is perhaps a minor example of a condition which was then regarded as a matter of course, but which has now become, let us hope forever, impossible.

In the effort to eliminate that sort of influence, and to require of every public servant and governmental agency an undivided allegiance to the people, of course there was resistance to be overcome in almost every direction. The service of the State was filled with men many of whom had been accustomed to look, as the source of their power, to a particular outside agency, rather than to the government and the people of the State. But after two years of continuous effort, and with the tremendous aid rendered by the last Legislature, without which it could not have been accomplished, it may be to-day asserted that the public service of California is maintained solely for the public benefit, and that the allegiance of every official is now wholly to the State of California. It is not asserted that all the needed administrative reforms are yet complete; it is not claimed that every public institution in this State is as well managed as ultimately it may be; but it is confidently insisted that the management of almost every public institution in this State to-day has improved in method and efficiency, and that in none to-day is permitted fealty or allegiance to any other power than the power of the people of the State.

The platform to which a majority of you subscribed at the recent legislative convention, and I quote it as a concise statement and not in partisan spirit, contained the following summary of the accomplishments of the past two years, the majority of which, it may be added, were due to the enactments of your immediate predecessors in the Legislature, and to the favorable vote of the people on propositions submitted to them:

"A new spirit has entered the public life of the State. In two years, California has made greater progress in legislation and government than was ever before made in a like period by an American state, and has set a new standard for other States and the Nation. Political power has been taken from the political bureau of a private corporation and restored to the people; boss rule has been made permanently impossible by direct nominations, direct legislation and the recall. The suffrage has been extended to women. The ballot has been made shorter and less partisan, and judicial nominations have been made nonpartisan. Public servants have been appointed and retained for efficiency and faithfulness; the business administration of the State Department has been reformed through the activities of the State Board of Control, corruption and favoritism have been eliminated, and economy and efficiency enforced. The Railroad Commission is for the first time exercising the powers over railroads intended to be conferred upon it when it was established in 1879, and has extended a like control to other public service corporations. The laws of criminal procedure have been simplified, a reformatory for first offenders is assured by the purchase of a site therefor, the prisons have been made self-supporting and prisoners are being taught useful trades without injurious competition with free labor. Much beneficial legislation for social and industrial justice has been passed, including a workmen's compensation act and an eight-hour day for woman, a full crew and sixteen-hour trainmen's bill, bills against the pay-check evil, and repealing the sailors' enticement law, prohibiting night work for minors under eighteen years, and protecting electrical workers. Laws for the better conservation of the natural resources of the State were passed and an inventory of these resources is being made by the Conservation Commission as a basis for the intelligent enactment of needed additional legislation. Counties have been given a larger measure of local self-government and a local option law has been passed. A state system of good roads has been inaugurated. Race track gambling has been effectively suppressed. These and many other beneficial measures are the achievements of the administration and the Legislature of California in the past two years."

This is the record, made by your predecessors and approved by yourselves, which it is now yours to emulate, and to supplement and complete.

The general policy that has characterized the present state government is one that has not been partisan in character, and to which men of all political predilections, and particularly those of different parties in the Legislature, have contributed. The policy of the state government in the future will be the same as for the past two years; and in upholding that policy the present administration asks the aid

of all the representatives of the people; and if the policy shall meet with success and approval it may well be considered the policy of all those who believe in popular rule and in constancy and fidelity in the execution of a trust regardless wholly of partisan lines.

Of course the establishment of a new system and the destruction of the old have engendered some bitter animosities from which you and your predecessors and this administration have not been exempt. These animosities manifest themselves sometimes in one form and sometimes in another. When they consist of mere personal vituperation they may be simply disregarded. Occasionally they take the form of an exaggerated and distorted attack upon some public institution which may not have yet reached the state of efficiency that is all that could be desired. Sometimes, inspired by those who contend they are actuated only by desire for the public's good, they are insidiously inserted, by apparently legitimate argument, in the utterance of some public body or medium of publicity. Sometimes they are the concerted activity of the paid representatives and subsidized organs of publicity of the former beneficiaries of the old system, as is evidenced by the sudden concert of attack just now being made upon the greatest constructive agency for good in the State of California—the Railroad Commission. It is not to be expected that these attacks will cease or grow less, but those charged with the public service of California will not be diverted by them from the fixed policy which has so far been followed and which will be maintained unswervingly to the end.

California is a State to inspire the enthusiasm and the devotion of all who are privileged to live in it or called to serve it. Its resources are without limit. The imagination of our generation cannot even picture the possibilities of its development. In the past decade its growth in population and industrial progress has been marvelous. The next decade will far exceed the last. Materially our destiny and our rank among the states of the world are assured. In the more subtle influence of environment, our State stands alone. Nowhere else is there so much charm of climate and natural beauty, so much of the realization of possibilities not yet unfolded. Standing at the very foreground, not merely of a nation, but of a race, the last station of the westward march of occidental civilization, and the final frontier between the two halves of the world, we occupy a unique place which lays upon us a unique responsibility. The impending opening of the Panama Canal now doubles that responsibility. Henceforward we shall face the Atlantic as well as the Pacific, Europe as well as Asia. New problems press upon us, in which, with the eyes of the world looking on, we must not fail.

To the material responsibilities we shall rise. It is your task to see to it that we rise to the governmental responsibilities also—to afford this people the agencies of self-government with which to fulfill its destiny, and, as the representatives of the people, to do in their interest their sovereign will. The experience of your immediate predecessors demonstrates that this is no impossible aspiration, and I look with confidence to see you carry even further forward the work they so well began.

EXECUTION OF RECENT LEGISLATION AND CONSUMMATION OF NEW POLICIES.

The Legislature of 1911, and the people of our State in the constitutional amendment election of that year, entered upon certain new governmental policies. In passing it may be mentioned that the election of October, 1911, called by the regular session of the Legislature of that year, was probably the first election held where only amendments to the Constitution were voted upon. In itself this election was a test of popular rule. The interest in the constitutional amendments and the discrimination displayed by the people fully demonstrated the efficacy of direct legislation and the ability of the people to govern themselves. Some of the amendments submitted were complex in character and dealt wholly with abstract problems. The people then determined that they, as well as the administration, wished the lodgment of power with themselves, and it has since been lodged with our people. Immediately after the election the various constitutional amendments were put into effect, and, of course, in good faith carried out. In detail it is impossible to refer to the execution of all of the legislation passed in 1911, or that determined upon by our people, but a few of the important policies that have been entered upon in the last two years are mentioned.

I.

THE RAILROAD COMMISSION.

In January, 1911, the Railroad Commission consisted of three elective members. In that year the well known Stetson-Eshleman railroad bill was passed by the Legislature, giving to the Railroad Commission powers as extensive as the Constitution would permit. At the election of October, 1911, the people passed two constitutional amendments relating to the Railroad Commission, by which the Commission was enlarged to five and made appointive instead of elective, and the most plenary powers were conferred upon it. At the extra session of the Legislature of 1911, the Public Utilities bill was passed. Since that time the Commission has done a wonderful work. In the thirty-two years previous to June, 1911, there was less work done by the Railroad Commission of the State of California than has been done by the present Railroad Commission in any one month of its

existence. Probably during the thirty-two years of the existence of the Railroad Commission prior to 1911, approximately one hundred complaints were presented to that Commission, and in less than two years, to the new Commission, approximately two thousand complaints have been presented. The Commission has acted with such justice, fairness and ability, that it has won the respect and regard of nearly all of those whose interests have come within its jurisdiction. It is impossible even to recapitulate the accomplishment of this Commission. It has investigated express rates, readjusted railroad rates to accord with the long and short haul clause, reduced freight rates into and out of the San Joaquin Valley, between Los Angeles and San Pedro, Los Angeles and Imperial Valley, between Bakersfield and the oil fields, reduced Pullman seat fare between San Francisco and Los Angeles, reduced demurrage, restored lower telephone rates in one hundred and two towns, reduced many thousand passenger, freight and express rates upon informal complaints, improved train service, reduced rates on raisins and dried fruits from San Joaquin and from Sonoma and Mendocino counties, given all children the benefit of half fare on all street railways, previously extended only to school children; required the erection of new depots, examined and authorized stock and bond issues approximating thirty millions of dollars, and at last has become the arbiter between the people on the one hand and the great public service corporations upon the other, dealing justly with each, but with firmness insisting upon the performance of the duties of each.

It may be said that the Public Utilities Act of the State of California compares favorably with any similar act in the Union, and it may be said of this Commission, now as well as a Public Utilities Commission, that its record, as demonstrated by its accomplishments, is second to no similar commission in all this Nation. There are older commissions in some of the states, dealing with these subjects—commissions that in the past have been suggested as models—but to-day, throughout the United States, the Railroad Commission or Public Utilities Commission of the State of California is recognized as among the foremost, and in the amount of work and efficiency, I doubt if any compare with it. The object of one of the constitutional amendments adopted in 1911 by the people, was, as stated during the campaign, to maintain for the longest possible time the present attitude of the State toward the railroad and public service corporations, and to give ample opportunity for the demonstration of a system of regulation, of just, speedy and summary determination, where individuals were concerned on the one hand and great corporations on the other. When the amendment to the Constitution was submitted only a little over a year ago, it was thought doubtful if all that was contemplated as the work of the Railroad Commission could be so far advanced in the brief term of one executive as to have demonstrated to the people the efficacy of such a Commission, and its necessity for the protection of the people. Happily the personnel of the Commission has been such, its industry has been so indefatigable and its ability so pronounced, that in the very brief period that has elapsed the people probably already fully understand not only its value to them, but its absolute necessity.

I feel that I need not bespeak for this Commission your co-operation.

II.

BOARD OF CONTROL—CENTRALIZATION OF SUPERVISION.

Best results are obtained governmentally when the head held responsible is in closest touch with all that transpires. After a careful survey, it was determined at the last session of the Legislature that there should be some centralized authority in constant touch with the various institutions of the State and their business policy, and which should be one of the arms of the executive head of the State. Accordingly, was created the Board of Control. It was hoped that through this Board immediately at hand would be available all information concerning the business management of the various state institutions. The Board was designed to exercise a supervisory control and management over the fiscal affairs of public institutions and to install a uniform system for the management of the State's business. The Board of Control was duly appointed, and entered upon its duties. It has more than justified itself. In a brief period it has modernized and immensely improved the business management of all of the institutions. It has acquired an experience now invaluable to the State which will enable it to go forward with its duties in the future with even greater precision than in the past. It has enabled the government of the State to be in immediate touch with the business management of each particular institution. It has saved the State hundreds of thousands of dollars, has put in operation, where possible, uniform systems of accounts, and to-day the business of the State in its public institutions, for the first time in the history of the State, is being conducted on a business basis, exactly as would be desired by any private enterprise. When you recall that the accounts of our state hospitals had not been audited in fourteen years until the installation of the Board of Control, the laxity of former methods will be apparent. The accounts of all of these institutions have now been audited, a uniform system of accounting has been installed in four, and in the others will be at the earliest possible moment. It is no exaggeration to say that where there was one bidder for the State's business in the past, there are at least six times as many to-day. This has arisen through the efforts of the Board

of Control and their success in making the business of the State the most desired and the most sought after, and by the elimination of all favoritism. There is now real competition in bidding upon the business of the State, and this competition has been brought about simply by pursuing business methods and granting to all equal opportunity. One of the evidences of the value of this sort of work is that in the state hospitals the cost of maintenance in the past year was decreased \$150,000, notwithstanding that the cost of living is greater, and notwithstanding that better supplies are furnished and that the food supplies for the hospitals are fixed wholly by the State Medical Superintendent and the superintendents of the various state hospitals. The Pure Food and Drug Laboratory at the University of California is now the judge of the quality of foods submitted to the state institutions.

The textbook fund of the State was found mortgaged to favored contractors when the Board began investigating this subject. There was \$14,000 in the State Textbook Fund and \$70,000 of claims against it. The fund now has \$162,000 and there are practically no bills against it, and, in addition, there are some \$30,000 worth of finished books in the state warehouse. If the Board of Control had done nothing else than expose the shocking conditions existing at the State Printing Office by which the school children of the State were made to pay for a favoritism that had grown up under the old system, it would be entitled to the lasting gratitude of every citizen of California. The Board has fulfilled the function long needed and has fulfilled it well.

I commend to you such legislation as shall be suggested by this Board.

Just as the State's business methods have been modernized and improved, it has seemed that the same sort of supervision of administration might bring a like improvement there. If it were possible for the executive head of the State to have as one arm the Board of Control, with its supervisory power over the fiscal affairs of the various state institutions, and as the other arm a centralized body with an equal power over the administrative affairs of the various state institutions, there could never be any excuse for those things that sometimes occur under existing circumstances, no matter what may be the efforts of administrative heads. For instance, there are in California five insane asylums, Mendocino, Napa, Stockton, Agnews, and Patton, and one Home for the Feeble-Minded at Glen Ellen. These are governed by local boards, just as the reform schools and the normal schools are. The local boards in most instances are composed of men of unimpeachable character, who are engrossed in their own affairs, but who unselfishly devote what time they deem essential to the management of the affairs of the particular institution that they represent. It happens necessarily that these boards derive their information almost wholly from the various superintendents. The members have not the time, and cannot, because they serve without compensation, devote the time necessary completely to investigate everything pertaining to their institution. That these boards have rendered good service; that they will render good service in the future, and that they deserve all praise for their unselfishness and patriotism in doing a public work, without compensation, is, of course, conceded, but our experience with the Board of Control in fiscal management has convinced us that a similar board with like power in the administrative affairs of the state institutions could accomplish like results. Just as the Board of Control has supplied the deficiency existing in the business management of our institutions, just so could a centralized body, devoting itself exclusively to the work, supply any deficiencies that might exist in the administrative work of the institutions.

I would suggest to you that you consider the elimination of local boards and the creation in their place of one centralized body to be located at the city of Sacramento, which shall devote itself exclusively to the administrative care of state institutions, and which shall receive a fair compensation. The fiscal management of the various institutions should be with the Board of Control; the management otherwise, with the central authority suggested. Both of these bodies thus would be arms of the government, enabling that close touch in every respect with the state institutions essential to obtain economical management and the highest degree of efficiency.

Under the constitutional amendment providing for free textbooks adopted at the last general election, it will be necessary for you to remodel the State Board of Education. In framing the new law, if you saw fit, the idea of centralized authority could be carried into successful execution so far as the normal schools of the State are concerned.

The suggestion has been made, too, that the same rule apply in all health conservation matters, and Dr. W. F. Snow, the very efficient Secretary of the State Board of Health, has been working upon a plan of consolidation. I am not prepared to present this matter in detail, but will reserve it for a future occasion if deemed essential.

III.

INDUSTRIAL ACCIDENT BOARD.

The policy adopted by the State two years ago that the burden of accident should not fall wholly upon him who is least able to bear it, but should be wisely distributed, has come now to be the policy in many states of the Union, and the Federal

Government itself. Neither the desirability nor the righteousness of this policy is longer questioned, and while, in specific instances, it is difficult thoroughly to work out the purpose and design of such acts, they are now accepted by every modern and humane state.

One of the chief difficulties that has arisen in California has been because of the rapacity of insurance companies. The rates of insurance seem to have been extortionate, and in many instances, prohibitive. In this sort of greed, however, insurance companies have over-reached themselves because, if we are to continue the policy that we have adopted in respect to industrial accidents, it will be necessary for the State itself to provide the necessary insurance. The Industrial Accident Board reports to me that the Washington scheme of insurance is not approved by them, but that they do approve the creation of a state insurance fund, in order that the State may furnish insurance to those who desire it for their protection. I strongly urge upon you, if the industrial accident law is to continue to be a part of the policy of the State of California, that you take the necessary means for providing for a state insurance fund.

Complaints have been numerous in relation to the law, and mainly from one source—the farmers. It has been argued by the farmers that they ought not to be within the purview of the law because, first, the very nature of their work renders it impossible for them to discriminate in employing individuals, and the very nature of those who engage in their work renders discrimination impossible. Farmers think, therefore, inasmuch as they must have labor at a particular time, hastily, that they should not be subject to liability for accident; and again they insist that they cannot distribute the cost of protection, insurance, etc., in their business, because they do not, and can not fix the price of their commodities, the price being fixed in other markets and, therefore, that the theory by which the burden of the accident shall be cast upon the business and ultimately upon the community is untenable as applied to them. I find, however, that this latter argument may be made in favor of some other business as well. Thoroughly do we believe in the policy of this law, and rather than sacrifice that policy, we would be willing to eliminate the farmers from its provisions. Nevertheless, I cannot but believe that this elimination will be a step backward, and particularly do I think this will be so if the State furnishes cheap insurance.

IV.

CONSERVATION COMMISSION.

The Conservation and the Water Power commissions have practically concluded their work, and have presented a most valuable report of their investigations within the past two years. Their recommendations are embodied in certain bills which will be presented to you. The data which has been supplied to the State by the conservation commissions will be of great and lasting value. The bill relating to water and water power presented by the conservation commissions is a measure of very great importance concerning which, in the future, if deemed advisable, I shall again communicate with you.

V.

IMMIGRATION COMMISSION.

With the opening of the Panama Canal, now so near at hand, new problems will confront us. If the expectations of the transportation companies and of those familiar with the subject are realized, much of the immigration which now wholly finds itself upon the Atlantic shore will be distributed to the Pacific coast, and there will be brought to the State of California an extraordinary increase in population, presenting new and difficult questions. It has ever been the boast of our State that we have not within it any real, pressing want. We have never had the awful problems presented to us that the congested centers of the East have there presented. A wise forethought would endeavor to prevent such conditions in the West, and the experience of to-day of the congested centers of the East should be sufficient warning to all who are charged with the duty of providing for the future. With those of us who have dealt at all with the subject, our hope and our dream are that we may prevent in California the human congestion that has occurred in the populous centers of the East, and that by the adoption of those measures which experience and wisdom shall dictate, we may be relieved of the dread and the misery of the problem of the East. Accordingly, in August of this year, I appointed what we termed an Immigration Commission, composed of members who had had experience with the subject and who had devoted many years of thought to the solution. This Commission, of course, serves wholly gratuitously, and has presented certain bills as a result of its labors. If we can distribute our immigration, and if we can, forewarned, prevent the congestion within our State, of a population which seems certain to come to us within the next few years, and if we can forbid that problem which is ever increasing in intensity with our eastern brethren, we will have accomplished a great and lasting benefit for California.

VI.

FREE TEXTBOOKS.

The people adopted a constitutional amendment providing for free textbooks at the last general election. I am advised that we may put the scheme in operation by the appropriation of \$300,000. We are enabled to do this because of the investigations of the Board of Control, and the revolutionizing of the methods that have been in vogue in the State Printing Office. As has been suggested elsewhere, because of the efficient business management of the State Printing Office to-day the Textbook Fund has on hand about \$162,000, and there are \$30,000 worth of finished books in the State warehouse. It is because of this extra sum on hand that we may put into operation, at the figure we have named, the new constitutional amendment. Legislative action, however, is necessary, and this legislative action should look to economy in the matter of school books. The books should not become the property of the pupil, but should be, of course, returned at the conclusion of their use, for future use, if necessary. If this can be impressed sufficiently upon school managers, teachers and pupils, the cost of furnishing free textbooks ought to decrease yearly until it will be an inconsiderable figure in our biennial appropriations.

VII.

RIVER FLOOD CONTROL.

No matter is of more immediate importance to California than flood control of the Sacramento and San Joaquin rivers. Of the two the Sacramento presents the greater problem and the graver menace. Its sources and tributaries, if in flood together, pour into the river a quantity of water six times as great as the channel's extreme capacity.

The San Joaquin has its own problems, but has vital concern as well in the control of the Sacramento, first, because the present narrow mouth of the Sacramento prevents discharge of the floods of the San Joaquin; second, because any break in the east levees of the Sacramento, below Sacramento city, pours the water in a southeasterly direction across the San Joaquin River and over the richest portion of San Joaquin County.

North of the San Joaquin River and below the present flood plane of the Sacramento are 1,000,000 acres of rich land, a large portion of it reclaimed, the cities of Sacramento and Marysville, and many small communities. The old system of independent reclamation in small units had steadily raised the flood plane, so that, a year ago, it was evident that further leveeing on this system could not insure permanent safety, but must result in enormous waste of money with temporary safety for a few at the expense of destruction of many.

Included in the call for the special legislative session of 1911, was this subject, and as a result, an act was passed adopting, on behalf of the State, the plan of flood control recommended by the California Débris Commission and approved by the War Department, and creating a State Reclamation Board with authority to force private reclamation along the Sacramento River and in the basins adjacent thereto to conform to the general plan. The San Joaquin was not placed under jurisdiction of the Board because there was at the time neither report from the Federal Engineers nor survey upon which a plan for that river could be formulated. Surveys for the purpose are now being made.

The flood control plan provides for retaining within the river channel all waters up to a fixed plane, so that scouring will result in increased capacity and improved navigation; for carrying flood waters over weirs and by by-passes through the Sutter and Yolo basins to tide water; for enlarging the mouth of the river from Rio Vista to Collinsville; and for incidental levee building and stream dredging. The estimated cost is \$33,000,000.

The result of this legislative action and of the policy adopted by the Reclamation Board has been surprisingly gratifying. Private capital, when it realized that State and Federal authorities were harmoniously coöperating, and with authority to enforce compliance with a comprehensive and safe flood control plan, showed an eagerness to undertake, at its own expense, much of the levee and by-pass work included within the Government's estimates.

I call your attention to the report of the Reclamation Board, and to its request for appropriation.

VIII.

BLUE SKY LAW.

Hon. Max Thelen, one of the members of the Railroad Commission, recently investigated the Blue Sky law of Kansas, and the efforts being made in various states for similar enactments. His report has been filed with the Railroad Commission in which he says:

"The Blue Sky law of Kansas is a law designed to put out of business in Kansas, the promoters whose promises were as limitless as the blue sky. Under this law, with certain exceptions, no corporation may sell stocks, bonds or other securities in Kansas without having first secured a certificate stating that the provisions of the law have been complied with and granting permission to do business in the State."

The object of the law, of course, is to prevent wild-catting, and to protect the gullible part of our public from investing in those stocks or bonds which have no real foundation, but which hold out to the investor the hope of impossible returns. In conversation with Governor Stubbs of Kansas not long since, he stated that the law had been of inestimable value to his state and had saved many hundreds of thousands of dollars, and had saved it, too, to those who most needed the saving. I recommend to you a similar law for California, the administration of which, however, shall be placed under the Railroad Commission.

IX.

BUREAU OF LABOR STATISTICS.

This Bureau was established in 1883, but, until a recent date, was of little or no service. It is now in reality a bureau for labor. Working men and working women seek and obtain now advice and assistance there. The laws relating to children and to women, and to conditions surrounding toilers generally, are rigidly enforced. Those without funds to pay can obtain, through this Bureau, the wages due them, and the wage collection agencies have been practically driven out of existence by the Bureau. The Bureau, during the past year, has compelled the payment of sums from sixty cents to three hundred dollars, in the aggregate, \$25,000. It has compelled employment agencies to refund in the aggregate \$1,500 to those who were treated unjustly by such agencies. The child labor laws have received the strictest attention, and children have been practically eliminated from the factory, workshop and store, and school attendance, as a consequence, increased. During the past year more than thirty-three thousand complaints were filed with the Bureau, investigated and acted upon.

Some agitation has been indulged in in relation to a State Employment Bureau. If you should establish such a Bureau, it should be, in my opinion, under the jurisdiction of the Labor Commission.

X.

STATE HIGHWAY COMMISSION.

The Legislature of 1911 provided for the appointment of three additional members of the Advisory Board, for the purpose of expending the eighteen millions of dollars voted for good roads in this State. So far as was possible these three additional members were constituted a Highway Commission, and they have had practically the sole charge of the construction of roads under the bond issue. The task, of course, is a very great one, and so extraordinary care was taken in the selection of the members of the Commission and of the Engineer. An organization, perhaps the most efficient ever created in this State by public or private enterprise, has been formed by the Highway Commission, and is actively engaged in the present work. The experts who examined this organization stated that it was the most efficient organization, with less overhead cost, of any organization they had ever before examined. The first duty of the Highway Commission, of course, was to determine the exact routes of the proposed new roads. This rendered innumerable hearings necessary, and occasionally a determination, as between particular localities. Decisions in particular instances were made after the most careful investigations and consideration and the exercise of the most conscientious judgment. With these decisions, of course, the Advisory Board, of which the Governor is the chairman, has not interfered. Appeals in some instances have been made, and some of the appeals have been quite persuasive, but in order that the highest degree of efficiency should be maintained, I have been compelled to adhere to the almost inflexible rule, that where commissions composed of men of high repute, in matters within their jurisdiction, after careful deliberation, have reached a conclusion, that conclusion should be final, and should not be interfered with by the Executive of the State, save in the most exceptional cases. Any other course would destroy the independence and initiative of Commissioners and would be substituting the judgment of the Executive for that of the Commissioners. The highest interests of the State have required that I should acquiesce, even though I should not hold the same view, in the determination of any commission entrusted with a specific duty who in the solution of that duty give painstaking and conscientious care and judgment. The Commissioners have proceeded therefore in the selection of routes and in the determination of matters relating to our highways, and have surveyed more than one thousand miles of road. They have let contracts for about one hundred and forty-eight miles in thirteen different counties, of various types of construction, and they are proceeding with their work in a manner which I think is satisfactory and highly commendable.

There is no provision in the particular act for the maintenance of the roads that shall be constructed, and, of course, maintenance of these roads in good repair is quite as important as the original building. The Highway Commission hopes to obtain a revenue sufficient to maintain the roads of the State from a Motor Vehicle Act. With the policy of thus obtaining the requisite funds, I am in accord. The particular act has not been submitted, and therefore I do not recommend it as to detail.

REVENUE AND TAXATION.

One of the grave problems that confronts us concerns the revenue of the State. In 1910, section 14 of article XIII of the Constitution was amended by the people and a new tax scheme separating state and local taxation was adopted. Whatever opinion we may have held respecting this particular amendment when once it was adopted by the people, it was entitled, and is yet entitled, to the most earnest endeavor of all the officials of the State to render it successful. Two years ago, because of the uncertainty concerning the amount of revenue which might be forthcoming under the amendment, the various branches of the state government practiced the most rigid economy. The special appropriations of the last Legislature, notwithstanding the marvelous increase in the needs of the State, were kept below the special appropriations of the Legislature immediately preceding and the increase in general appropriations was of a percentage less than had occurred in any biennial period for many years.

As illustrative of the economy practiced by the last Legislature, the following table of increase in percentages of appropriations is instructive:

Increase 1903 over 1901-----	18.42 per cent
Increase 1905 over 1903-----	32.53 per cent
Increase 1907 over 1905-----	13.90 per cent
Increase 1909 over 1907-----	18.12 per cent
Increase 1911 over 1909-----	8.28 per cent

During the past two years the percentage of increase in our public institutions has been infinitely greater than during any other biennial period. For instance, the increase in the number of insane in our hospitals was over 15 per cent; the increase in the number of pupils in our normal schools was over 30 per cent; and with these increases so great in percentage, the State has been maintained and its various departments operated with an increase of but 8.28 per cent in appropriations. Economy has probably been stretched to the limit in the past two years in the management of our public institutions, as these figures demonstrate. To attempt economy beyond this will mean that sort of parsimoniousness that can only result disastrously.

When the Legislature met in special session in December, 1911, the importunities were many to include generally in the call the subject of taxation. The friends and advocates of the new system, however, insisted that sufficient time had not elapsed to determine with certainty the results to be attained under the new system of taxation and they expressed their entire confidence that the new constitutional amendment would, if given a fair trial, realize an ever increasing revenue commensurate with the increasing needs of the State. At the time of the passage of the amendment, the arguments advanced by its advocates and by the representatives of the various public service corporations in its behalf were alluring and persuasive; and generally our people understood that the revenue required for the State would be produced wholly by the corporations.

The facts at this time appear to be:

1. That the new tax system will not provide, for the years 1913 and 1914, the revenue essential for the maintenance of the state government.

2. That small corporations are paying a greater proportion of the taxes than they should and larger corporations are paying a smaller proportion of the taxes than they should.

3. That the small householder proportionately is paying a greater amount of taxes than the great public service corporation.

I call your attention to the report of Controller Nye in which he estimates the excess of expenditures for the fiscal year ending June 30, 1913, at \$630,000, and the deficit for the fiscal year ending June 30, 1914, to be \$1,101,000. These estimates, in my opinion, are much less than the true amounts will be found to be for the periods mentioned. They are made with a confidence in the future revenue-producing possibilities of the new method of taxation possessed now by but few; and they are based upon estimates of the necessary expenses of the State which are far below what those necessary expenses should be. It is possible that, as in 1911, this Legislature may keep the appropriations of the State at an extremely low figure, even as low as the Controller estimates those expenditures in his report, but to maintain the expenditures at such an amount will probably be done at the expense of the progress and advancement of the State, and to the detriment of those the duty of caring for whom devolves upon the State.

I take it, of course, that if it can be shown to the Legislature that the small householder is paying a larger percentage of taxes proportionately than the public service corporations, there will be no hesitancy in doing what may be just in the premises. If due investigation shall convince you that many of the public service corporations under the new system are not paying their just proportion of taxes, it will follow, of course, that the rates charged these corporations should be increased. Investigations of the justice or injustice of the present rates are now being conducted by the State Board of Equalization. These investigations, the Controller informs me, will, within a few days, be concluded, and will then, at once, be transmitted to you.

The question has arisen whether a legislative act increasing taxes can take effect at once or must await the period prescribed by the referendum requirements. This matter I have submitted to the Attorney General of the State, and he holds that an act increasing the rates would come within the exceptions stated in the referendum constitutional provision and could take effect at once. The concluding portion of the Attorney General's opinion is as follows:

"For the foregoing reasons I am of the opinion that any act passed by the coming session of the Legislature changing, in accordance with their authority, the percentages designated in section 14 of article XIII of the Constitution would not be subject to the referendum clause of section 1 of article IV of said Constitution, but could be made effective the day of its adoption."

It is suggested to you, therefore, that you begin at once your investigations respecting the rates of taxation now fixed, and if, after due investigation, you find the situation to be as indicated herein, forthwith the rates now fixed be increased so that the corporations of the State will be required to pay their just share of taxes.

I have carefully refrained from suggesting any particular increase in rates or from even giving you the opinion we may have as to the increase in rates which should immediately be made. The reason I do not make to you a distinct recommendation of increase, specifically indicating the corporations and the amount of increase applicable to each, is because the Attorney General advises me that it is your duty to fix these rates only after due investigation and deliberation and has suggested that increases in rates should be left to your adjudication without specific recommendation by me.

CORPORATION LICENSE TAX.

The recent decision of the Supreme Court of our State in *Mulford vs. Curry* very seriously interferes with the revenue heretofore derived from the corporation license tax by the State. The point involved in the particular case was whether or not as to foreign corporations the exaction of the corporation license tax was constitutional. The decision, however, apparently goes very much beyond the one point that seems involved in the particular action. The court, doubtless, felt constrained to hold under recent decisions of the United States Supreme Court, that our law in the instance referred to was unconstitutional. Contemporaneously with this decision the Supreme Court of Massachusetts in a similar case took the contrary view. The matter, however, presents itself from two angles: first, the necessity for the reformation of a law declared by our highest court invalid; and, secondly, and, from the more serious point, of the impairment of the revenue of the State.

I invite your attention to this particular subject in the hope that in some fashion, just to all, the amount denied to us by the decision may be supplied.

INHERITANCE TAX.

The Controller strongly presents the difficulties encountered in the administration of the law relating to the tax upon inheritances. He concludes his report on this subject thus:

"And finally, it cannot be emphasized too strongly, that the real problem of inheritance tax laws is one of administration and not one of rates. Until the administration is made so efficient that the taxes legally due can be collected, to increase the rates would tend to reduce the revenues rather than increase them."

I suggest such legislation as will remedy the faults of administration suggested by the Controller, but I suggest in addition that the rates be increased in such proportion as you may determine to be just. The present tax has not been found to be onerous and it has fallen not upon the heavy laden and those least able to bear taxation, but upon those who can bear it without injury or real loss.

STATE INSTITUTIONS.

It is not my purpose under the head of "State Institutions" to present to you statistics. These I find ably reported by the State Board of Charities and Corrections, by the Controller and by the various institutions and commissions, themselves. It is my purpose under this caption briefly to make to you a few recommendations that the experience of the past two years has suggested.

INSANE ASYLUMS.

Patton.—The marvelous growth of the southern part of our State has led to the overcrowding of the only insane asylum situated there. South of Tehachapi one third of the population of California resides, and practically all of the insane committed from that territory are sent to the hospital at Patton in San Bernardino County. In the other two thirds of the State, there are four hospitals for the insane, and one for the feeble-minded. The conditions that now exist at Patton have taxed to the utmost the resourcefulness and the ability of the management there and I cannot commend too highly those at present in charge of the Patton hospital for their efforts, and successful efforts under very adverse circumstances. The patients at

Patton sleep in the corridors and hallways and in places where it was never designed they should sleep. New quarters must be provided in the south, and I think the only rational thing to do is to erect a new state hospital at some point climatically appropriate. It is suggested in various reports submitted to me that this hospital be under the existing management at Patton, at least for the first few years, and I think the suggestion excellent. At any rate, the means must be provided for housing the insane of southern California and should at once be provided. I ask your earnest attention to this subject and your immediate action. All the authorities agree that the state hospital should never have been located at Patton; that it is not the site for an institution of this character; and in the interest of the wards of the State I would suggest to you that the site of a new institution—if one shall be erected—shall be in some other locality in the southern part of the State.

Napa.—This asylum is also overcrowded, and the congestion must be relieved. I find upon investigation, too, that the attendants in these insane asylums are too few, fewer than in most other states of the Union. The medical staff also is not sufficient in number. To a layman it seems utterly impossible that physicians can give anything like adequate attention where each physician has under his control several hundred insane. Napa was found at the first attempted investigation to be in shocking condition. The superintendent resigned and the Board of Managers selected a new superintendent. Conditions at Napa have improved, and greatly improved, but they are by no means to-day all that we would wish them to be. The managers are doing all in their power in this behalf, and it is confidently expected that within a very brief period Napa will have reached the condition toward which we are striving with all our public institutions. More attendants and more physicians are required at both Napa and Patton.

Of the other state hospitals, Stockton is full to its capacity, but these other three hospitals, we think, are in excellent condition. Of course, where buildings, such as some of those at Stockton, were constructed more than forty years ago, it is obvious that such do not enable the accommodations to be wholly modern, but notwithstanding drawbacks arising from sources of this character, we may feel that these hospitals are rendering efficient service. Stockton requires and should have additional attendants and physicians.

Generally, concerning the insane asylums of the State, I quote Dr. F. W. Hatch, who for many years past has been the State Superintendent of Hospitals:

"During the biennial period ending this year, radical changes have been made in the business methods through the policy of the State Board of Control, that tend to a considerable reduction in the cost of maintaining the hospitals without in any way hampering their usefulness. More supplies are bought by contract and much more competition obtained in the purchase of non-contract supplies. The actual average per capita cost of the six state hospitals has been reduced from \$206.57 in the sixty-second fiscal year to \$187.57 in the sixty-third fiscal year."

BANKING DEPARTMENT.

I quote to you from the report made to me by the Superintendent of Banks, October 31, 1912:

"It is the more gratifying to me to report this state of affairs particularly in view of the burden of responsibility which fell to this department to break down the system of special privilege and dangerous discrimination which had fastened itself upon the State Banking Department of California to the destruction of right administration and of sound supervision. It is my prerogative to inform you that special privilege extended by the State Banking Department to favored banking institutions in California is dead.

"The evils of it have not yet fully disappeared. The manifestations of it are still apparent in violations of law which in some instances have resisted every suggested cure except that of drastic action which I regret to say I have in some cases been forced to take. While the root of special privilege has been destroyed the result of its growth has demanded from this Department an unremitting vigilance and an uncompromising insistence that the law must be obeyed."

At various times complaints have been made to me concerning rulings made by the Superintendent of Banks, but in every instance where investigation has been made, that his ruling has been in accordance with the law, has not been questioned. Of course, it is apparent that if a drastic law like the Bank Act be vigilantly and vigorously enforced, constant difficulties may arise, but the Superintendent of Banks has taken the position that what the law demands must be done and that he is without power and without right to relax the law as it has been adopted by the Legislature of the State. The banking department is for two purposes, one of which by some of our banker friends is overlooked. It is for the purpose of aiding banks themselves and it is beyond that for the purpose of protecting depositors and the public at large. A banking department that would be administered only as certain bankers might desire, would be of little value to the State, and an efficient administration of a banking department must insist upon bankers obeying all the laws just as others are required to obey all the laws. I am prepared to admit that there are certain parts of the Bank Act which are onerous and which perhaps may be modified or

repealed, but so long as those provisions remain, just so long it is the duty of the Superintendent of Banks to enforce them, however distasteful the enforcement may be to those immediately interested. The Bank Act, however, requires many amendments, some of which will be submitted to you by the Superintendent of Banks and some by the legislative committee of the Bankers' Association. But let me repeat, if there is irritation or hostility by bankers because of the enforcement of the law, the law itself must be changed, not the attitude of the Superintendent of Banks toward that law. It is all well enough to talk as some bankers have talked to me about elasticity of provisions, and about relaxing certain requirements and about forgetting other provisions, but to relax or forget for one set of bankers and to enforce for another, is a system which cannot be tolerated. Beyond all that, it is assumed that the law is designed for the protection of the public at large and, of course, relaxation or forgetfulness of any part of such law is an offense against the public at large.

I commend to you the amendments of the act which have been submitted and prepared by the Superintendent of Banks.

STATE PRISONS—REFORM SCHOOLS.

We have two state prisons and two reform schools. The two reform schools in the past have been kindergartens for the penitentiaries. It has happened too often that the inmate of the reform school has graduated from that institution only to finish in one of our state prisons. Fundamentally, it seemed to me, the management of these reform schools was erroneous, and that if they could serve no other purpose than to educate young men into crime, and to graduate them ultimately into the state prison, they ought to be abolished. The theory on which reform schools was conducted in the past was that the children in those schools should be governed by fear and by force. The utter inutility of this method I believed to have been demonstrated, and it was resolved, therefore, that we would make an effort in a different direction with our erring young, and by treatment of these children as children, by eliminating as far as possible force and violence and fear, by teaching initiative and independence, and generally by regarding the inmates of these schools as human beings, not unlike the rest of us, they might be reclaimed and made useful members of society. In Ione and Preston, therefore, we have started upon the latter course, and there is every indication that the results desired will be attained. A recent inspection of Whittier showed the utter lack of facilities at that school and these facilities should measurably be provided if we expect good results. In the past two classes of children have been sent to our reform schools: delinquents and dependents. Dependents are those who have no home. Delinquents embrace the bad, the vicious, the incorrigible. The infamy of sending a child merely because orphaned to a reform school for continuous association with those actually convicted of crime is too obvious to require comment. Legislative action should render impossible the continuance of this wrong.

Within the past couple of years, there has been a nation wide awakening and agitation concerning those convicted of crime and conditions of prisons. As often happens with such an agitation, sometimes extremes are advocated, and the difficult problem in prison management now is to avoid the brutality of former years and the harsh treatment accorded in the past, and the mawkish sentimentality which would raze all prison walls. That men in prison should be humanely treated, that they should be afforded activity for hand and brain alike, that consistent with safety and discipline they should be given as much latitude as possible, and that honest effort should be made to fit them, after the period of expiation, for citizenship, will now readily be conceded, and it is with this effort that the administration, at least, has endeavored to act. That our prison conditions are infinitely better than at any time within the history of the State of California, can not be denied. Better quarters are being provided, segregation into classes is being attempted, and trades are sought to be taught. The parole laws are administered with a liberality far exceeding that of the past, and within the recent year there have been fifty per cent more paroles granted than ever before in a like period. In San Quentin, at present, clothing and shoes and furniture, and matting, hats and caps and similar articles are being manufactured, and while the quoted statement contained in the commencement of this message that the prisons are self-supporting is erroneous, profit from the manufacture of these articles has been quite considerable. No appropriation for maintenance beyond salaries at San Quentin is this year asked. This does not arise solely, however, from the institutional manufacturing. The profits of the manufacturing department have aggregated about \$35,000, but this, it is expected, will be largely increased as the organization of the department is perfected. I desire that a similar manufacturing department be established at Folsom, and I ask that the request of the warden at Folsom, in this respect, be granted. The design of these manufacturing plants is not alone to make money for the prisons and the State and to render these prisons ultimately self-supporting, but, more important still, to give employment to the men confined and to enable them to learn useful trades which, if they desire, will furnish them employment upon their discharge.

UNIVERSITY.

The modern idea of a state university is that not only should it be the avenue of higher education and afford, academically, every facility for the acquirement of knowledge, but that it should also be a useful part of the state government and in such

close touch with the people of the State that all problems of every character may be carried to it for solution.

We may be justly proud of the academic prominence of the University of California. It has attained an eminence that entitles it to-day to be ranked among the great institutions of our Nation. In enrollment it is the second college in the land, being exceeded in the number enrolled by Columbia alone. Its situation is ideal, the standard of its work equal to any, and I feel that too great praise cannot be accorded to those who have brought it to its present high academic efficiency.

I wish it, however, to serve the other purpose as well; to be in touch with the agricultural and horticultural and viticultural interests of the State; to be the Mecca of every man who wishes to know how best to treat or till the soil; to be as useful to our people who have been without academic advantages as it is to those who seek academic advantages. It should be possible upon any technical subject, governmental or otherwise, for us at once to turn to the University and there find collated all the information upon that particular subject. It should contain experts of such standing that those who wish knowledge or instruction in any particular avocation may turn there with the certainty of finding what is sought. It should be in such close and intimate touch with our soil that it should teach those who are upon the soil the best methods of treating the soil, what would be the most prolific and productive and what of greatest advantage.

We endeavored in some small measure to attain this end by the agricultural college at Davis, and recently as dean of the agricultural department a gentleman of national reputation was appointed. We wish the agricultural department of the State University to be really a department of agriculture, to be a college of farming, and to lend that aid, assistance, encouragement and enlightenment which may bring the best results.

This department of the University is of quite as vital importance as any other department, and we are striving now to bring it to the highest degree of progress and efficiency. Increased appropriations are asked for this department, and these increased appropriations, in the main, I heartily commend. It is unnecessary to dwell upon the source of our greatest wealth—our soil—to point out to you the extraordinary importance of our horticultural, viticultural, and agricultural interests. And just as in the proportion that these are important to us, in just that proportion should the agricultural department, in dealing with them, be to our University.

The University should be the investigating arm of the government of the State. Problems constantly are arising which require for their solution immediate action and information, and which can not be solved with the rapidity and facility desired because we can turn to no place in the State for appropriate information. In the last two years we have embarked upon different and new economic policies, some of which have been attempted in other localities and some of which are not new in foreign nations. In these matters it would have been of inestimable service to the government could we have turned to some particular agency and obtained at once the requisite data. It is just this purpose that the University should serve.

Beyond this, the University should afford the best training for citizenship in the right direction. The fundamental ideas of humanity, of decency in government, of the necessity for keeping government responsive alone to the people, and of absolute opposition and hostility ever to the cajolery and bribery of public officials, should be instilled into our future citizens who soon in turn must take up the burden and perpetuate this nation.

The University has done a great work. It has before it even a greater future. With your aid, it should and will become the leader, academically, in applying scientifically to daily pursuits whatever is of use and advantage, and in the free discussion and thought so essential to a government such as ours.

STATE HARBOR COMMISSION.

In no part of the government of the State did the old system make itself so manifest as at the harbor front at San Francisco, and, as illustrative of the conditions formerly existing there, I quote from a recent report of the Harbor Board:

"Nowhere in the administrative branch of the state government was the malign influence of that dominating corporation more conspicuously illustrated than in the condition and management of the San Francisco harbor. For over forty years, with infrequent intervals, not long enough to effect much of a reform, the Southern Pacific practically owned and operated the water front, and used it as a private piece of business property for the advancement of its own political and business interests.

"The evils of such a monopoly could not be set out in the limits at our command, though few things could be of more vital interest to the material advancement of the people of the State than a full knowledge and appreciation of the blighting effect of the control of the harbor and commerce of San Francisco Bay, which is the greatest single asset owned or possessed by the State of California, by a gigantic railroad system, which had a direct interest in the cramping and dwarfing of harbor development."

The present Harbor Commission, adopting the policy which has been that of the State during the past two years, has managed and operated the harbor of San Francisco without regard to special interests, but for all the people, and for the

entire State of California. The harbor of San Francisco is self-supporting. The Harbor Commission, and the work done under it, represent not only shippers in the city of San Francisco and vicinity, but represent the entire State, and particularly the great valleys of the State, which bring into the city of San Francisco, and over the wharves that are owned by the State of California, a tonnage annually of millions of dollars.

The present Board of Harbor Commissioners admittedly is the most efficient that has ever administered the affairs of the harbor. Its work has been undertaken upon a greater scale than ever before, because it is making the effort in two years to provide for the opening of the Panama Canal, and the contingencies that will then confront it. This work should have been in contemplation many years in the past, and should not have been left until the last moment for its completion. The work upon the piers and wharves and seawalls in San Francisco at the present time is of the most modern scientific type, and a greater amount of that work is progressing than ever before. The poor type of construction of the past, and the work of destructive parasites, have rendered necessary repairs to a greater portion of the piers heretofore constructed. In another part of this message, the incident was referred to that the rates charged to tenants upon the State's property, prior to the administration of the present Harbor Board, were really fixed by the Southern Pacific Company, the chief tenant of the State. When the present Harbor Board assumed control it believed that the rentals paid were insufficient, but in order to determine justly what these rentals should be, it appointed a commission of three well known real estate men of San Francisco to value the properties, and from the values to fix fair rentals. This commission reported, the report was adopted. The result was an increase in rentals from the transportation companies amounting to \$137,500 per annum. At the same time, charges against shippers were reduced ten per cent. Naturally those whose rentals were increased, and those who have dealt in the past with this wondrous asset of the State for private gain, do not look with favor upon a management of the harbor for all the people of all the State.

THE NATIONAL GUARD.

The National Guard has been during the past two years vastly improved. The Guard now consists of 4,188 officers and men trained and disciplined. During the past two years the personnel of the Guard has been increased by 50 officers and 727 men. Target ranges have been constructed and equipped for over 45 additional organizations, giving small arms ranges for the entire Guard using the rifle and revolver. Ten camps of instruction and joint exercises and maneuvers with the Regular Army have been held for officers and men. Officers have been sent to Fort Riley, Kansas, and Sparta, Wisconsin, three times to technical service schools of instruction, and other officers have been sent to the Mexican border with the Regular Army and to the Government School of Musketry at Monterey. Regular Army officers have been detailed with the land forces as instructors and have conducted, and are still conducting, schools of instruction. An officer has been detailed as instructor for the Naval Militia and the recent maneuvers of the militia in conjunction with the Regular Army called forth the highest encomiums from the officials of the Federal army.

STATE PRINTING OFFICE.

The revolution in the methods of the State Printing Office has been of such recent date that doubtless all are familiar with changed conditions there. The Superintendent of State Printing has finally demonstrated that a printing office in behalf of the State may be conducted with the same economy and efficiency as a private institution of like character. For so many years the management of this office has been marked with extravagances, and sometimes even worse, that the belief became general that the State could not successfully manage and operate its printing plant. The error of this is now shown. The decrease in cost of materials, because of fair competitive bidding, the installation of a modern cost-finding system and the increased efficiency have reduced the cost of text-books to the pupils of the State 42 per cent.

FISH AND GAME COMMISSION.

The Fish and Game Commission are deserving of credit for their activity and because they have interested vast numbers of citizens of the State who have, in the past, been indifferent, in the preservation of fish and game. The Commission have conducted scientific researches under various professors that it is hoped will be of lasting benefit. The hatchery work made the record in its existence during 1912. Reference is made to the biennial report of the Commission.

ENGINEERING DEPARTMENT.

The stupendous work of the Engineering Department is little understood. When it is considered that the appropriations for construction run into the millions, and that this construction is under the management of the Engineering Department, some small idea of the Department's work may be had. The work is not confined to mere construction of buildings, but to roads, to river work and flood control problems, irrigation districts, supervision of dams, surveys, etc. The work of the Department was found to be, when the present State Engineer assumed his office, far in arrears, but by constant activity and energetic endeavor on the part of the present official, the Department is now promptly attending to the work entrusted to it.

The Department has grown so rapidly that the quarters formerly assigned to it in the Capitol are wholly inadequate. Appropriate and sufficient offices should be provided.

SUPERINTENDENT OF CAPITOL BUILDING AND GROUNDS.

The old method by which Capitol Commissioners, consisting of the Governor, the Secretary of State, and the State Treasurer, through various employees, an equal number being appointed by each, endeavored to maintain the capitol building and grounds, was thought to put a premium on inefficiency. Your predecessors, therefore, were asked to enact the law which is now in effect, providing for a superintendent of the capitol and grounds who should himself select the employees to do the necessary work and who should alone be responsible for the condition of the building and the surrounding land. The wisdom of this course has been amply shown in the improved service in the building and the immensely improved condition of the beautiful park that surrounds our capitol. The present Superintendent has proven himself in every respect qualified; and the new departure by which his office was created and the old commission abolished, like all of the measures designed for efficiency, has amply justified itself.

STATE BOARD OF MEDICAL EXAMINERS.

It has been assumed that this Legislature would deal with the formation of the State Board of Medical Examiners and probably remodel the present law. Because of that assumption I have not thus far attempted any changes in the Board itself. I should have done so, but I desired to await your action, and if in your wisdom you do not see fit to act, I shall, in the matter of appointments which it is my province to make, undertake the remodeling of the Board.

In this connection there is one suggestion that has been frequently made. Our State peculiarly attracts those who have acquired competencies in other states and among many who come to us, after a life of successful effort, are practicing physicians. It has come under my observation that some of these physicians have successfully practiced their profession for many years in neighboring states, and yet, though they are gentlemen of repute, when they enter this State, in order to practice, they are compelled to pass entrance examinations. These examinations it is represented to me are like the ordinary entrance examinations that are propounded to students. The average lawyer who has successfully practiced his profession for twenty years, would have great difficulty in passing the entrance examinations to the bar, and I take it that the position of physicians is not dissimilar. It seems wholly unjust that a successful practitioner in another state, who is of good repute and standing, but who desires to come to us because of the greater advantages, climatically and otherwise, offered by California, shall be precluded from practicing his profession, except upon passing the medical examinations propounded to students within our State. The injustice should in some fashion be remedied.

REFORMATORY FOR FIRST OFFENDERS.

Under the act of the Legislature passed in 1911, a commission was appointed to obtain a site for a reformatory for first offenders. This commission has obtained and purchased for the State a tract of land in Napa County, and in the purchase unquestionably the State has been most fortunate. The commission desires the work commenced upon the reformatory at the earliest possible moment. The citizens of the Napa Valley, however, have been most strongly protesting against the location of this institution in their midst, and I feel it my duty to transmit to you this protest. I notify you of the fact of the purchase of the tract, and of the expenditure of the appropriation made in 1911 for that purpose. Of course, to construct the reformatory the requisite additional appropriation must be made.

STATE HORTICULTURAL COMMISSION.

There is nothing of greater importance than our horticultural interests. It has recently been stated that in our citrus industries alone \$175,000,000 are invested and its annual production is around \$40,000,000. A vast territory is still available for its expansion and its possibilities are unlimited. The enormous value of our horticultural interests cannot be overestimated, and the problems in connection with them are serious and require an unrelaxing vigilance. Great power in the State has been conferred upon the Horticultural Commissioner in the matter of quarantines and the like, and this power has been exercised during the past year by the present Commissioner whenever he deemed it essential. The ravages of any of the pests that now scientifically are known, if admitted within our borders, might take from us this wonderful industry of which we are so proud, and which is fundamentally one of the chief sources of our wealth. The Horticultural Commissioner has been unremitting in his activity and for this department, one of the most important in the State, I ask the consideration that its importance demands.

There are other departments of the state government concerning which much might be written. It is impossible within the limits of any one message to treat adequately all the branches of the State's government, or to present all the suggestions that occur concerning legislation. From time to time I shall communicate with you upon specific subjects, in the hope that I may aid your labors and

that there may be with us that useful coöperation so essential for real achievement. It is my fervent wish that we may all go forward with the work that is ours and do that work with the single purpose of performing a duty and executing with fidelity the trust that has been reposed in us.

HIRAM W. JOHNSON,
Governor.

APPENDIX.

PARDONS.

JESUSA JOHNSON, pardoned February 25, 1911. Convicted in the Police Court of the city of Los Angeles of the crime of petit larceny and on December 24, 1910, sentenced to one hundred and fifty (150) days in the city jail at Los Angeles. Upon investigation, it appeared that the health of this woman was seriously affected by confinement and that she had a family of young children in grave need of her care. The pardon was therefore granted.

EDWARD STRAYER, pardoned August 3, 1911. Convicted in the Police Court of the city of Los Angeles of criminal conspiracy and on the 5th day of January sentenced to a term of one hundred and eighty (180) days in the city jail at Los Angeles. Letters were received by me from the judge who sentenced Strayer, the prosecuting attorney, and the sheriff of Los Angeles County, and upon their recommendation he was pardoned.

JOHN J. LYNCH, pardoned August 25, 1911. Committed from the city and county of San Francisco on the 22d day of October, 1909, having been convicted of grand larceny and sentenced to a term of nine (9) years in the state prison at Folsom. After his conviction Lynch gave material aid to the district attorney in the prosecution of Charles E. Rankin, who was jointly charged with Lynch of the said crime of grand larceny. Lynch fully revealed to the court at the trial of Rankin all of the facts relating to the transaction out of which the charge against him grew, and as well, in so far as he was able, made restitution to the Ocean Shore Railway Company, the injured party in said transaction. Upon the recommendation of the district attorney of the city and county of San Francisco, and of J. Downey Harvey, president, and Burk Corbet, secretary of said company, pardon was granted.

FRED CHRISTIE, pardoned August 28, 1911. Convicted of the crime of forgery and committed from the county of Colusa in June, 1908, for a term of seven (7) years at San Quentin. He served three years of his sentence, had never before been convicted of an offense, and his prison record was exemplary. Upon the recommendation of Andrew Furuseth, who testified to his prior good character, a pardon was granted.

J. W. WEIZ, pardoned August 28, 1911. Convicted in the Police Court of the city of Los Angeles of the crime of misdemeanor, to wit: violating section 311 of the Penal Code, and on the 10th day of July, 1911, sentenced to a term of one hundred (100) days in the city jail at Los Angeles. Weiz had borne a good reputation in the city of Los Angeles, where he had resided for a number of years, and numerous petitions and letters sent to this office made it apparent that the sentence was imposed under a misapprehension of the facts of his case. Upon the petition and recommendations of Hon. George Alexander, mayor of the city of Los Angeles, the president of the city council, the prosecuting attorney, and many other reputable citizens, the pardon was granted.

FRANK DAWSON, pardoned August 29, 1911. Committed from the county of Placer in August, 1909, having been convicted of grand larceny and sentenced to a term of seven (7) years at Folsom State Prison. Dawson's prison record was good and he had never been in any trouble before. His pardon was recommended by the Hon. C. N. Post, Judge of the Superior Court, who imposed the sentence upon him, Charles N. Tuttle, district attorney, who prosecuted him, and the sheriff of Placer County, and upon their recommendations the pardon was granted.

PATRICK FAHEY, pardoned September 5, 1911. Committed from the county of Contra Costa in October, 1905, having been convicted of the crime of manslaughter and sentenced to a term of ten (10) years at Folsom State Prison. Fahey was paroled May 9, 1911, by the State Board of Prison Directors, and subsequent thereto his health became impaired and his sight failed. He desired to leave the State of California to go to the residence of his sister in the Dominion of Canada, and upon the recommendation of the district attorney of the county of Contra Costa, and that he might receive the proper care and attention which his condition demanded, his pardon was granted.

CHARLES CALVIN HOGLE, pardoned November 27, 1911. Committed from the county of Monterey in June, 1905, having been convicted of the crime of burglary and sentenced to a term of ten (10) years at San Quentin State Prison. Hogle was paroled on the 1st day of August, 1911, and thereafter conducted himself in an exemplary manner, observing in all particulars the terms and conditions of his parole. His pardon was recommended by citizens who had watched his conduct and as he had already served the major portion of his sentence a pardon was granted.

J. H. CARPENTER, pardoned December 7, 1911. Convicted in the Police Court of the city of Los Angeles of the crime of misdemeanor, and on the 23d day of August, 1911, sentenced to a term of one hundred and eighty (180) days in the city jail at Los Angeles. Carpenter became seriously ill after his incarceration and was removed to the city hospital because of such illness. Upon the presentation of these facts, a pardon was granted.

HOWARD H. HOGAN, pardoned December 9, 1911. Convicted on the 25th day of April, 1911, in the Justice's Court of township No. 5, county of Merced, of misdemeanor and sentenced to a term of six (6) months in the county jail. It was admitted in this case that the sentence was excessive and the Judge of the Superior Court of the county of Merced, in passing upon the appeal taken in said case, recommended that Hogan be pardoned prior to the execution of said judgment. The district attorney who prosecuted Hogan stated that it was his intention to obtain a parole for him after he had served ten days of said sentence. Hogan served the said ten days, and in view of the agreement of all of the parties concerned that the law had been fully vindicated, a pardon was granted.

ALFRED A. LE BEUF, pardoned December 22, 1911. Committed from the county of Alameda in June, 1909, having been convicted of the crime of embezzlement and sentenced to a term of ten (10) years at San Quentin State Prison. Le Beuf during his incarceration rendered valuable services to the State which resulted in a saving of a considerable sum of money and by which certain illegal and dishonest practices were stopped. For these services a pardon was granted.

JAMES F. BUSHNELL, pardoned December 22, 1911. Committed in August, 1909, from the county of Los Angeles, having been convicted of embezzlement and sentenced to a term of ten (10) years at San Quentin State Prison. Bushnell was complained against by the E. K. Wood Lumber Company. He had borne a good reputation up to the time of this trouble, and the officials of the company agreed that if he were pardoned they would take him back again into their employment. With Alfred A. Le Beuf, who was simultaneously pardoned, Bushnell rendered services to the State of California by which it was enabled to save a considerable sum of money and which put a stop to certain illegal and dishonest practices. A pardon was therefore granted him.

GERTRUDE DRIGGS, pardoned December 23, 1911. Committed from Los Angeles County on the 21st day of January, 1911, having been convicted of the crime of forgery and sentenced to a term of five (5) years in San Quentin State Prison. She was at the time of the pardon, and for a long time prior thereto had been, physically incapacitated, and her pardon was recommended by Hon. Paul J. McCormick, Hon. Frank G. Finlayson, Hon. N. P. Conroy, and Hon. Walter N. Bordwell, Judges of the Superior Court of the county of Los Angeles, Hon. J. D. Fredericks, district attorney of the county of Los Angeles, and many others, and upon such recommendations it was granted.

DONALD A. MOORE, pardoned January 26, 1912. Committed in July, 1910, from the county of Alameda, having been convicted of the crime of forgery and sentenced to a term of two (2) years in San Quentin State Prison. Moore was nineteen years of age at the time of his conviction and was recommended to the Judge of the Superior Court for probation. Complete restitution was made to those who suffered loss by his crime. His prison record was good and his pardon was recommended by Phillip M. Carey, assistant district attorney of the county of Alameda, who conducted the prosecution against him, by the Hon. J. Stitt Wilson, mayor of the city of Berkeley, by August Vollmer, chief of police of the city of Berkeley, by F. W. Dorn, assistant city attorney, and many other reputable citizens. Upon these recommendations a pardon was granted.

ARTHUR P. CRAMER, pardoned March 7, 1912. Committed in March, 1909, from the city and county of San Francisco, having been convicted of the crime of forgery and sentenced to a term of four (4) years at San Quentin State Prison. He was paroled on the 1st day of November, 1910, by the State Board of Prison Directors, subsequent to which time he was regularly employed at Winters in the county of Yolo. His prison record was good and his conduct subsequent to parole was exemplary. His term of imprisonment having nearly been completed, and upon the recommendations of the city clerk of Winters, of his employers, of Hon. Albert E. Boynton, W. A. Cannedy, and others, a pardon was granted.

J. J. ARBERRY, pardoned March 8, 1912. Committed in the month of March, 1910, from the city and county of San Francisco, having been convicted of the crime of attempting to obtain money by false pretenses and sentenced to a term of two (2) years at San Quentin State Prison. Arberry's term would have expired on the 20th day of March, 1912, and his family having become destitute and in great need of his aid and assistance, upon recommendation of Hon. Frank H. Dunne, Judge of the Superior Court and the judge before whom he was tried, and who sentenced him, and of Maxwell McNutt, assistant district attorney, who prosecuted him, a pardon was granted.

WALLACE H. MORE, pardoned March 8, 1912. Committed in December, 1910, from the county of Santa Barbara, having been convicted of the crime of burglary and sentenced to a term of eighteen (18) months at San Quentin State Prison. More's term was about to expire and his pardon was recommended by Hon. S. E. Crow, Judge of the Superior Court, who sentenced him, and by Hon. W. S. Day, who as district attorney prosecuted him, and by Hon. E. W. Squier, present district attorney of the county of Santa Barbara. Upon their recommendations, a pardon was granted.

JOHN O'NEIL, pardoned March 19, 1912. Committed in December, 1896, from the county of Sacramento, having been convicted of the crime of burglary and sentenced to a term of thirty (30) years at San Quentin State Prison. O'Neil was a fourth term and had served nearly thirteen years of his present term when his parole was obtained from the State Board of Prison Directors through the efforts of Leon Mordaunt, a deputy parole officer of the city of Los Angeles. From September 1, 1909, after his release upon parole, O'Neil had been steadily employed by the Southern California Edison Company. He abandoned all his criminal associates and earned the approbation of his employers and the respect and friendship of his fellow-workmen. Contrary to all expectations he made good and was recommended for pardon by the State Board of Prison Directors, by Hon. E. S. Wachhorst, district attorney of the county of Sacramento, by Hon. W. H. Beatty, Chief Justice of the Supreme Court, and by Hon. F. M. Angellotti, Hon. M. C. Sloss, Hon. Henry A. Melvin, and Hon. Lucien Shaw, Associate Justices of said court, as well as by his employers and other reputable citizens. His pardon was therefore granted.

ELMER WILSON, pardoned March 28, 1912. Convicted in the Police Court of the city of Los Angeles for having violated the provisions of what is known as the traffic ordinance of that city. He was a student in the Los Angeles High School, bore an excellent reputation and had never been in any trouble before. His pardon was recommended by Hon. Guy Eddie, prosecuting attorney of the city of Los Angeles, by Hon. George Alexander, mayor of the city of Los Angeles, by Hon. C. J. Sebastian, chief of police, by Hon. Lee C. Gates, Hon. N. W. Thompson and many other citizens. He was therefore pardoned.

JOSEPH T. LIDDY, pardoned June 4, 1912. Committed in January, 1911, from the city and county of San Francisco, having been convicted of the crime of manslaughter and sentenced to a term of two (2) years at San Quentin State Prison. He was subsequently paroled and his record both in and out of the prison was good. His pardon was recommended by Hon. George H. Cabaniss, Judge of the Superior Court, who presided at his trial and imposed upon him the said sentence, by Hon. Charles N. Fickert, district attorney of the city and county of San Francisco, James F. Brennan, assistant district attorney, who prosecuted Liddy, Hon. Thos. F. Graham and Hon. E. P. Mogan, Judges of the Superior Court of the city and county of San Francisco, by Hon. H. I. Mulerevy, county clerk, by Hon. John I. Nolan, Walter Macarthur, and many other citizens. Liddy was more than fifty years of age, a first offender, and had up to this time borne an excellent reputation. His term was near its expiration and a pardon was therefore granted.

AXEL GREEN, pardoned June 8, 1912. Committed in July, 1908, from the city and county of San Francisco, having pleaded guilty to three charges of grand larceny, upon which he received sentences of two (2) years each, the said sentences to run consecutively. Green had served nearly four years of this time and his pardon was recommended by the State Board of Prison Directors, by Hon. W. H. Beatty, Chief Justice of the Supreme Court, Hon. F. M. Angellotti, Hon. W. G. Lorigan, Hon. E. W. Henshaw, Hon. Henry A. Melvin and Hon. Lucien Shaw, Associate Justices of said Supreme Court. Upon these recommendations a pardon was granted.

WILLIAM CARLIN, pardoned June 8, 1912. Committed in May, 1910, from the county of Alameda, having been convicted of the crime of abduction and sentenced to a term of four (4) years at San Quentin State Prison. Carlin was paroled December 1, 1911. His prison record was good and his conduct subsequent to parole exemplary. His pardon was recommended by Hon. Everett J. Brown, Judge of the Superior Court, who imposed the sentence upon him, by Philip M. Carey, assistant district attorney, who prosecuted him, by Hon. William H. Donahue, district attorney, and by Hon. Charles L. Neumiller, a member of the Board of Prison Directors. Upon these recommendations he was pardoned.

M. J. GILKEY, pardoned by Acting Governor Wallace on June 25, 1912. Committed in August, 1911, from the county of Los Angeles, having been convicted of the violation of section 288 of the Penal Code and sentenced to a term of ten (10) years in San Quentin State Prison. Gilkey was at the time of his pardon and for several months prior thereto had been seriously ill. On June 20, 1912, Dr. H. Newton Kierulff, resident physician at San Quentin, reported as follows: "I have the honor to report that Gilkey's condition is very serious and that he may die at any time." In view of this fact and because of the recommendations of Warden Hoyle and Hon. James W. Bartlett, Judge of the Superior Court of the county of Trinity, who presided at the trial of said Gilkey, a pardon was granted.

E. E. DUNCANSON, pardoned August 22, 1912. Committed in June, 1909, from the county of Los Angeles, having been convicted of the crime of rape and sentenced to life imprisonment at San Quentin State Prison. Duncanson was convicted mainly upon the evidence of the prosecutrix, who was his twelve-year-old stepdaughter. At the trial she testified to several acts on the part of Duncanson. Subsequently, she went to live with relatives in the State of Kentucky, and in December, 1909, she retracted the story told by her at the trial. Later she denied the truth of her second story. At the instance of the district attorney of the county of Los Angeles, his deputy, who conducted the prosecution, was detailed to go to Kentucky and interview the young girl, and upon his return he reported that he "had a grave and serious doubt that Mr. Duncanson ever committed the acts with which he was charged and should, if called upon now to do so, certainly give him the benefit of this doubt." After an examination of the transcript of the testimony taken in the case, Hon. Benjamin F. Bledsoe, Judge of the Superior Court of the county of San Bernardino, advised me that there was some doubt in his mind as to the guilt of Duncanson. From the transcript, and the most serious and careful consideration of the case, I was not convinced of Duncanson's innocence, but the matter seemed doubtful, and finally, after long deliberation, I preferred to give him the benefit of the doubt and granted the pardon.

CHARLES BUNCH, pardoned August 23, 1912. Committed in February, 1912, from the county of San Joaquin, having pleaded guilty to the charge of passing a fictitious check and having been sentenced to a term of three (3) years at San Quentin State Prison. Bunch at the time of the commission of his offense was but sixteen years of age, although he informed the judge who sentenced him that he was nineteen years old. He was a wayward son of parents of good standing in the State of Washington, and upon their promise to take him home, a pardon was granted, conditionally that immediately upon his release he return to his parents in the State of Washington. This condition was carried out.

PAUL A. VINCILIONE, pardoned August 23, 1912. Committed from the county of Marin in April, 1911, having been convicted of the crime of bribery and sentenced to a term of eighteen (18) months at Folsom State Prison. He served a year of the term and was thereupon paroled by the Board of Prison Directors. His term expired July 6, 1912. At the time of his conviction he was an attorney-at-law, and because of the conviction his name was stricken from the rolls of the courts of this State. He has six children, the oldest of whom is eleven years, and in order that he might not be handicapped in his efforts to reestablish himself in his profession, a pardon was granted.

JOE BLACK, pardoned by Acting Governor Wallace on September 14, 1912. Convicted on the 23d day of July, 1912, in the Police Court of the city of Los Angeles of the crime of assault, and sentenced to a term of one hundred and eighty (180) days in the city jail at Los Angeles. A pardon was granted in this case because it appeared that further confinement would result in permanent injury and because of the recommendations of Hon. Guy Eddie, prosecuting attorney, and Hon. W. L. Williams, police judge.

JOHN NELSON, pardoned by Acting Governor Wallace on October 1, 1912. Committed in the year 1908 from the county of Merced, having been convicted of the crime of burglary and sentenced to a term of four (4) years at Folsom State Prison. Nelson was paroled on the 15th day of August, 1910, and his term expired on the 16th day of January, 1911. He was a first termor, his prison record was good, and his conduct on parole exemplary. For the purpose of restoring to him all his civil and political rights and privileges, a pardon was granted.

HENRY HAGEMISTER, pardoned by Acting Governor Wallace on October 1, 1912. Committed in October, 1908, from the county of San Joaquin, having been convicted of the crime of arson and sentenced to a term of fifteen (15) years at San Quentin State Prison. At the time of his conviction Hagemister was nineteen years of age. He was paroled on the 2d day of January, 1910, and immediately returned to the scene of his crime and was there given employment, with which he remained until the latter part of 1911, when he was permitted by the Board of Prison Directors to go to the city of Detroit to his parents. He was continuously employed subsequent to his parole and demonstrated his ability to become a useful citizen. His pardon was recommended by the district attorney of San Joaquin county, who prosecuted him, and the present district attorney of said county, and as well by C. L. Van Buskirk, against whose property the crime was committed. Many other citizens of said county recommended a pardon and because of these things a pardon was granted.

EDWARD COLE, pardoned by Acting Governor Wallace on October 1, 1912. Committed in April, 1912, from the county of San Joaquin, having been sentenced to a term of three (3) years at San Quentin State Prison. Cole was eighteen years of age and had never before been in trouble. His offense consisted of the theft of a suit of clothes and the sum of \$1.50 in money. After his incarceration, the resident physician at San Quentin reported him a sufferer from chronic heart disease, and in

a critical condition. Upon recommendation of the warden, and a showing that provisions had been made to return him to his parents in the State of Illinois, a pardon was granted.

H. A. GEORGE, pardoned by Acting Governor Wallace on October 1, 1912. Committed in April, 1912, from the county of Siskiyou, having been convicted of the crime of issuing a fictitious check and sentenced to a term of eighteen (18) months at San Quentin State Prison. In a disturbance at the prison on the 9th day of June, 1912, in which George had no part, he received a bullet wound through the hip. The wound failed properly to heal and an operation was necessary and other surgical treatment which were not available at the state prison. In addition to this, he was recommended for pardon by the district attorney for the county of Siskiyou, who urged that his was a case rather for probation than imprisonment. In view of his injury and because of such recommendation, a pardon was granted.

GILBERT M. YOUNG, pardoned by Acting Governor Wallace on October 17, 1912. Committed in 1906 from the county of Monterey, having pleaded guilty to the crime of robbery and having been sentenced to a term of twenty (20) years at San Quentin State Prison. Young was paroled on the 1st day of October, 1909, and since that time had been steadily employed. His conduct was exemplary and he was recommended for pardon by Hon. B. V. Sargent, Judge of the Superior Court of Monterey County, by Hon. Fred A. Treat, district attorney who prosecuted him, by Hon. Frank R. Willis, Judge of the Superior Court of the county of Los Angeles, who had become intimately acquainted with him, by B. T. Brain, under-sheriff of the county of Los Angeles, and by D. L. Lorimer, deputy sheriff, to whom he had reported monthly during his parole period. Upon the showing made of his good conduct, and the recommendations, a pardon was granted.

FRED FROEHLINGER, pardoned by Acting Governor Wallace on October 17, 1912. Committed December, 1907, from the county of San Diego, having been convicted of the crime of statutory rape, and sentenced to a term of twenty (20) years at San Quentin State Prison. At the time of his conviction Froehlinger was nineteen years of age, and though it was indicated to him that if he would plead guilty to the charge probation would be given him, he always insisted that he was entirely innocent. Subsequently, the prosecutrix in the case retracted the story she had told at the time of the trial and her statement having been brought to the attention of the district attorney of the county of San Diego, an investigation was had before the grand jury of that county, the result of which indicated that Froehlinger was innocent of the crime. For this reason the pardon was granted.

GEORGE E. WOODSTOCK, pardoned by Acting Governor Wallace on October 30, 1912. Committed in April, 1912, from the county of Lassen, having been convicted of statutory rape, and sentenced to a term of ten (10) years at San Quentin State Prison. After the conviction of Woodstock, the testimony of the prosecutrix in his case was so badly discredited that a petition for his pardon was signed by the twelve jurors who rendered the verdict against him, and by practically the entire population of the county. In addition thereto, Hon. G. P. Johnson, the district attorney who prosecuted the case, wrote as follows: "After the trial of Emanuel Enos there has been some doubt in my mind as to the correctness of the verdict in the Woodstock case." Hon. C. E. McLaughlin and Hon. F. A. Kelly, both of whom were judges of the Superior Court of the county of Lassen and both of whom knew Woodstock many years, urged his pardon. From the showing made there was grave doubt of his guilt and a pardon was therefore granted.

ROBERT GARNER, pardoned December 3, 1912. Committed in 1902 from the city and county of San Francisco, having pleaded guilty to the charge of robbery on two counts, and having been sentenced upon the first count to a term of twenty (20) years, and upon the second to a term of one (1) year at San Quentin State Prison, the second term to commence at the termination of the first term. Garner desired to be paroled and the Board of Prison Directors was unable to act upon his application because of the fact of his conviction upon two charges of felony. In order that his application might be considered, a pardon for the crime upon which he was sentenced for one year's imprisonment was granted. This was done upon the recommendation of Hon. F. M. Angellotti, Hon. M. C. Sloss, Hon. Lucien Shaw, and Hon. Henry A. Melvin, Associate Justices of the Supreme Court of the State of California, by Hon. Charles N. Pickert, district attorney of the city and county of San Francisco, and by Hon. Carroll Cook, former Judge of the Superior Court of the said city and county of San Francisco, and the judge who imposed the said sentences upon Garner.

GEORGE L. RITMAN, pardoned December 3, 1912. Committed in August, 1912, from the county of Alameda, having pleaded guilty to the charge of knowingly receiving stolen property. Ritman was a first timer who had borne a most excellent reputation for honesty and integrity. After his incarceration he became mentally unbalanced, and upon the recommendation of several hundred of the residents of Alameda County, of Dr. H. Newton Kierulff, resident physician at San Quentin, of Hon. Wm. H. Donahue, district attorney for the county of Alameda, and of Hon. John F. Ellison, Judge of the Superior Court of said county, who sentenced Ritman, he was pardoned.

PAT MULLALLY, pardoned December 16, 1912. Committed in 1911 from the county of Colusa, having been convicted of the crime of grand larceny and sentenced to a term of three (3) years in the state prison at San Quentin. He was a first term and was paroled by the Board of Prison Directors, and after his release conducted himself as a good citizen should. His pardon was recommended by Hon. H. M. Albery, Judge of the Superior Court of Colusa County, and by Seth Millington, district attorney of said county. Because of his good conduct and upon these recommendations, a pardon was granted.

CHARLES DONALD LOWRIE, pardoned January 2, 1913. Committed in October, 1905, from the county of Alameda, having been convicted of the crime of burglary in the first degree and sentenced to a term of fifteen (15) years in the state prison at San Quentin. He was a second term, but after serving nearly six years of his sentence he was paroled because of his good conduct by the State Board of Prison Directors. After his parole Lowrie was constantly employed and his conduct was exemplary. For this reason, the State Board of Prison Directors recommended to the Supreme Court that his pardon be recommended by them, and thereafter such recommendation was received by me, signed by Hon. F. M. Angellotti, Hon. F. M. Henshaw, Hon. Henry A. Melvin, Associate Justices, and by Chief Justice Beatty. A pardon was therefore granted.

COMMUTATIONS.

J. F. SCARBROUGH was convicted in May, 1910, in the Superior Court of the county of Fresno of the crime of forgery and sentenced to a term of two (2) years at San Quentin Prison. Scarborough's physical condition after his incarceration became so precarious that it was reported to the Board of Prison Directors by the resident physician at San Quentin that he could not recover his health. His conduct was such that on the 11th day of March, 1911, the Board of Prison Directors recommended that his sentence be commuted so that he might be released at once, and in view of this recommendation his sentence was, on the 15th day of March, 1911, commuted upon the condition that the commutation should become void upon his subsequent conviction of any felony and that in addition to any sentence which might hereafter be imposed upon him by reason of such conviction, he should serve the remainder of his commuted term.

PETER MAPLE was convicted in March, 1910, in the Superior Court of the county of Humboldt of the crime of robbery and sentenced to a term of four (4) years in San Quentin Prison. Maple developed tubercular trouble at San Quentin and three operations were performed upon him by the resident physician, all of which were unsuccessful. Learning of his condition, it was recommended by Hon. Clifton H. Connick, Judge of the Superior Court of Humboldt County, before whom he was tried, Hon. Otto W. Cregor, district attorney of said county, who prosecuted him, Mrs. Alice M. Peebles, field matron U. S. Indian Service, and Messrs. Mahon & Mahon, attorneys-at-law, that his sentence be commuted, and on the 28th day of March, 1911, a commutation was granted to such time as would entitle him to immediate release upon the condition that commutation should become void upon a subsequent conviction for any felony, and that in addition to the sentence imposed upon him by reason of such conviction he serve the remainder of his commuted term.

LOUIE AUGUSTINE was convicted in the Superior Court of the county of Lake, of the crime of murder in the first degree and thereafter he was sentenced to be hanged on the 16th day of September, 1910. He had been reprieved from time to time by former Governor Gillett, until the 20th day of January, 1911, and on the 16th day of January, 1911, and on three subsequent dates, he was reprieved by me in order that I might properly investigate his application for commutation to life imprisonment. After a careful consideration of his case such commutation was granted on the 6th day of June, 1911. The crime of which Augustine was convicted was the killing of the sheriff of Lake County, while he was in the discharge of his duty. The evidence shows that Augustine shot the sheriff about dusk just as the sheriff, who had been lying in wait for him, called out "Throw up your hands." Augustine is an Indian boy, eighteen years of age, without friends and without funds. His attorney was appointed by the court. The feeling in the county ran somewhat high against him. His case was never appealed and the question of premeditation and deliberation was never passed upon by the court of last resort. Because of this, and more especially because of his extreme youth, there never having been an execution in this State of one so young, the commutation was granted.

HORACE BENNETT was in the month of December, 1908, in the Superior Court of the county of Monterey, convicted of murder in the first degree and was thereafter sentenced to be hanged on the 9th day of February, 1912. A letter received by me from Hon. H. W. Henshaw, Associate Justice of the Supreme Court, in relation to Bennett's application for commutation of sentence and concurred in by Hon. F. M. Angellotti, Hon. Lucien Shaw, Hon. M. C. Sloss, and Hon. Henry A. Melvin, and Hon. W. G. Lorigan, Associate Justices of said court, sets forth among other things the following: "My understanding is that the petition seeks to have the death sentence commuted to imprisonment for life. Such a commutation would, in my

judgment, still inflict upon the defendant a full measure of punishment for his crime, and at the same time would be both a humane and just act of executive clemency. * * * And though, as the opinion shows, there was sufficient evidence to support the jurors' verdict of deliberation and premeditation, yet I was strongly impressed that deliberation and premeditation did not enter into the crime, but that the inspiring cause was a sudden and unreckoning anger induced by whisky. I think my associates as well as myself were surprised that the verdict should have been anything more than manslaughter. Certainly, therefore, a mitigation of punishment to life imprisonment would in my opinion, as I have said, be both just and humane." A careful examination of the testimony in the case confirmed these conclusions and on the 13th day of December, 1911, a commutation to life imprisonment was therefore granted.

JOHN BYRNE was convicted in the Superior Court of the city and county of San Francisco, of the crime of murder in the first degree, and was thereafter sentenced to be hanged on the 10th day of November, 1911. An application for a commutation of his sentence was made to me, and in order to investigate his case, a reprieve was granted until January 12, 1912. In the opinion of the Supreme Court, rendered in the matter of the appeal of Byrne, Justice Angelotti said: "A mere reading of the record in this case clearly leaves one in grave doubt on the question of the defendant's guilt." The Chief Justice and all of the Associate Justices of said court recommended that the sentence of Byrne be commuted to life imprisonment, and in addition thereto Hon. William P. Lawlor, Judge of the Superior Court of the city and county of San Francisco, before whom Byrne was tried, and who rendered the judgment and decree of death, also recommended a commutation of his sentence. Upon these recommendations, on the 10th day of January, 1912, a commutation to life imprisonment was granted.

WM. BURKE was convicted in the Superior Court of the county of San Diego of the crime of murder in the first degree, and was thereafter sentenced to be hanged on the 22d day of December, 1911. The crime of which Burke was convicted was the murder of his mistress at the conclusion of a long debauch. The facts which were presented upon the application of Burke for a commutation of his sentence indicated clearly that at the time of the commission of the crime his mental condition was far from normal. Lewis R. Kirby, district attorney of the county of San Diego, who prosecuted Burke, and H. S. Utley, present district attorney of said county, after a thorough investigation of the case, recommended a commutation. The foreman of the trial jury, and three other jurors, under oath, stated that if this fact had been brought to their attention, a recommendation for life imprisonment would have accompanied the verdict. A commutation was recommended by practically all of the county officers of the county of San Diego, and after a thorough investigation of the case, Acting Governor Wallace, on the 10th day of September, 1912, commuted the sentence of Burke to life imprisonment.

GEO. E. FIGUEROA was convicted in the Superior Court of the county of Los Angeles of the crime of murder in the first degree, and was sentenced to be hanged on the 20th day of October, 1911. Figueroa was defended by an inexperienced attorney, and his defense was inadequately presented to the jury. In the civil action later brought by this attorney to recover compensation for his services in the trial of Figueroa, the trial court made a finding to the effect that the conduct of the case showed carelessness and indifference, and that Figueroa had not been properly represented or defended. Letters were presented from Judge Willis of Los Angeles County, who presided at the trial of Figueroa, and by Judge Crow of the Superior Court of the county of Santa Barbara, recommending a commutation of sentence, and it was the opinion of the Chief Justice of the Supreme Court that a new trial should have been granted the defendant. Figueroa was reprieved on ten successive occasions in order that his case might be thoroughly investigated, and after such investigation, made by Acting Governor Wallace, he commuted the sentence of Figueroa on the 17th day of September, 1912, to imprisonment for life.

REPRIEVES.

WILLIE LUIS. Convicted in the county of San Luis Obispo of the crime of murder in the first degree and sentenced to be hanged on the first day of December, 1910. He was first reprieved by former Governor Gillett to the 3d day of February, 1911, and in order that a proper investigation of his case might be had, he was subsequently reprieved twenty times, to the 6th day of December, 1912. After a thorough investigation of his case, his application for commutation was denied, and he was executed on the day last mentioned.

MARK A. WILKINS. Convicted in the county of Alameda of the crime of murder in the first degree and sentenced to be hanged on the 17th day of February, 1911. He was reprieved eleven times to the 12th day of January, 1912, in order that his case might be properly investigated, and was executed on the day last mentioned.

DEMETRY TRESCHENKO. Convicted in the city and county of San Francisco of the crime of murder in the first degree and sentenced to be hanged on the 7th

day of July, 1911. He was reprieved to August 4, 1911, in order that the facts of his case might be presented, and after a proper investigation, was executed on the day last mentioned.

ED WILLIAMS. Convicted in the Superior Court of the county of Butte of the crime of murder in the first degree and sentenced to be hanged on the 12th day of April, 1912. He was reprieved five times, to November 29, 1912, in order that his case might be properly investigated, and was executed on the day last mentioned.

ALEX SZAFSCUR. Convicted in the city and county of San Francisco of the crime of murder in the first degree and sentenced to be hanged on the 3d day of May, 1912. He was reprieved five times to the 22d of November, 1912, in order that his case might be properly investigated, and was executed on the day last mentioned.

EDWARD DELHANTE. Convicted in the county of Marin of the crime of murder in the first degree and sentenced to be hanged on the 22d day of November, 1912. He was reprieved upon the request of the warden of Folsom State Prison to the 6th day of December, 1912, in order that an investigation as to his sanity might be made. An examination of Delhante was conducted by a board of reputable physicians who reported Delhante sane, and he was executed on the date last mentioned.

FRANK BAUWERARTS. Convicted in the county of Riverside of the crime of murder in the first degree and sentenced to be hanged on the 16th day of August, 1912. He was reprieved to September 13, 1912, for the reason that an appeal to the Supreme Court had been taken in his case, but no notice thereof served on the warden at San Quentin. Such notice was subsequently served and the appeal is now pending.

MANUEL BOMBELA. Convicted in the county of Orange of the crime of murder in the first degree and sentenced to be hanged on the 17th day of October, 1912. He was reprieved three times to the 10th day of January, 1913, at the request of the Mexican consul general, who is securing documents and affidavits to be presented upon his application for commutation.

CHARLES CARSON. Convicted in the county of Sacramento of the crime of assault with a deadly weapon with malice aforethought, the defendant being a prisoner undergoing a life sentence in the state prison. He was sentenced to be hanged April 20, 1906, and pending the determination of the constitutionality of the statute under which he was convicted, he was by my predecessor reprieved from time to time, and fourteen reprieves have been granted during my term until the 14th day of February, 1913. Carson has developed symptoms of insanity and the last reprieve granted him was for the purpose of having a proper determination of the question of his sanity or insanity.

FRANCISCO QUIJADA. Convicted in the county of Sacramento of the crime of assault with a deadly weapon with malice aforethought, the defendant being a prisoner undergoing a life sentence in the state prison. His case was similar to that of Charles Carson, and he was reprieved to the 6th day of October, 1911, prior to which date he was killed by a fellow convict.

ADJOURNMENT.

At four o'clock and fifty minutes p. m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until eleven o'clock a. m., of Tuesday, January 7, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, January 7, 1913.

At eleven o'clock a. m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford,

Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Johnstone, Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Schmitt, its further reading was dispensed with.

PETITIONS.

The following petitions were presented and, on motion, ordered printed in the Journal:

MEMORIAL IN OPPOSITION TO A SUNDAY CLOSING LAW IN THE STATE OF CALIFORNIA.

To the Honorable the Senators and Assemblymen of the State Legislature of California, convened at the City of Sacramento, January 6, 1913.

GENTLEMEN: Among the propositions defeated at the last regular session of the Legislature was a Sunday closing bill, specially applying to the conduct of barber-shops in California. Later, the advocates of Sunday sacredness proposed to invoke the initiative, to secure the adoption of a general Sunday closing law in this State, providing heavy penalties for the non-observance of the day.

You are aware of the fact that this effort to enforce a religious custom by civil law failed completely, only 8,714 signatures having been secured by the original canvass and only 4,999 more by supplemental petition. As the original and the supplemental petitions altogether contained only 13,713 signatures, or less than one half the required 8 per cent of the vote for Governor, at the last State election, the issue did not come up at the November election for a vote.

When it is considered that a protest against the enactment of a Sunday law, bearing the signatures of 68,559 male voters of this State, was ready for presentation to the Legislature two years ago, and that notwithstanding the enfranchisement of women since that time a meagre showing of only 13,713 signatures of both men and women voters was made in favor of a Sunday law, in the campaign just ended, it is apparent that the citizens of California are almost unanimously opposed to such discrimination of days.

We desire to suggest in this memorial that the rights of all citizens are involved in this controversy. There are wide differences of religious conviction regarding the sanctity of days. The Jews, with the Seventh Day Adventists, the Seventh Day Baptists and others, maintain that the Sabbath ordained at the beginning of the world has never been changed by divine authority, and that all are subject to this requirement of God to keep holy the seventh day. While others, without any scriptural authority, have chosen to ignore the Sabbath of divine appointment, and have united for the exaltation of Sunday as the weekly day of rest, enforced by civil law, there are still others who esteem all days alike common.

These differences of conviction can not be regulated by civil law. The State is equally bound to defend the rights of all citizens, whatever their faith or persuasion, and Section 4, Article 1, of the State Constitution, distinctly declares that "*The free exercise and enjoyment of religious profession and worship, WITHOUT DISCRIMINATION OR PREFERENCE, shall forever be guaranteed in this State.*" To arbitrarily require that all should abide by the conclusions of any class of religionists would be despotic. It was never designed by the founders of the government that such a union of Church and State should prevail in America. Congress is expressly enjoined, by the First Amendment of the National Constitution, from making any law respecting an establishment of religion, or prohibiting the free exercise thereof, and the Fourteenth Amendment unequivocally declares that "*No State shall make or enforce any law which shall abridge the privilege or immunities of citizens of the United States.*"

All these just provisions of the basic laws of State and Nation are founded on inalienable rights of the individual, which can not be ignored. They stand as insuperable barriers to the enactment of a Sunday law; for the observance of Sunday is undeniably a religious custom. Such laws are an expression of intolerance, a menace to the religious liberty of dissenters, and a ready excuse for persecution when

placed upon the statutes. Despite the pretense that such laws are demanded in the interest of labor, they have their origin in religious superstition and fanaticism.

We trust and believe that you will not fail to support the existing guaranties of absolute freedom in religious things, established by the State for the protection of the entire community. We look to you as the champions and defenders of liberty, and we expect your faithful adherence to the principles which actuated our forefathers in erecting these strong bulwarks against bigotry and persecution, such as characterized the administration of human affairs during the dark ages. As America has stood for freedom in days past, so let California continue to stand in defense of civil and religious liberty and for the equality of all citizens under the law.

S. Hecht, Rabbi of Congregational B'nai B'rith, Los Angeles, Cal.; Isidore Myers, Rabbi, Los Angeles, Cal.; Seventh Day Baptists of California, by Eli F. Loofboro, Pastor Riverside Church; Christian Sabbath Keepers' Union, by Theophilus A. Gill, Registrar for California; Victor Harris, Editor *B'nai B'rith Messenger*, Secretary Hebrew Benevolent Society, Los Angeles, Cal.; Pacific Religious Liberty Association, by John F. Blunt, Secretary; Pacific Union Conference Seventh Day Adventists, by E. E. Andross, President; Western League for the Preservation of Civil Liberty, by H. G. Thurston, President; Dr. R. Furber, Ph. D., Rabbi of Congregation Sinai, Los Angeles, Cal.; Geo. W. Hills, Pastor Seventh Day Baptist Church, Los Angeles.

Also:

SACRAMENTO, CAL., January 7, 1913.

To the State Legislature now in session in this city.

GENTLEMEN: We submit herewith a series of resolutions, formally adopted by the Northern California-Nevada Conference of Seventh Day Adventists, at the Third Annual Session of that body, held at Sacramento, June 9th last, which memorial we respectfully present to your honorable body at this time, as it affects a matter that vitally concerns the liberties of all citizens of California, whose freedom you are bound to defend:

WHEREAS, God in His wisdom created man a free moral agent, not subject to his fellows in religious things, and

WHEREAS, The denial of inalienable rights in other lands led our forefathers to establish in America a free republic in which the blessings of liberty might be enjoyed, and

WHEREAS, Special safeguards were erected as fundamental principles of the United States Constitution and of the Constitution of the State of California, whereby the free exercise and enjoyment of religious profession and worship, without discrimination or preference, might be forever guaranteed to citizens of this Commonwealth, therefore be it

(a) *Resolved*, That we, the representatives of the Seventh-Day Adventists Churches in the Northern California-Nevada Conference now plead for the maintenance of the principles established by Almighty God and recognized by human government, whereby absolute freedom of conscience and entire liberty of religious observance may be enjoyed in this State.

(b) *Resolved*, That inasmuch as Congress is prohibited from the making or enforcement of any law respecting an establishment of religion, or prohibiting the free exercise thereof, and inasmuch as the fourteenth amendment to the United States Constitution expressly declares that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, we therefore urge that California refrain from the enactment of any Sunday law, or other statute whereby the compulsory observance of any weekly day of rest might be attempted by the representatives of the State.

(c) *Resolved*, That as the United States Constitution expressly declares that the Judges in every state shall be bound by that instrument, anything in the Constitution or laws of any State to the contrary notwithstanding, we therefore are constrained to regard as unconstitutional and as subversive of inherent rights all laws in restraint of religious practice and especially such statutes relating to Sunday observance as exist in other States, or may be proposed in California, by recourse to the initiative or otherwise.

(d) *Resolved*, That we do hereby express our unalterable conviction that civil and religious liberty ought to be maintained throughout the republic, and that the Church and the State ought forever to be kept separate in the discharge of their respective functions and duties.

C. L. TAGGART, President.
VEROH MACPHERSON, Secretary.

REPORT OF TEMPORARY COMMITTEE.

The following report of temporary committee was received:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, CAL., January 6, 1913.

MR. SPEAKER: Your Committee on Mileage beg leave to report that they have computed the mileage according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less	Total mileage.	Mileage of 10 cents per mile.
48	Alexander -----	Salinas -----	208			416	\$41 60
66	Ambrose -----	Los Angeles -----	447			894	89 40
59	Bagby -----	Santa Maria -----	460		85	750	75 00
34	Beck -----	Livermore -----	84	16		184	18 40
63	Benedict -----	Los Angeles -----	447			894	89 40
62	Bloodgood -----	Inglewood -----	447	12		918	91 80
44	Bohnett -----	San Jose -----	128			256	25 60
43	Bowman -----	Ben Lomond -----	198		3	390	39 00
15	Bradford -----	Sacramento -----	1			2	20
42	Brown -----	Colma -----	119		20	198	19 80
26	Bush -----	San Francisco -----	90			180	18 00
17	Byrnes -----	San Rafael -----	105			210	21 00
33	Canepa -----	San Francisco -----	90			180	18 00
52	Cary -----	Reedley -----	169	24		386	38 60
50	Chandler -----	Fresno -----	169			338	33 80
37	Clark -----	Oakland -----	84			168	16 80
47	Clarke -----	Bishop -----	418	6		848	84 80
24	Collins -----	San Francisco -----	90			180	18 00
58	Oram -----	Highland -----	447	79		1,052	105 20
16	Dower -----	San Andreas -----	73			146	14 60
77	Ellis -----	Riverside -----	512			1,024	102 40
71	Emmons -----	Los Angeles -----	447			894	89 40
75	Farwell -----	Los Angeles -----	447			894	89 40
38	Ferguson -----	Oakland -----	84			168	16 80
67	Fish -----	Pasadena -----	447	9		912	91 20
9	Finnegan -----	Nevada City -----	77			154	15 40
39	Fitzgerald -----	Oakland -----	84			168	16 80
22	Ford -----	San Francisco -----	90			180	18 00
60	Gabbert -----	Ventura -----	490			980	98 00
69	Gates -----	South Pasadena -----	447	8		910	91 10
40	Gelder -----	Berkeley -----	84			168	16 80
53	Green -----	San Luis Obispo -----	343			686	68 60
49	Griffin -----	Merced -----	114			228	22 80
54	Guiberson -----	Corcoran -----	214	17		462	46 20
7	Guill -----	Chico -----	91			182	18 20
45	Hayes -----	San Jose -----	128			256	25 60
79	Hinkle -----	San Diego -----	573			1,146	114 60
14	Inman -----	Sacramento -----	1			2	20
57	Johnson -----	San Bernardino -----	508			1,016	101 60
18	Johnston -----	Richmond -----	62	15		154	15 40
68	Johnstone -----	San Dimas -----	447	31		956	95 60
80	Judson -----	Escondido -----	572		8	1,108	110 80
10	Killingsworth -----	Vacaville -----	40		6	68	6 80
65	Kingsley -----	Los Angeles -----	447			894	89 40
72	Kuck -----	Los Angeles -----	447			894	89 40
12	Libby -----	Sebastopol -----	90	7		194	19 40
25	McCarthy -----	San Francisco -----	90			180	18 00
21	McDonald -----	San Francisco -----	90			180	18 00
78	Moorhouse -----	Heber -----	669	17		1,338	133 80
35	Morgenstern -----	Alameda -----	84	5		178	17 80
74	Mouser -----	Los Angeles -----	447			894	89 40
8	Murray -----	Woodland -----	23			46	4 60
2	Nelson -----	Eureka -----	312			624	62 40
30	Nolan -----	San Francisco -----	90			180	18 00

Mileage Report—Continued.

District	Assemllymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less	Total mileage.	Mileage of 10 cents per mle.
11	Palmer -----	Napa -----	61	-----	-----	122	\$12 20
73	Peairs -----	Los Angeles -----	447	-----	-----	894	89 40
5	Polsley -----	Red Bluff -----	135	17	-----	304	30 40
29	Richardson -----	San Francisco -----	90	-----	-----	180	18 00
61	Roberts -----	Los Angeles -----	447	-----	-----	894	89 40
23	Ryan -----	San Francisco -----	90	-----	-----	180	18 00
31	Schmitt -----	San Francisco -----	90	-----	-----	180	18 00
28	Scott -----	San Francisco -----	90	-----	-----	180	18 00
32	Shannon -----	San Francisco -----	90	-----	-----	180	18 00
4	Shartel -----	Alturas -----	324	-----	-----	648	64 80
1	Shearer -----	Yreka -----	295	-----	-----	590	59 00
56	Simpson -----	Bakersfield -----	278	-----	-----	556	55 60
13	Slater -----	Santa Rosa -----	90	-----	-----	180	18 00
36	Smith -----	Oakland -----	84	-----	-----	168	16 80
70	Strine -----	Downey -----	447	11	-----	916	91 60
19	Stuckenbruck -----	Acampo -----	48	-----	9	78	7 80
51	Sutherland -----	Fresno -----	169	-----	-----	338	33 80
46	Tulloch -----	Oakdale -----	77	-----	5	144	14 40
20	Wall -----	Stockton -----	48	-----	-----	96	9 60
37	Walsh -----	San Francisco -----	90	-----	-----	180	18 00
76	Weisel -----	Anaheim -----	481	-----	7	948	94 80
6	Weldon -----	Ukiah -----	150	-----	-----	300	30 00
3	White -----	Weaverville -----	217	-----	-----	434	43 40
64	Woodley -----	Los Angeles -----	447	-----	-----	894	89 40
55	Wyllie -----	Dinuba -----	206	-----	7	398	39 80
41	Young -----	Berkeley -----	84	-----	-----	168	16 80

OFFICERS.

L. B. Mallory-----	Los Gatos -----	128	12	-----	276	\$27 60
H. A. Harper-----	El Dorado -----	56	-----	-----	116	11 60
Ed. H. Whyte-----	Sacramento -----	1	-----	-----	2	20

MOUSER, Chairman.
 RYAN.
 SHARTEL.

SPECIAL ORDER SET.

On motion of Mr. Mouser, the above report and resolution were ordered printed in the Journal and made a special order for Wednesday, January 8, 1913, immediately after the reading of the Journal.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Smith:

That each member of the Assembly be and he is hereby allowed twenty-five (\$25.00) dollars for contingent expenses as provided by law, payable out of the appropriation for the contingent expenses of the Assembly, and that the aggregate amount of the value of the stamps and stationery, which any member shall draw on his requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made, and the State Controller is hereby authorized and directed to draw his warrant upon the said fund in favor of the various Assemblymen for the said amount, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The roll was called, and resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates,

Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Johnstone, Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—75.

NOES—None.

By Mr. Bohnett:

That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of the Sergeant-at-Arms of the Assembly in the sum of twenty-five (\$25.00) dollars, to be used as the Post Office Revolving Fund, and the State Treasurer is directed to pay the same.

Resolution read.

The roll was called, and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Johnstone, Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—77.

NOES—None.

By Mr. Green:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase for the use of the members of the Assembly and the Chief Clerk, eighty-five copies of Deering's Pony Codes with latest amendments, General Laws and Treadwell's Constitution of California, latest edition.

Resolution read, and referred to Committee on Contingent Expenses and Account, when appointed.

LEAVE OF ABSENCE.

On motion, Mr. Strine was granted leave of absence until Monday, January 13, 1913.

MOTION.

Mr. Bohnett moved that the Assembly adjourn until eleven o'clock a.m., of Wednesday, January 8, 1913.

Mr. Chandler moved as an amendment that the time be made ten o'clock a.m. of the same day.

Amendment adopted.

ADJOURNMENT.

At eleven o'clock and thirty minutes a.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Wednesday, January 8, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, January 8, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Clarke, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Johnston, Johnstone, Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hayes, its further reading was dispensed with.

SPECIAL ORDER.

The reading of the Journal having been dispensed with, the special order heretofore set for this time was taken up for consideration:

REPORT OF COMMITTEE ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, CAL., January 6, 1913.

MR. SPEAKER: Your Committee on Mileage beg leave to report that they have computed the mileage according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less	Total mileage.	Mileage of 10 cents per mile.
48	Alexander -----	Salinas -----	208	-----	-----	416	\$41 60
56	Ambrose -----	Los Angeles -----	447	-----	-----	894	89 40
59	Bagby -----	Santa Maria -----	460	-----	85	750	75 00
34	Beck -----	Livermore -----	84	16	-----	184	18 40
63	Benedict -----	Los Angeles -----	447	-----	-----	894	89 40
62	Bloodgood -----	Inglewood -----	447	12	-----	918	91 80
44	Bohnett -----	San Jose -----	128	-----	-----	256	25 60
13	Bowman -----	Ben Lomond -----	198	-----	3	390	39 00
45	Bradford -----	Sacramento -----	1	-----	-----	2	20
42	Brown -----	Colma -----	119	-----	20	198	19 80
26	Bush -----	San Francisco -----	90	-----	-----	180	18 00
17	Byrnes -----	San Rafael -----	105	-----	-----	210	21 00
33	Canepa -----	San Francisco -----	90	-----	-----	180	18 00
52	Cary -----	Reedley -----	169	24	-----	386	38 60
50	Chandler -----	Fresno -----	169	-----	-----	338	33 80
37	Clark -----	Oakland -----	84	-----	-----	168	16 80
47	Clarke -----	Bishop -----	418	6	-----	848	84 80

Mileage Report—Continued.

Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less	Total mileage.	Mileage of 10 cents per mile.
24 Collins	San Francisco	90			180	\$18 00
58 Cram	Highland	447	79		1,052	105 20
16 Dower	San Andreas	73			146	14 60
77 Ellis	Riverside	512			1,024	102 40
71 Emmons	Los Angeles	447			894	89 40
75 Farwell	Los Angeles	447			894	89 40
38 Ferguson	Oakland	84			168	16 80
67 Fish	Pasadena	447	9		912	91 20
9 Finnegan	Nevada City	77			154	15 40
39 Fitzgerald	Oakland	84			168	16 80
22 Ford	San Francisco	90			180	18 00
60 Gabbert	Ventura	490			980	98 00
69 Gates	South Pasadena	447	8		910	91 10
40 Gelder	Berkeley	84			168	16 80
53 Green	San Luis Obispo	343			686	68 60
49 Griffin	Merced	114			228	22 80
54 Guiberson	Corcoran	214	17		462	46 20
7 Guill	Chico	91			182	18 20
45 Hayes	San Jose	128			256	25 60
79 Hinkle	San Diego	573			1,146	114 60
14 Inman	Sacramento	1			2	20
57 Johnson	San Bernardino	508			1,016	101 60
18 Johnston	Richmond	62	15		154	15 40
68 Johnstone	San Dimas	447	31		956	95 60
80 Judson	Escondido	572		8	1,108	110 80
10 Killingsworth	Vacaville	40		6	68	6 80
65 Kingsley	Los Angeles	447			894	89 40
72 Kuck	Los Angeles	447			894	89 40
12 Libby	Sebastopol	90	7		194	19 40
25 McCarthy	San Francisco	90			180	18 00
21 McDonald	San Francisco	90			180	18 00
78 Moorhouse	Heber	669	17		1,338	133 80
35 Morgenstern	Alameda	84	5		178	17 80
74 Mouser	Los Angeles	447			894	89 40
8 Murray	Woodland	23			46	4 60
2 Nelson	Eureka	312			624	62 40
30 Nolan	San Francisco	90			180	18 00
11 Palmer	Napa	61			122	12 20
73 Peairs	Los Angeles	447			894	89 40
5 Polsley	Red Bluff	135	17		304	30 40
29 Richardson	San Francisco	90			180	18 00
61 Roberts	Los Angeles	447			894	89 40
23 Ryan	San Francisco	90			180	18 00
31 Schmitt	San Francisco	90			180	18 00
28 Scott	San Francisco	90			180	18 00
32 Shannon	San Francisco	90			180	18 00
4 Shartel	Alturas	324			648	64 80
1 Shearer	Yreka	295			590	59 00
56 Simpson	Bakersfield	278			556	55 60
13 Slater	Santa Rosa	90			180	18 00
36 Smith	Oakland	84			168	16 80
70 Strine	Downey	447	11		916	91 60
19 Stuckenbruck	Acampo	48		9	78	7 80
51 Sutherland	Fresno	169			338	33 80
46 Tulloch	Oakdale	77		5	144	14 40
20 Wall	Stockton	48			96	9 60
37 Walsh	San Francisco	90			180	18 00
76 Weisel	Anaheim	481		7	948	94 80
6 Weldon	Ukiah	150			300	30 00
3 White	Weaverville	217			434	43 40
64 Woodley	Los Angeles	447			894	89 40
55 Wyllie	Dinuba	206		7	398	39 80
41 Young	Berkeley	84			168	16 80

OFFICERS.

B. Mallory	Los Gatos	128	12	276	\$27 60
I. A. Harper	El Dorado	56		116	11 60
d. H. Whyte	Sacramento	1		2	20

Mr. Mouser moved the adoption of the report and resolution.

During the consideration of the report and resolution the following amendments were submitted:

By Mr. Mouser:

In last line of report strike out "Sacramento, 1, 2 and 20" and insert in lieu thereof the following: "Oakland, 84, 168, 16.80."

Amendment adopted.

By Mr. Inman:

On page 4 of journal strike out the following: "14, Inman, Sacramento, 1, 2, 20."

Amendment adopted.

By Mr. Bradford:

Strike out all of line 9 of printed report.

Amendment adopted.

By Mr. Finnegan:

In printed report after word "Finnegan" strike out the figures "154" in seventh column and "15.40" in last column and insert in lieu thereof the following: "150" in seventh column and "\$15.00" in last column.

Amendment adopted.

By Mr. Polsley:

After word "Polsley" strike out the figures "17" in fifth column; also "304" in in seventh column; also "30.40" in last column and insert in lieu thereof the following: "287" in seventh column; also "28.70" in last column.

Amendment adopted.

The question being on the adoption of the report and resolution as amended.

The roll was called, and the report and resolution, as amended, adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weldon, White, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

MILEAGE REPORT AS AMENDED.

District	Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less	Total mileage.	Miles of 10 cents per mile.
48	Alexander -----	Salinas -----	208	-----	-----	416	\$41 60
66	Ambrose -----	Los Angeles -----	447	-----	-----	894	89 40
59	Bagby -----	Santa Maria -----	460	-----	85	750	75 00
34	Beck -----	Livermore -----	84	16	-----	184	18 40
63	Benedict -----	Los Angeles -----	447	-----	-----	894	89 40
62	Bloodgood -----	Inglewood -----	447	12	-----	918	91 80
44	Bohnett -----	San Jose -----	128	-----	-----	256	25 60
43	Bowman -----	Ben Lomond -----	198	-----	3	390	39 00
42	Brown -----	Colma -----	119	-----	20	198	19 80
26	Bush -----	San Francisco -----	90	-----	-----	180	18 00
17	Byrnes -----	San Rafael -----	105	-----	-----	210	21 00
33	Canepa -----	San Francisco -----	90	-----	-----	180	18 00
52	Cary -----	Reedley -----	169	24	-----	386	38 60
50	Chandler -----	Fresno -----	169	-----	-----	338	33 80
37	Clark -----	Oakland -----	84	-----	-----	168	16 80
47	Clarke -----	Bishop -----	418	6	-----	848	84 80

Mileage Report as Amended—Continued.

District	Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less	Total mileage.	Mileage of 10 cents per mile.
24	Collins	San Francisco	90			180	\$18 00
58	Cram	Highland	447	79		1,052	105 20
16	Dower	San Andreas	73			146	14 60
77	Ellis	Riverside	512			1,024	102 40
71	Emmons	Los Angeles	447			894	89 40
75	Farwell	Los Angeles	447			894	89 40
38	Ferguson	Oakland	84			168	16 80
67	Fish	Pasadena	447	9		912	91 20
9	Finnegan	Nevada City	77			150	15 00
39	Fitzgerald	Oakland	84			168	16 80
22	Ford	San Francisco	90			180	18 00
60	Gabbert	Ventura	490			980	98 00
69	Gates	South Pasadena	447	8		910	91 10
40	Gelder	Berkeley	84			168	16 80
53	Green	San Luis Obispo	343			686	68 60
49	Griffin	Merced	214			228	22 80
54	Guiberson	Corcoran	114	17		462	46 20
7	Guill	Chico	91			182	18 20
45	Hayes	San Jose	128			256	25 60
79	Hinkle	San Diego	573			1,146	114 60
57	Johnson	San Bernardino	508			1,016	101 60
18	Johnston	Richmond	62	15		154	15 40
68	Johnstone	San Dimas	447	31		956	95 60
80	Judson	Esecondido	572		8	1,108	110 80
10	Killingsworth	Vacaville	40		6	68	6 80
65	Kingsley	Los Angeles	447			894	89 40
72	Kuck	Los Angeles	447			894	89 40
12	Libby	Sebastopol	90	7		194	19 40
25	McCarthy	San Francisco	90			180	18 00
21	McDonald	San Francisco	90			180	18 00
78	Moorhouse	Heber	669	17		1,338	133 80
35	Morgenstern	Alameda	84	5		178	17 80
74	Mouser	Los Angeles	447			894	89 40
8	Murray	Woodland	23			46	4 60
2	Nelson	Eureka	312			624	62 40
30	Nolan	San Francisco	90			180	18 00
11	Palmer	Napa	61			122	12 20
73	Peairs	Los Angeles	447			894	89 40
5	Polsley	Red Bluff	135			287	28 70
29	Richardson	San Francisco	90			180	18 00
61	Roberts	Los Angeles	447			894	89 40
23	Ryan	San Francisco	90			180	18 00
31	Schmitt	San Francisco	90			180	18 00
28	Scott	San Francisco	90			180	18 00
32	Shannon	San Francisco	90			180	18 00
4	Shartel	Alturas	324			648	64 80
1	Shearer	Yreka	295			590	59 00
56	Simpson	Bakersfield	278			556	55 60
13	Slater	Santa Rosa	90			180	18 00
36	Smith	Oakland	84			168	16 80
70	Strine	Downey	447	11		916	91 60
19	Stuckenbruck	Acampo	48		9	78	7 80
51	Sutherland	Fresno	169			338	33 80
46	Tulloch	Oakdale	77		5	144	14 40
20	Wall	Stockton	48			96	9 60
37	Walsh	San Francisco	90			180	18 00
76	Weisel	Anaheim	481		7	948	94 80
6	Weldon	Ukiah	150			300	30 00
3	White	Weaverville	217			434	43 40
64	Woodley	Los Angeles	447			894	89 40
55	Wyllie	Dinuba	206		7	398	39 80
41	Young	Berkeley	84			168	16 80

OFFICERS.

L. B. Mallory	Los Gatos	128	12	276	\$27 60
H. A. Harper	El Dorado	56		116	11 60
Ed H. Whyte	Oakland	84		168	16 80

LEAVE OF ABSENCE.

On motion, leave of absence for the day was granted Mr. Killingsworth.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Smith:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized to receipt to the Controller for all warrants for payment to members, officers, and attachés of the Assembly.

Resolution read, and on motion adopted.

By Mr. Morgenstern:

Resolved, That the privilege of the floor be extended to all ex-members of the Senate and Assembly.

Resolution read, and on motion adopted.

By Mr. Inman:

Resolved, That the Controller be and is hereby directed to draw his warrant upon the proper fund in favor of L. B. Mallory, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of seventy-five dollars (\$75), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

Mr. Inman moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polesley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, Weisel, White, Woodley, Wyllie, and Mr. Speaker—70.

NOES—None.

By Mr. Johnston:

Be it Resolved, That Rule 82 is hereby amended to read as follows:

82. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business during the sessions of the Assembly, or be permitted to engage in such business in the Assembly Chamber at any time, or be permitted on the floor of the Assembly at any time while the Assembly is in session and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule.

This rule cannot be suspended except by a two-thirds vote of the entire Assembly.

Resolution read, and referred to Committee on Rules and Regulations.

By Mr. Bohnett:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to procure for the use of the members of the Assembly all necessary stationery, including pens, ink, paste, and such other stationery as may be necessary, and the Controller is authorized to draw his warrant on the contingent fund of the Assembly in payment for the same, and the Treasurer is hereby authorized to pay the same.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson,

Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—66.
 NOES—None.

LEAVE OF ABSENCE.

On motion, leave of absence was granted Mr. Shearer until Monday, January 13, 1913.

ADJOURNMENT.

At ten o'clock and forty minutes a.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Thursday, January 9, 1913.

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
 Thursday, January 9, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Upon invitation of the Speaker, prayer was offered by the Rev. Sam Small of Los Angeles.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ryan, its further reading was dispensed with.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received:

To the Members of the Senate and Assembly.

GENTLEMEN: Your joint committee appointed to recommend joint rules of Senate and Assembly have had the matter under careful consideration, and beg to report and recommend the following joint rules for adoption.

Senators:

WRIGHT, Chairman of Senate Committee.
 CARTWRIGHT.
 BOYNTON.

Assemblymen:

SUTHERLAND, Chairman Assembly Committee.
 CLARK, WM. C.
 BOHNETT.

JOINT RULES OF SENATE AND ASSEMBLY.

Joint Address to Governor.

1. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the House and a select committee of six (6) members, appointed for that purpose from each House.

2. Subject to the right of either House to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each House:

- (1) Agriculture.
- (2) Banking.
- (3) Commerce and Navigation.
- (4) Corporations.
- (5) County Government.
- (6) Drainage, Swamp and Overflowed Lands.
- (7) Education.
- (8) Elections.
- (9) Federal Relations.
- (10) Finance in the Senate and Ways and Means in the Assembly.
- (11) Fish and Game.
- (12) Hospitals and Asylums.
- (13) Insurance.
- (14) Irrigation.
- (15) Judiciary.
- (16) Labor and Capital.
- (17) Military Affairs.
- (18) Mines and Mining.
- (19) Municipal Corporations.
- (20) Oil Industries.
- (21) Public Health and Quarantine.
- (22) Public Morals.
- (23) Prisons and Reformatories.
- (24) Revenue and Taxation.
- (25) Roads and Highways.
- (26) Rules.

3. Joint Standing Committees of Senate and Assembly shall be appointed as follows:

- (1) Committee on Revision and Printing to consist of three (3) members from the Senate and five (5) from the Assembly.
- (2) Committee on Joint Rules to consist of the members of the Rules Committee of each House.

Bill or Resolution in One House, Rejected in the Other, Requires Notice.

4. When a bill or resolution which shall have passed one House is rejected by the other, notice thereof shall be given immediately to the House in which the same shall have passed.

Each House to Transmit Papers.

5. Each House shall transmit to the other papers on which any bill or resolution shall be founded.

Joint and Concurrent Resolutions.

6. Joint resolutions are those which relate to matters connected with the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

Joint Resolutions Treated as Bills.

7. All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

Amendments to Amended Bills Must be Attached.

8. Whenever a bill or resolution which shall have been passed in one House shall be amended in the other it shall immediately be reprinted as amended by the House making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

Bills Read and Referred to Committee.

9. When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee, unless otherwise ordered by the House.

Special File.

10. Ten (10) days after the close of the recess provided for in Section 1, Article IV, of the Constitution, the Senate and Assembly shall adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day, and be considered at least one hour and a half after being so taken up. This rule shall not be suspended in either House except by a three fourths vote of such House.

After a Bill Has Been Passed by the Senate or Assembly.

11. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the House, and shall then be assigned to the proper committee, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate or Assembly may, at any time, order such bill reported back from any committee by a majority vote.

To Concur or Refuse to Concur in Amendments.

12. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill), must either "concur" or "refuse to concur" in the amendments.

When Amendments are Concurred In.

13. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments, and the bill shall be ordered to enrollment.

When Senate or Assembly Refuse to Concur.

14. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments of such refusal and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or Clerk shall immediately notify the other House of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each House, shall be selected from those voting with the majority on the point about which the difficulty has arisen, and the other member from each House of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the conference committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the House, and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The committee on conference shall report to both the Senate and Assembly.

Committee on Conference.

15. In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of committees.

Committee on Free Conference.

16. If the conference fail to agree or either House refuse to adopt the report of the committee, a Committee on Free Conference shall then be appointed, which shall consist of three members to be appointed in the same manner as a committee on conference. The Committee on Free Conference are hereby directed to include in their report any amendments which they may adopt as a committee, and such amendments shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment, and if either House refuse to adopt such report no further proceedings shall be had.

It shall require an affirmative vote of not less than four (4) of the members constituting the committee to agree upon a report.

When Conference Committee Report is in Order.

17. The presentation of the report of a Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate or Assembly is dividing, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

Messages Must be Announced by the Assistant Sergeant-at-Arms.

18. When a message shall be sent from either House it shall be announced at the door by the Sergeant-at-Arms, and shall be respectfully communicated to the presiding officer by the person to whom it may be sent.

Secretary, Clerk, etc., to Carry Messages.

19. Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

Notices to be in Writing Under Proper Signatures.

20. Notice of the action of either House to the other shall be in writing, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

Enrolled Bills to Receive Signature of Proper Officers.

21. After a bill shall have passed both Houses, it shall be duly enrolled and carefully compared by the Engrossing and Enrolling Clerk and Engrossing and Enrolling Committee of the Assembly, or of the Senate, as the bill may have originated, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

Enrolling Committee to Compare.

22. When bills are enrolled they shall be reexamined by the Engrossing and Enrolling Committee of the House in which they originated, who shall compare the enrollment with the engrossed bill as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

President and Speaker to Sign Bills.

23. After the examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

Enrolling Committee to Present Bills to Governor.

24. After a bill shall have been thus signed in each House, it shall be presented by the Engrossing and Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first indorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which House the bill originated). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

History of Bills, etc.

25. There shall be printed on Monday of each week by both the Senate and Assembly during the session preceding the constitutional recess, a history of all bills, joint and concurrent resolution and constitutional amendments which shall show the action taken by the House up to the day preceding the publication of such history. A regular form shall be prescribed and no other form shall be used. Immediately following the adjournment for the constitutional recess the history shall be compiled and printed to date of recess. During the remainder of the session the history shall be compiled and printed daily.

Secretary and Clerk to Keep Register.

26. The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

Secretary and Clerk Shall Indorse Bills.

27. The Secretary of the Senate and Clerk of the Assembly shall indorse on every original bill a statement of any action taken by the Senate and Assembly.

Urgency Provisions in Bills.

28. Upon the third reading of a bill containing an urgency section and immediately before taking the vote on the final passage of the bill, the presiding officer shall direct that the urgency section be reread and put to a vote. The question shall be thus stated, "Shall the urgency section remain a part of the bill?" and if two thirds of all the members elected to the House in which the vote is being taken vote in the affirmative the bill shall then be put to a final vote. If the urgency section is defeated the bill shall retain its place on third reading, but shall be reprinted with the urgency paragraph omitted, before being finally voted upon.

Indorsement of Bills.

29. Bills introduced into either House shall be indorsed with the day, hour and minute of introduction.

Committee on Revision and Printing.

30. Unless otherwise ordered by the House in which the bill was introduced, all bills before being printed shall be referred to Committee on Revision and Printing for correction of errors. The committee shall have jurisdiction to correct any mere clerical error such as in orthography, adding the enacting clause to a bill when such has been omitted, and all mistakes in numbering sections and references thereto, and by and with the written assent of the author filed with the committee, to correct errors in grammar, phraseology and to otherwise alter the text of the bill.

Companion Bills.

31. If upon comparison by the committee on Revision and Printing it be found that two bills, one of which has been introduced in the Senate and the other in the Assembly, are in all material respects the same in substance and words, such bills, unless otherwise ordered by the committee, shall be considered companion bills and printed jointly as of both Houses. If first introduced in the Senate, the bill shall be printed with the appropriate Senate heading at the top, giving number of bill, name of author, date of introduction and committee reference. Following this shall be a corresponding Assembly heading, after which shall follow the title of the act, the enacting clause and text of the bill. If the bill is first introduced in the Assembly, the position of the Senate and Assembly headings shall be reversed.

Numbering Lines of Bills.

32. The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Reports of Committee on Revision.

33. The Committee on Revision and Printing shall report on all bills within three days after the same have been received by it.

Joint Meetings of Committees.

34. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Bills, Resolutions, etc.

35. Wherever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

Press Rules.

36. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the House.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged, and will not become engaged as a lobbyist for any person, copartnership, corporation or interest, and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in defeating or attempting to defeat any measure pending in either branch of the Legislature. That he is not employed in any executive administration or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(b) Such applicant shall be authenticated by a committee of not less than three press representatives from each House, who shall be selected from correspondents assigned by the respective newspapers to be present during the session of the Legislature and such committee shall be selected by duly accredited press representatives. Such Press Committee shall not authenticate any application not signed by a bona fide correspondent of a bona fide newspaper engaged in reporting and publishing the proceedings of the Legislature. It shall be the duty of the President of the Senate and the Speaker of the House to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Press Committee; *provided*, that all rules and regulations shall be approved by the President of the Senate and Speaker of the House.

Adjournment.

37. Adjournment for the constitutional recess and adjournment *sine die* shall be made only by concurrent resolution.

MOTION.

Mr. Sutherland moved that the consideration of the report be made a special order for two o'clock p.m. of this day.

Motion seconded.

Mr. Stuckenbruck moved as an amendment that the time be made two o'clock p.m. of Friday, January 10, 1913.

Roll call regularly demanded.

The roll was called with the following result:

AYES—Messrs. Alexander, Bagby, Bradford, Dower, Finnegan, Ford, Griffin, Guiberson, Guill, Killingsworth, Kingsley, Libby, McCarthy, Murray, Palmer, Polsley, Richardson, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, and White—27.

NOES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Scott, Smith, Sutherland, Weisel, Woodley, Wyllie, and Mr. Speaker—50.

SPECIAL ORDER SET.

On motion of Mr. Sutherland, the consideration of the above report was made a special order for today at two o'clock p.m.

MOTION.

Mr. Slater moved that Mr. Sutherland be granted permission to explain changes in proposed joint rules.

Motion carried.

RESOLUTION.

The following resolution was offered:

Resolved, That the Superintendent of Capitol Buildings and Grounds is hereby directed to close the contingent expense accounts of the members of the Assembly, and to forthwith transmit a statement of the same to the State Controller, and the State Controller is hereby directed to draw his warrant in favor of each member of the Assembly for the amount remaining to his credit in his account, and the State Treasurer is hereby directed to pay such warrants.

Resolution read.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—76.

NOES—None.

APPOINTMENT OF STANDING COMMITTEES.

The Speaker announced the appointment of the following standing committees:

Rules—Messrs. Brown (Chairman), Bohnett, Johnstone, Sutherland, and Mr. Speaker.

Contingent Expenses and Accounts—Messrs. Farwell (Chairman), Gabbert, Hayes, Richardson, and Wyllie.

Attaches and Employees—Messrs. Smith (Chairman), Chandler, Guill, Hinkle, Inman, Peairs, and Ryan.

RECESS.

At ten o'clock and fifty minutes a.m., the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

RECESS.

At two o'clock and five minutes p.m. the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received:

ON RULES.

MR. SPEAKER: We, your Committee on Rules, beg leave to report the following resolution and recommend its adoption:

Resolved, That Rule No. 27 of the temporary standing rules of the Assembly be amended to read as follows:

27. The standing committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of eleven members.
2. A Committee on Attachés and Employees, to consist of seven members.
3. A Committee on Banking, to consist of nine members.
4. A Committee on Building and Loan Associations, to consist of nine members.
5. A Committee on Civil Service, to consist of nine members.
6. A Committee on Claims, to consist of seven members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members.
9. A Committee on Constitutional Amendments, to consist of nine members.
10. A Committee on Contingent Expenses, to consist of five members.
11. A Committee on Contested Elections, to consist of seven members.
12. A Committee on Corporations, to consist of eleven members.
13. A Committee on County Government, to consist of thirteen members.
14. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
15. A Committee on Education, to consist of eleven members.
16. A Committee on Elections, to consist of fifteen members.
17. A Committee on Engrossment and Enrollment, to consist of seven members.
18. A Committee on Federal Relations, to consist of seven members.
19. A Committee on Fish and Game, to consist of fifteen members.
20. A Committee on Hospitals and Asylums, to consist of eleven members.
21. A Committee on Insurance, to consist of eleven members.
22. A Committee on Irrigation, to consist of eleven members.
23. A Committee on Judiciary, to consist of twenty-one members.
24. A Committee on Labor and Capital, to consist of eleven members.
25. A Committee on Libraries to consist of seven members.
26. A Committee on Live Stock and Dairies, to consist of nine members.
27. A Committee on Manufactures, to consist of seven members.
28. A Committee on Medical and Dental Laws, to consist of nine members.
29. A Committee on Mileage, to consist of five members.
30. A Committee on Military Affairs, to consist of nine members.
31. A Committee on Mines and Mining, to consist of nine members.
32. A Committee on Municipal Corporations, to consist of eleven members.
33. A Committee on Normal Schools, to consist of nine members.
34. A Committee on Oil Industries, to consist of nine members.
35. A Committee on Prisons and Reformatories, to consist of eleven members.
36. A Committee on Public Health and Quarantine, to consist of nine members.
37. A Committee on Public Morals, to consist of nine members.
38. A Committee on Public Charities and Corrections, to consist of nine members.
39. A Committee on Revenue and Taxation, to consist of seventeen members.
40. A Committee on Revision of Criminal Procedure, to consist of eleven members.
41. A Committee on Roads and Highways, to consist of thirteen members.
42. A Committee on Rules, to consist of seven members.
43. A Committee on State Grounds and Parks, to consist of nine members.
44. A Committee on Universities, to consist of nine members.
45. A Committee on Ways and Means, to consist of twenty-one members.

SPECIAL ORDER SET.

On motion of Mr. Brown, the consideration of the above report was made a special order for Friday, January 10, 1913, immediately after the reading of the Journal.

SPECIAL ORDER.

The special order heretofore set was taken up for consideration.

The question being the consideration of the report of the Committee on Joint Rules.

Upon motion of Mr. Brown, the rules were taken up seriatim.

Rule 1 read and adopted.

Rule 2 read and adopted.

Rule 3 read and passed temporarily, to be considered with rules 30 and 31.

Rule 4 read and adopted.

Rule 5 read and adopted.

Rule 6 read and adopted.

Rule 7 read and adopted.

Rule 8 read and adopted.

Rule 9 read and adopted.

Rule 10 read and adopted.

Rule 11 read and adopted.

Rule 12 read and adopted.

Rule 13 read and adopted.

Rule 14 read and passed temporarily.

Rule 15 read and adopted.

Rule 16 read.

During the consideration of rules, the following amendment was submitted by Mr. Brown:

Amend rule 16 by striking out the following: "The report of the Committee on Free Conference shall not be subject to amendment, and if either House refuse to adopt such report no further proceedings shall be had."

Consideration of amendment postponed temporarily, on motion of Mr. Brown.

Rule 17 read and adopted.

Rule 18 read and adopted.

Rule 19 read and adopted.

Rule 20 read and adopted.

Rule 21 read and adopted.

Rule 22 read and adopted.

Rule 23 read and adopted.

Rule 24 read and adopted.

Rule 25 read and passed temporarily.

Rule 26 read and adopted.

Rule 27 read and adopted.

Rule 28 read and adopted.

Rules 29, 30 and 31 passed temporarily.

Rule 32 read and adopted.

Rule 33 read and passed temporarily.

Rule 34 read and adopted.

Rule 35 read and adopted.

Rule 36 read.

Mr. Alexander moved to amend, as follows:

Insert after the word "in" at the end of line 8 of section *a* of printed report, the words "adopting or" and in line 9 of printed report after the word "to" insert the words "adopt or".

Amendment adopted.

Section *a*, as amended, adopted.

The following amendment was submitted by Mr. Stuckenbruck:

Strike out all of subdivision *b* of Rule 36 and substitute the following:

The President of the Senate and the Speaker of the Assembly shall assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room, and which shall be under the control of the Superintendent of Capitol Buildings and Grounds, provided that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

Consideration of amendment passed temporarily.

Rule 37 read and adopted.

SPECIAL ORDER SET.

On motion of Mr. Clark, the further consideration of the above report was made a special order for Friday, January 10, 1913, at two o'clock p.m.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Rules:

Resolved, That when the order of business "Introduction and Reference of Bills" is reached January 10, 1913, the roll shall be called from A to Z and from Z to A, and that each member be allowed to introduce one bill when his name is called. After the roll is so called bills shall be introduced only as provided by the rules of the Assembly; be it further

Resolved, That all bills introduced before the standing committees of the Assembly are appointed shall be referred to committees, the references to take effect when the committees shall be appointed.

Resolution read, and on motion adopted.

By Committee on Attachés and Employees:

WHEREAS, In carrying on the work of this House during this session it is necessary, in order to expedite that work that the help employed by this House shall be competent. With that end in view efficiency must be the watchword, and in the appointment of the various attachés this committee will regard efficiency as the greatest qualification, and requests each member of the House in submitting his recommendations to bear that in mind.

Resolved, That with this end in view the committee is hereby instructed in so far as it is possible, to give preference to committee clerks who are stenographers.

Resolution read, and on motion adopted.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Mr. McDonald, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Friday, January 10, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, January 10, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk T. G. Walker, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Benedict, its further reading was dispensed with.

QUESTION OF PERSONAL PRIVILEGE.

Mr. Killingsworth rose to a question of personal privilege, and spoke as follows:

MR. SPEAKER: On page 3, column 1, of the *San Francisco Chronicle* of today, there appeared under heavy headlines "Bourbons Plan to Make State Pay the Fiddler," a statement which I refute.

At a meeting held by the Democratic minority a few nights ago, a conclusion was reached that each member of the minority contribute one dollar for the purpose of employing a press agent, and I walked up and placed my "hog dollar" on the table, a dollar I earned before I was sworn in at the Speaker's desk as Assemblyman of the fortieth session of the California Legislature. After it became known that through the kindness of the majority each member should receive the same patronage, I with four others pooled my extra dollar and employed a stenographer which left four dollars for clerk hire. Such statements as to filching the treasury of California out of one cent are absolutely false.

SPECIAL ORDER.

The reading of the Journal having been dispensed with, the special order heretofore set for this time was taken up for consideration.

The question being the consideration of the report of the Committee on Rules.

REPORT OF COMMITTEE ON RULES.

MR. SPEAKER: We, your Committee on Rules, beg leave to report the following resolution and recommend its adoption:

Resolved, That Rule No. 27 of the temporary standing rules of the Assembly be amended to read as follows:

27. The standing committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of eleven members.
2. A Committee on Attachés and Employees, to consist of seven members.

3. A Committee on Banking, to consist of nine members.
4. A Committee on Building and Loan Associations, to consist of nine members.
5. A Committee on Civil Service, to consist of nine members.
6. A Committee on Claims, to consist of seven members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members.
9. A Committee on Constitutional Amendments, to consist of nine members.
10. A Committee on Contingent Expenses, to consist of five members.
11. A Committee on Contested Elections, to consist of seven members.
12. A Committee on Corporations, to consist of eleven members.
13. A Committee on County Government, to consist of thirteen members.
14. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
15. A Committee on Education, to consist of eleven members.
16. A Committee on Elections, to consist of fifteen members.
17. A Committee on Engrossment and Enrollment, to consist of seven members.
18. A Committee on Federal Relations, to consist of seven members.
19. A Committee on Fish and Game, to consist of fifteen members.
20. A Committee on Hospitals and Asylums, to consist of eleven members.
21. A Committee on Insurance, to consist of eleven members.
22. A Committee on Irrigation, to consist of eleven members.
23. A Committee on Judiciary, to consist of twenty-one members.
24. A Committee on Labor and Capital, to consist of eleven members.
25. A Committee on Libraries, to consist of seven members.
26. A Committee on Live Stock and Dairies, to consist of nine members.
27. A Committee on Manufactures, to consist of seven members.
28. A Committee on Medical and Dental Laws, to consist of nine members.
29. A Committee on Mileage, to consist of five members.
30. A Committee on Military Affairs, to consist of nine members.
31. A Committee on Mines and Mining, to consist of nine members.
32. A Committee on Municipal Corporations, to consist of eleven members.
33. A Committee on Normal Schools, to consist of nine members.
34. A Committee on Oil Industries, to consist of nine members.
35. A Committee on Prisons and Reformatories, to consist of eleven members.
36. A Committee on Public Health and Quarantine, to consist of nine members.
37. A Committee on Public Morals, to consist of nine members.
38. A Committee on Public Charities and Corrections, to consist of nine members.
39. A Committee on Revenue and Taxation, to consist of seventeen members.
40. A Committee on Revision of Criminal Procedure, to consist of eleven members.
41. A Committee on Roads and Highways, to consist of thirteen members.
42. A Committee on Rules, to consist of seven members.
43. A Committee on State Grounds and Parks, to consist of nine members.
44. A Committee on Universities, to consist of nine members.
45. A Committee on Ways and Means, to consist of twenty-one members.

Mr. Brown moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—72.

NOES—None.

ANNOUNCEMENTS.

The following announcements were made, and ordered printed in the Journal:

To the Assembly of the State of California.

I beg leave to announce that, pursuant to Section 247 of the Political Code, I have

this day appointed the following Porters and Pages, and respectfully ask the Assembly to concur in said appointments:

John Kofad, Porter-----	\$3 00
William Snow, Porter-----	3 00
W. A. Howard, Porter-----	3 00
M. Manning, Porter-----	3 00
W. E. Brown, Page-----	2 50

C. C. YOUNG, Speaker of the Assembly.

To the Members of the Assembly of the State of California.

MR. SPEAKER: Pursuant to Section 246 of the Political Code, I have this day appointed F. W. Cooke as assistant to Chief Clerk, and respectfully request the Assembly to confirm said appointment.

L. B. MALLORY, Chief Clerk of Assembly.

To the Members of the Assembly of the State of California.

MR. SPEAKER: Pursuant to Section 246 of the Political Code, I have this day appointed R. L. Estes as Bookkeeper to Sergeant-at-Arms, and respectfully request the Assembly to confirm the appointment.

ED E. REESE, Sergeant-at-Arms.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ATTACHÉS AND EMPLOYEES.

MR. SPEAKER: Your Committee on Attachés and Employees respectfully begs leave to submit the following partial report:

Your committee has had under careful consideration the appointment of the necessary employees for the Assembly, and recommend the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions at the per diem set opposite their respective names, said per diem to be paid out of the contingent expenses of the Assembly. Said appointments to date from and include the tenth day of January, 1913, and the Controller is hereby authorized and directed to draw his warrants upon the said fund in favor of the following named persons for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same, namely:

Name.	Position.	Per diem.
Peaslee, Mrs. Addie—	Postmistress-----	\$4 00
Chalfont, Blanche—	Assistant Postmistress-----	4 00
McLaughlin, J. W.—	Assistant Minute Clerk-----	6 00
Moore, A. S.—	Assistant Minute Clerk-----	6 00
Cooke, F. W.—	Assistant Clerk-----	6 00
Estes, R. J.—	Bookkeeper, Sergeant-at-Arms-----	5 00
Hestwood, J. O.—	Engrossing and Enrolling Clerk-----	6 00
Brown, W. E.—	Page-----	2 50
Smith, C. C.—	Gatekeeper-----	3 00
Huntington, Geo. A.—	Gatekeeper-----	3 00
Kinney, H. H.—	History Clerk-----	6 00
Smith, F. W.—	Assistant Bill Clerk-----	4 00
Bevens, Willard—	Assistant Bill Clerk-----	4 00
Kofad, John—	Porter-----	3 00
Stuckenbruck, Olive—	Assistant Mailing Clerk-----	4 00
Wall, L. G.—	Assistant Mailing Clerk-----	4 00
Falkenstein, J.—	Bill Clerk-----	4 00
McColgan, Charles—	Assistant Sergeant-at-Arms-----	5 00
Smith, R. R.—	Assistant Sergeant-at-Arms-----	5 00
Almon, Victor—	Assistant Sergeant-at-Arms-----	5 00
Keith, D. E.—	Assistant Sergeant-at-Arms-----	5 00
Haslett, Nat—	Committee Clerk-----	4 00
Hood, Florence—	Stenographer-----	5 00
Bruce, L. R.—	Stenographer-----	5 00
Clapp, M. J.—	Stenographer-----	5 00
Guild, Mabel E.—	Stenographer-----	5 00
Pick, Mrs. F. H.—	Stenographer-----	5 00
Hayes, Gertrude—	Stenographer-----	5 00
Koester, Ruth—	Stenographer-----	5 00
Conner, Evelyn M.—	Stenographer-----	5 00
Bush, George J.—	Stenographer-----	5 00

Name.	Position.	Per diem.
Deitch, Mary—Stenographer	-----	\$5 00
Martin, Anna—Stenographer	-----	5 00
Washburn, E. A.—Stenographer	-----	5 00
Straus, Vera—Stenographer	-----	5 00
Johnson, Jean—Stenographer	-----	5 00
Lathrop, Mrs. Elizabeth T.—Stenographer	-----	5 00
Liston, M. C.—Stenographer	-----	5 00
Ellis, Dave—Gatekeeper	-----	3 00
Huntington, G. W.—Watchman	-----	3 00
Chambers, Ben—Watchman	-----	3 00
Harlow, W. S.—Porter	-----	3 00
Howard, W. A.—Porter	-----	3 00
Berry, John—Porter	-----	3 00
Manning, M.—Porter	-----	3 00

SMITH, Chairman.

Mr. Smith moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clark, Geo. E., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—76.

NOES—None.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 1—An Act making an appropriation to pay the expenses of electors of President and Vice-President of the United States.

WALTER N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

Bill read first time.

RESOLUTION.

The following resolution was offered:

By Mr. Sutherland:

Resolved, That Senate Bill No. 1, presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Mr. Sutherland moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—73.

NOES—None.

Mr. Sutherland moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bill No. 1 considered.

Mr. Sutherland moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 1, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill read second time.

THIRD READING OF SENATE BILL.

Senate Bill No. 1—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Brown moved that the next order of business, Introduction of Bills, be passed.

Motion carried.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Bohnett:

Resolved, That each member be allowed to leave with the Chief Clerk a list of not more than ten (10) names of persons as a mailing list to whom shall be sent bills and other matters as may be designated from time to time by such members, and the Controller is hereby directed to draw his warrant, in favor of L. B. Mallory, Chief Clerk, from the Contingent Fund of the Assembly for such amount as may be necessary to pay the postage, expressage and incidental expenses in mailing such

printed matter, not to exceed four hundred (\$400) dollars, and the Treasurer is hereby directed to pay the same; and be it further

Resolved, That the Chief Clerk be empowered to assign the necessary employees of the Assembly to perform their duties in the mailing department.

Resolution read, and referred to Committee on Contingent Expenses.
By Mr. Byrnes:

Resolved, That the Clerk of the Assembly be and he is hereby directed to procure for the use of the members of the Assembly eighty-five index letter files, and the State Controller is authorized to draw his warrant for the payment of the same, and the Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

MOTION.

Mr. Johnstone moved that when the Assembly adjourns this day it adjourn until Monday, January 13, 1913, at eleven o'clock a.m.

Motion carried.

RECESS.

At eleven o'clock and ten minutes a.m., the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m. the Assembly reconvened.
Speaker Young in the chair.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Sutherland:

Resolved by the Assembly of the State of California, That a cordial invitation is hereby extended to A. J. Wallace, Thos. F. Griffin, Charles S. Wheeler, George C. Pardee, Marshall Stimson, Philip Bancroft, John P. McLaughlin, Frank R. Devlin, Florence Collins Porter, R. G. Fernald, M. B. Harris, Ralph W. Bull, and R. F. Del Valle, being the persons chosen by the people of the State of California as Presidential Electors, to assemble in the Assembly Chamber, in the State Capitol, at the city of Sacramento, on Monday, January 13, 1913, at two o'clock p.m., for the purpose of casting the electoral vote of the State of California for President and Vice-President of the United States, as provided by Section 1315 of the Political Code.

Resolution read, and on motion adopted.

SPECIAL ORDER.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

The question being the further consideration of the report of the Committee on Joint Rules.

By unanimous consent Rules 3, 29, 30, 31 and 33 were considered jointly.

SPEAKER PRO TEM. IN THE CHAIR.

At two o'clock and thirty minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

SPEAKER IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

MOTION.

Mr. Clark moved that the further consideration of the report be made a special order for Monday, January 13, 1913, immediately after the reading of the Journal.

Motion lost.

MOTION.

Mr. Sutherland moved the adoption of Rules 3, 29, 30, 31 and 33.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bohnett, Cary, Chandler, and Sutherland—4.

NOES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—68.

SPECIAL ORDER SET.

On motion of Mr. Brown the further consideration of report was made a special order for Monday, January 13, 1913.

RESOLUTION.

The following resolution was offered:

By Mr. Smith:

Resolved, That the Sergeant-at-Arms of the Assembly and the Bookkeeper to the Sergeant-at-Arms be and they are, and each of them is, hereby authorized to receipt to the Controller for all warrants for payment to members, officers, and attachés of the Assembly.

Resolution read, and on motion adopted.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses to whom was referred the following resolution by Mr. Green, to wit:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase for the use of the members of the Assembly and the Chief Clerk, eighty-five copies of Deering's Pony Codes with latest amendments, General Laws and Treadwell's Constitution of California, latest edition"—begs leave to report the following substitute:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase a sufficient number of copies of the Pony Codes of California, brought up to date by having all amendments pasted therein, and the General Laws of California, together with the supplement of 1911 and the latest edition of Treadwell's annotated Constitution of California, brought up to date by having all amendments pasted therein, to supply each member of the Assembly, the Chief Clerk of the Assembly, the Judiciary Committee, and the Committee on Ways and Means with one set. Each member shall be supplied with Kerr's codes or Deering's codes as he shall prefer—

And recommends that the substitute be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The following amendment was submitted by Mr. Finnegan :

Amend by adding the following: "The Chief Clerk shall also provide each member with a copy of Roberts' Rules of Order."

Amendment adopted.

Resolution, as amended, adopted.

ADJOURNMENT.

At three o'clock and thirty-five minutes p.m., on motion of Mr. Stuckenbruck, the Speaker declared the Assembly adjourned until eleven o'clock a.m., of Monday, January 13, 1913.

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, January 13, 1913.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk T. G. Walker, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgens-tern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Benedict, its further reading was dispensed with.

SPECIAL ORDER RESET.

On motion of Mr. Brown, the further consideration of report of the Committee on Joint Rules was made a special order for Tuesday, January 14, 1913.

PETITIONS.

The following petitions were presented and ordered printed in Journal:

By Mr. Bohnett:

To the Honorable Senate and House of Representatives of California.

GENTLEMEN: We, the undersigned, citizens of the State of California, respectfully petition your honorable bodies to enact in the legislative session of 1913, a state law

to prevent public or private exhibitions of prize fighting, in California, and affixing penalties for conducting such exhibitions, witnessing such exhibitions or participating in any way in the conduct of such exhibitions.

2. And we further petition that a "Red Light Injunction and Abatement Law" be enacted by the Legislature of California for the purpose of enabling the citizens of the state to abate the now widely prevalent traffic in girls.

(Signed) REV. SAM SMALL.

(and others).

By Mr. Johnston:

To the Assembly of the State Legislature of California.

GENTLEMEN: In the Board of Supervisors of Contra Costa County, State of California.

MONDAY, January 6, 1913.

The Board met at 10 o'clock a.m.

Present—Hon. J. H. Trythall, Chairman; Supervisors C. J. Rihn, J. P. Casey, Vincent Hook and W. J. Buchanan; J. H. Wells, Clerk.

In the Matter of Construction and Maintenance of California State Building at the Panama-Pacific International Exposition.

The following resolution was unanimously adopted by the Board of Supervisors of Contra Costa County, to wit:

WHEREAS, The Board of Supervisors of Contra Costa County recognizing the necessity of co-operation in presenting to the world the Panama-Pacific International Exposition at San Francisco in 1915, an exhibit that will be an honor to our State and our county; and.

WHEREAS, The representatives of the counties of this State, in meeting assembled, have declared in favor of a State appropriation for the construction and maintenance of a California State Building at the Panama-Pacific International Exposition wherein each and every county of California may have space for an exhibit and headquarters; and

WHEREAS, The funds of Contra Costa County, which may be lawfully raised for Exposition purposes, will not be sufficient to enable this county to join with the other counties of the State in paying the cost of the erection of a suitable State building at such Exposition; therefore, be it

Resolved, That the Board of Supervisors of Contra Costa County in regular meeting assembled this 6th day of January, 1913, believing it would be impossible to take from the funds levied by this county and other counties of the State for Exposition purposes, sufficient money to erect an adequate State building where California and the counties thereof may act as the host of the world, therefore, we strongly urge and favor an appropriation by the State of California out of the funds of the state treasury, in the sum of one million dollars or as much thereof as may be necessary for the construction and maintenance of a California building at the Panama-Pacific International Exposition; and be it further

Resolved, That we call upon our representatives in the State Legislature to give their strong and hearty support to the bill which will be introduced at the next Legislature looking to the appropriation of a sum sufficient for the construction and maintenance of the California State Building, and that the Clerk of this Board be instructed to immediately mail a copy of this resolution to his Excellency Hiram W. Johnson, Governor of the State of California, and to Hon. James C. Owens, Senator of this District, and Hon. T. D. Johnston, Assemblyman from this District, and to O. H. Miller, Box 775, Sacramento, California, Secretary of the Counties Executive Committee.

By Mr. Finnegan:

HOBART MILLS, CAL., January 19, 1913.

Assemblyman Finnegan, Sacramento, Cal.

DEAR SIR: Enclosed you will find a clipping from newspaper which represents the views of a great many of the constituents in this district and we hope you will take such action in regards to game laws which will permit us to eat some game once in a while. Would you please show this and clipping to your colleague, the Senator from this county.

Yours truly,

W. O. BAIN.

LET WILD DUCKS BE SOLD.

(From the Sacramento Union.)

There are many deer in California, but the Californian cannot buy venison. There are great numbers of quail, but in the markets are no quail. There are multitudes of doves, but unless a citizen be a sportsman or have a sportsman friend, he may have forgotten how the flesh of dove tastes. In a State wherein game abounds the average resident can secure no game except by grace of a friend.

However, there is an exception to this rule: The man who is a sportsman and

can afford to go hunting may shoot his wild game in season and enjoy its flavor, while his neighbor continues to eat cow, sheep or hog. For the sportsman this is a most pleasing exception, and indeed, it has pleased him so much that it was he who brought this condition of affairs to pass. It was his fine Italian hand that wrote in the statutes of his State the laws that made game unattainable by the common people.

In so doing, he overlooked one bet; he left to the ordinary, plodding citizen an opportunity to purchase and eat wild duck. From the organized sportsmen's point of view this was a grievous error. Why should the mob eat wild duck, when the tendency to such a proceeding would be to lessen the sportsman's probability of shooting a legal number for himself?

Unbearable situation! Ordinary people eating wild duck? Not on your life! And so, if the great Fish and Game Protective Association has its way, the coming session of the Legislature will enact a law making wild duck unsaleable and removing from the popular bill of fare this last remnant of wild game. Then the sportsmen boys will have a good time while we wops are eating our corned beef or liver.

Such a law as this should die several hours before it is born. That the great mass of the people of a State abounding in wild game never, save by happy chance, can taste it except in one form is outrageous, and to remove even this one form would be outrage added to outrage. To do this while a favored class may surfeit itself on such game is iniquity piled upon double outrage.

It is in the name of the people who are thus grossly discriminated against that we protest. Many of them are as fond of game as the most dauntless sportsman who ever sighted a gun or perchance cast a fly. The fact that they do not shoot game—perhaps because they cannot afford to do so—is no sufficient reason for depriving them of the privilege of eating it if they have money with which to buy. In its final analysis the proposed law amounts to vicious class legislation. Instead of enacting it, the laws preventing the sale of venison, etc., in season should be repealed.

By Mr. Judson:

SOUTHERN CALIFORNIA CONFERENCE OF SEVENTH-DAY ADVENTISTS,
417 West Fifth Street, Los Angeles, Cal.

MEMORIAL OF PROTEST AGAINST THE ENACTMENT OF A SUNDAY LAW IN THE
STATE OF CALIFORNIA.

To the Honorable Senators and Assemblymen of the California Legislature of the year 1913.

GENTLEMEN: Because an effort is being made to secure, through your honorable body, the passage of a Sunday rest law, we deem it our duty in behalf of liberty and equal rights for all to protest against the enactment of any law, which can be used to enforce any religious doctrine, or practice, upon the people of this State.

Whatever may be the intent of designating Sunday as a day of rest, to compel its observance by law would be the enforcement of a religious dogma, by civil authority, and a practical union of church and state, which in its very nature is essentially destructive of religious liberty.

In behalf of those desiring legal protection for a weekly rest day ample provision is made in statutes of '93, page 54, section 1 reads: "Every person employed in any occupation of labor shall be entitled to one day's rest therefrom in seven," etc. By this law every person has legal liberty to choose any day of the week for a day of rest, without being compelled to observe any.

The people of this State are unfavorable to a Sunday law as shown by the fact that less than two per cent of the voters signed the petition to bring the question to a vote, through the initiative, at the last election held.

For liberty and equal rights for all we continue to labor and pray.

In behalf of the Southern California Conference of Seventh Day Adventists.

F. M. BURG, President.
FRANK LANE, Secretary.

By Mr. Polsley:

RESOLUTION ADOPTED BY THE BOARD OF SUPERVISORS OF COLUSA COUNTY.

WHEREAS, The Board of Supervisors of Colusa County, recognizing the necessity of co-operating in presenting to the world at the Panama-Pacific International Exposition at San Francisco, in 1915, an exhibit that will be an honor to our State and our county; and

WHEREAS, The representatives of the counties of this State, in meeting assembled, have declared in favor of a state appropriation for the construction of and maintenance of a California State building at the Panama-Pacific International Exposition wherein each and every county of California may have space for an exhibit and headquarters; and

WHEREAS, The funds of Colusa County which may be lawfully raised for exposition purposes, will not be sufficient to enable this county to join with the other

counties of the State in paying the cost of the erection of a suitable State Building at such exposition; therefore, be it

Resolved, That the Board of Supervisors of Colusa County in regular meeting assembled this 6th day of January, 1913, believing it would be impossible to take from the funds levied by this county and other counties of the State for exposition purposes, sufficient money to erect an adequate State building where California and the counties thereof may act as the host of the world, therefore we strongly urge and favor an appropriation by the State of California, out of the funds of the state treasury, in the sum of one million dollars or as much thereof as may be necessary for the construction and maintenance of a California Building at the Panama-Pacific International Exposition; and be it further

Resolved, That we call upon our representatives in the State Legislature to give their strong and hearty support to the bill which will be introduced at the next Legislature looking to the appropriation of a sum sufficient for the construction and maintenance of the California State Building, and that the clerk of this board be instructed to immediately mail a copy of this resolution to his Excellency, Hon. Hiram W. Johnson, Governor of the State of California, and to Hon. J. B. Sanford, Senator of this district, and Hon. Harry Polsley, Assemblyman from this district, and to O. H. Miller, box 775, Sacramento, California, Secretary of Counties Executive Committee.

Attest: A true copy.

W. G. KING,

[SEAL] Clerk of the Board of Supervisors of Colusa County, California.

Also:

WHEREAS, The Board of Trustees of the town of Orland, in the county of Glenn, State of California, recognizing the necessity of co-operation in presenting to the world at the Panama-Pacific International Exposition at San Francisco, in 1915, an exhibit that will be an honor to our State and our county; and

WHEREAS, The representatives of the counties of this State, in meeting assembled, have declared in favor of a State appropriation for the construction and maintenance of a California State Building at the Panama-Pacific International Exposition wherein each and every county of California may have space for an exhibit and headquarters; and

WHEREAS, The funds of Glenn County, which may be lawfully raised for exposition purposes, will not be sufficient to enable this county to join with the other counties of the State in paying the costs of the erection of a suitable State building at such exposition; therefore, be it

Resolved, That the Board of Trustees of the town of Orland, in regular meeting assembled this seventh day of January, 1913, believing it would be impossible to take from the funds levied by this county and other counties of the State for exposition purposes, sufficient money to erect an adequate State building where California and the counties thereof may act as hosts of the world, therefore, we strongly urge and favor an appropriation by the State of California, out of the funds of the state treasury in the sum of one million dollars or as much thereof as may be necessary for the construction and maintenance of a California building at the Panama-Pacific International Exposition, and be it further

Resolved, That we call upon our representatives in the State Legislature to give their strong and hearty support to the bill which will be introduced at the next Legislature looking to the appropriation of a sum sufficient for the construction and maintenance of the California State Building, and the secretary of this board be instructed to immediately mail a copy of this resolution to his Excellency, Hiram W. Johnson, Governor of the State of California, and to Hon. J. B. Sanford, Senator of this district, and to Hon. Harry Polsley, Assemblyman of this district, and to O. H. Miller, Box 775, Sacramento, California, Secretary of the Counties Executive Committee.

[SEAL]

GEO. E. WRIGHT,

President of the Board of Trustees of the Town of Orland.

Attest: J. M. TIBESSART, Town Clerk.

Also:

WHEREAS, The Orland Chamber of Commerce of Orland, in the county of Glenn, State of California, recognizing the necessity of co-operation in presenting to the world at the Panama-Pacific International Exposition at San Francisco, in 1915, an exhibit that will be an honor to our State and our county; and

WHEREAS, The representatives of the counties of this State, in meeting assembled, have declared in favor of a State appropriation for the construction and maintenance of a California State Building at the Panama-Pacific International Exposition wherein each and every county of California may have space for an exhibit and headquarters; and

WHEREAS, The funds of Glenn County, which may be lawfully raised for exposition purposes, will not be sufficient to enable this county to join with the other

counties of the State in paying the cost of the erection of a suitable State building at such exposition; therefore, be it

Resolved, That the Orland Chamber of Commerce, in regular meeting assembled this 9th day of January, 1913, believing it would be impossible to take from the funds levied by this county and other counties of the State for exposition purposes sufficient money to erect an adequate State building where California and the counties thereof may act as hosts of the world, therefore, we strongly urge and favor an appropriation by the State of California, out of the funds of the state treasury in the sum of one million dollars or as much thereof as may be necessary for the construction and maintenance of a California building at the Panama-Pacific International Exposition; and be it further

Resolved, That we call upon our representatives in the State Legislature to give their strong and hearty support to the bill which will be introduced at the next Legislature looking to the appropriation of a sum sufficient for the construction and maintenance of the California State Building, and the secretary of this board be instructed to immediately mail a copy of this resolution to his Excellency, Honorable Hiram W. Johnson, Governor of the State of California, and to Hon. J. R. Sanford, Senator of this district, and to Hon. Harry Polsley, Assemblymen of this district and to O. H. Miller, Box 775, Sacramento, California, Secretary of the Counties Executive Committee.

WM. CHANEY, President.

Attest: J. W. TIBESSART, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ATTACHÉS AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1913.

MR. SPEAKER: Your Committee on Attachés and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions at the per diem set opposite their respective names, said per diem to be paid out of the contingent expenses of the Assembly. Said appointments to date from and include the thirteenth day of January, 1913, and the Controller is hereby authorized and directed to draw his warrants upon the said fund in favor of the following named persons for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same, namely:

Name.	Position.	Per diem.
Stern, Moses—Assistant Clerk	-----	\$6 00
Trude, F. J.—Assistant Clerk	-----	6 00
Albery, Herman M.—Clerk Sergeant-at-Arms	-----	5 00
Thomas, C. G.—Journal Clerk	-----	6 00
Ridean, Gilbert—Assistant Journal Clerk	-----	5 00
Alexander, O. R.—Assistant Engrossing and Enrolling Clerk	-----	5 00
Castro, M. J.—Assistant Engrossing and Enrolling Clerk	-----	5 00
Guirey, W. C.—File Clerk	-----	6 00
McColgan, E. J.—Bill Filer	-----	4 00
Lewis, R. T.—Bill Filer	-----	4 00
Cole, Willard C.—Bill Filer	-----	4 00
Logomasino, L.—Bill Filer	-----	4 00
Hollister, F. C.—Assistant Bill Clerk	-----	4 00
Young, L.—Assistant Bill Clerk	-----	4 00
Allen, Newton M.—Mailing Clerk	-----	4 00
McKiernan, Wm.—Assistant Sergeant-at-Arms	-----	5 00
Jones, D. R.—Assistant Sergeant-at-Arms	-----	5 00
Johnson, Walter—Assistant Sergeant-at-Arms	-----	5 00
Smith, Vincent N.—Assistant Sergeant-at-Arms	-----	5 00
Powers, J.—Assistant File Clerk	-----	5 00
Doyle, Harry—Assistant File Clerk	-----	5 00
Lousborrow, Agnes—Stenographer	-----	5 00
Weger, F. M.—Gate Keeper	-----	3 00
Smith, Earl—Page	-----	2 50
Duhain, C. E.—Page	-----	2 50
Hayes, John—Page	-----	2 50
Fraser, James—Page	-----	2 50
Sparling, Wayne H.—Committee Clerk	-----	4 00
Thompson, J. R.—Committee Clerk	-----	4 00
Ellison, Leon E.—Committee Clerk	-----	4 00
Kramer, E. C.—Committee Clerk	-----	4 00
Cunningham, J.—Committee Clerk	-----	4 00

Name.	Position.	Per diem.
Laing, Gordon B.—Committee Clerk	-----	\$4 00
Knight, Sam.—Committee Clerk	-----	4 00
Allen, Maude—Committee Clerk	-----	4 00
Ellis, B. H.—Committee Clerk	-----	4 00
Saunders, F. L.—Committee Clerk	-----	4 00
Longworthy R. E.—Committee Clerk	-----	4 00
Regan, Cornelius—Committee Clerk	-----	4 00
Dufort, Olive—Committee Clerk	-----	4 00
Sampson, Ethel M.—Committee Clerk	-----	4 00
Guiberson, Claire—Committee Clerk	-----	4 00
Johnston, Ada—Committee Clerk	-----	4 00
Bassford, A. T.—Committee Clerk	-----	4 00
Palmer, Mrs. F. O.—Committee Clerk	-----	4 00
Emanuel, A.—Committee Clerk	-----	4 00
Shartel, Mrs. A. F.—Committee Clerk	-----	4 00
Kilgariff, Regina—Committee Clerk	-----	4 00
Young, John T.—Committee Clerk	-----	4 00
Wood, Percy A.—Committee Clerk	-----	4 00
Tulloch, Mrs. Marie—Committee Clerk	-----	4 00
Reynolds, J. E.—Committee Clerk	-----	4 00
Van Fleet, Maggie—Committee Clerk	-----	4 00
Wandering, Arthur A.—Committee Clerk	-----	4 00
Monahan, W. E.—Committee Clerk	-----	4 00

Adopted.

Also:

Resolved, That the names of Geo. A. Huntington, heretofore appointed as Gate Keeper at a per diem of \$3.00 and the name of M. J. Clapp, heretofore appointed as Stenographer at a per diem of \$5.00, be stricken from the roll, to date from January 10, 1913.

SMITH, Chairman.

Mr. Smith moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, and Woodley—63.

NOES—None.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses to whom was referred the accompanying resolutions, have had the same under consideration, and begs leave to report the same back, and recommend their adoption.

LYMAN FARWELL, Chairman.

Resolved, That each member be allowed to leave with the Chief Clerk a list of not more than ten (10) names of persons as a mailing list to whom shall be sent bills and other matters as may be designated from time to time by such members, and the Controller is hereby directed to draw his warrant, in favor of L. B. Mallory, Chief Clerk, from the Contingent Fund of the Assembly for such amount as may be necessary to pay the postage, expressage and incidental expenses in mailing such printed matter, not to exceed four hundred (\$400) dollars, and the Treasurer is hereby directed to pay the same; and be it further

Resolved, That the Chief Clerk be empowered to assign the necessary employees of the Assembly to perform their duties in the mailing department.

Resolved, That the Clerk of the Assembly be and he is hereby directed to procure for the use of the members of the Assembly eighty-five index letter files, and the State Controller is authorized to draw his warrant for the payment of the same, and the Treasurer is hereby directed to pay the same.

Mr. Farwell moved the adoption of the report and resolutions.

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Griffin, Griberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—72.

NOES—None.

SPEAKER IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

MOTION.

Mr. Benedict moved that the next order of business, Introduction of Bills, be passed.

Motion carried.

SPEAKER PRO TEM. IN THE CHAIR.

At eleven o'clock and thirty-five minutes p. m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés and Employees:

Resolved, That the action of L. B. Mallory, Chief Clerk of the Assembly and Ed E. Reese, Sergeant-at-Arms of the Assembly, in employing necessary assistants after the organization of the Assembly, to perform the duties of bookkeeper to the Sergeant-at-Arms, clerks, stenographers, porters, bill filers, watchmen, assistant sergeants-at-arms, doorkeepers, and postmistress and pages is hereby approved and ratified, and the Controller of the State is directed to draw his warrant in favor of said Ed. E. Reese against the Contingent Fund of the Assembly in the sum of three hundred three and fifty one-hundredths \$(305.50) dollars, said payment being on account of services rendered as follows; and the said Treasurer is hereby authorized and directed to pay the same:

Earl Smith—Page	4 days at	\$2 50	\$10 00
W. E. Brown—Page	1 day at	2 50	2 50
Mrs. Addie Peaslee—Postmistress	3 days at	4 00	12 00
Mrs. E. T. Lathrop—Stenographer	2 days at	5 00	10 00
George J. Bush—Stenographer	2 days at	5 00	10 00
Evelyn M. Conner—Stenographer	2 days at	5 00	10 00
Mrs. May Horton—Stenographer	3 days at	5 00	15 00
Mary Liston—Stenographer	4 days at	5 00	20 00
E. A. Washburn—Stenographer	3 days at	5 00	15 00
Gertrude Hayes—Stenographer	3 days at	5 00	15 00
Ruth Koester—Stenographer	2 days at	5 00	10 00
Mabel E. Guild—Stenographer	2 days at	5 00	10 00
Mary Deitch—Stenographer	2 days at	5 00	10 00
V. Almon—Assistant Sergt.-at-Arms	4 days at	5 00	20 00
C. F. Schwillk—Assistant Sergt.-at-Arms	3 days at	5 00	15 00
A. Cunningham—Assistant Sergt.-at-Arms	2 days at	5 00	10 00
R. L. Estes—Bookkeeper Sergt.-at-Arms	3 days at	5 00	15 00
W. A. Gamble—Watchman	2 days at	3 00	6 00
W. S. Harlow—Watchman	4 days at	3 00	12 00
Geo. Cushing—Watchman	4 days at	3 00	12 00
J. P. Whyte—Doorkeeper	4 days at	3 00	12 00
John Kofod—Porter	4 days at	3 00	12 00
T. P. White—Porter	4 days at	3 00	12 00
Wm. Sinton—Porter	4 days at	3 00	12 00
M. Manning—Porter	3 days at	3 00	9 00
J. Green—Porter	1 day at	3 00	3 00
F. W. Smith—Bill Filer	1 day at	4 00	4 00

\$303 50

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuck-enbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley—68.

NOES—None.

By Mr. Schmitt:

Resolved, That on Tuesday evening, January 14, 1913, the use of the Assembly Chamber be and it is hereby extended to the Panama-Pacific International Exposition Company for the purpose of delivering a lecture illustrated with moving pictures of the important events which have taken place in connection with the exposition up to the present time, and of the Panama Canal.

Resolution read, and on motion adopted.

By Mr. Schmitt:

Resolved by the Assembly of the State of California, That the members of the Senate of the State of California be and they are hereby cordially invited to be present in the Assembly Chamber on Monday, January 13, 1913, at two o'clock p.m., at which time and place the ceremonies of casting the electoral vote of the State of California for President and Vice-President of the United States will be held.

Resolution read, and on motion adopted.

By Mr. Morgenstern:

Resolved by the Assembly of the State of California, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to provide chairs in the Assembly Chamber for the members of the Senate, Federal and State officials and citizens upon the occasion of the assembling of the Presidential Electors for the purpose of casting the electoral vote of the State of California for President and Vice-President of the United States, on Monday, January 13, 1913, at two o'clock p.m.

Resolution read, and on motion adopted.

LEAVE OF ABSENCE.

On motion of Mr. Farwell, leave of absence was granted Mr. Fish for the day.

RECESS.

At eleven o'clock and forty-five minutes a.m., the Assembly was declared at recess until four o'clock p.m. of this day.

REASSEMBLED.

At four o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

MOTION.

Mr. Sutherland moved that messages from the Governor be taken up.
Motion carried.

GOVERNOR'S MESSAGE.

The following message from the Governor was taken up and read:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, January 13, 1913.

To the Senate and Assembly of the State of California:

I have just received from the State Board of Equalization the report of that Board's investigation of and comparison of rates of taxation now paid by the withdrawn, public service corporations of the State, with the rate of taxation paid by

property owners whose property is legally assessed. I transmit to you briefly in this message the conclusions of the State Board of Equalization, that you may immediately have before you the facts and may at once commence your deliberations upon the subject of the revenue of the State.

The Board finds the average tax rate in the State of California for all property except that of the withdrawn public service corporations is \$1.1386 upon each one hundred dollars of actual value. This means that the ordinary taxpayer in the State pays this rate.

The average rates of taxes paid by the several classes of the withdrawn public service corporations, as determined upon the basis of a stock and bond valuation, in accordance with the new tax scheme are:

1. For railroads and street railways \$0.9092 upon \$100 of actual value of property.

2. For gas and electric companies \$0.75.

3. For telegraph and telephone companies \$0.9060.

4. For car companies (Pullman Company only) \$0.8813.

5. For express companies (Wells Fargo & Co. only) \$1.5413.

The situation, therefore, is obvious. Except in the single instance of the express company, which probably is not paying any greater sum in taxes than it ought, the ordinary taxpayer is paying proportionately twenty per cent more than the public service corporations.

As in my initial message, again I call to your attention the fact that the revenue for this year provided by the new method of taxation will be insufficient to meet the expenses of the government of the State. It is essential that the additional revenue required be provided for during the first portion of your session, that is, during the next thirty days. I ask, therefore, that during this first part of your session you take up the subject of the revenue of the State and increase the rates of taxation of the withdrawn corporations to such a sum as shall compel them to pay their just proportion of taxes.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

LEAVE OF ABSENCE.

On motion of Mr. Walsh, Mr. McArthur was granted leave of absence until Thursday, January 16, 1913.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 2—Relative to Joint Rules.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

SENATE CONCURRENT RESOLUTION NO. 2—RELATIVE TO JOINT RULES.

Resolved by the Senate, the Assembly concurring, That the following be and they are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California:

JOINT RULES OF SENATE AND ASSEMBLY.

Joint Address to Governor.

1. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a select committee of six members from each House appointed by the respective presiding officers.

STANDING COMMITTEES.

2. Subject to the right of either House to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each House:

- (1) Agriculture.
- (2) Banking.
- (3) Commerce and Navigation.
- (4) Corporations.
- (5) County Government.
- (6) Drainage, Swamp and Overflowed Lands.

- (7) Education.
- (8) Elections.
- (9) Federal Relations.
- (10) Finance in the Senate and Ways and Means in the Assembly.
- (11) Fish and Game.
- (12) Hospitals and Asylums.
- (13) Insurance.
- (14) Irrigation.
- (15) Judiciary.
- (16) Labor and Capital.
- (17) Military Affairs.
- (18) Mines and Mining.
- (19) Municipal Corporations.
- (20) Oil Industries.
- (21) Public Health and Quarantine.
- (22) Public Morals.
- (23) Prisons and Reformatories.
- (24) Revenue and Taxation.
- (25) Roads and Highways.
- (26) Rules.

JOINT COMMITTEES.

3. Joint Standing Committees of Senate and Assembly shall be appointed as follows:

- (1) Committee on Revision and Printing to consist of three (3) members from the Senate and five (5) from the Assembly.
- (2) Committee on Joint Rules to consist of the members of the Rules Committee of each House.

Bill or Resolution in One House, Rejected in the Other, Requires Notice.

4. When a bill or resolution which shall have passed one House is rejected by the other, notice thereof shall be given immediately to the House in which the same shall have passed.

Each House to Transmit Papers.

5. Each House shall transmit to the other papers on which any bill or resolution shall be founded.

Joint and Concurrent Resolutions.

6. Joint resolutions are those which relate to matters connected with the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

Joint Resolutions Treated as Bills.

7. All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

Amendments to Amended Bills Must Be Attached.

8. Whenever a bill or resolution which shall have been passed in one House shall be amended in the other it shall immediately be reprinted as amended by the House making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

Bills Read and Referred to Committee.

9. When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee, unless otherwise ordered by the House.

Special File.

10. Ten (10) days after the close of the recess provided for in Section 1, Article IV, of the Constitution, the Senate and Assembly shall adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day, and be considered at least one hour and a half after being so taken up. This rule shall not be suspended in either House except by a three fourths vote of such House.

After a Bill Has Been Passed by the Senate or Assembly.

11. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate

or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the House, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of such committee is charged with the observance of this rule: *provided*, that the Senate or Assembly may, at any time, order such bill reported back from any committee by a majority vote.

To Concur or Refuse to Concur in Amendments.

12. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments.

When Amendments are Concurred In.

13. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments, and the bill shall be ordered to enrollment.

When Senate or Assembly Refuse to Concur.

14. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments of such refusal and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or Clerk shall immediately notify the other House of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each House shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each House of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the conference committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the House, and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The committee on conference shall report to both the Senate and Assembly.

15. In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and each committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of committees.

Committee on Free Conference.

16. If the conference fail to agree or either House refuse to adopt the report of the committee, a Committee on Free Conference shall then be appointed, which shall consist of three members from each House to be constituted and appointed in the same manner as a committee on conference. The committee on free conference are hereby directed to include in their report any amendments which they may adopt as a committee, and such amendments shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment, and if either House refuse to adopt such report no further proceedings shall be had.

It shall require an affirmative vote of not less than four (4) of the members constituting the committee to agree upon a report.

When Conference Committee Report is in Order.

17. The presentation of the report of a Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate or Assembly is dividing, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

Messages Must Be Announced by the Assistant Sergeant-at-Arms.

18. When a message shall be sent from either House it shall be announced at the door by the Sergeant-at-Arms, and shall be respectfully communicated to the presiding officer by the person by whom it may be sent.

Secretary, Clerk, etc., to Carry Messages.

19. Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

Notice to be in Writing Under Proper Signatures.

20. Notice of the action of either House to the other shall be in writing, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

Enrolled Bills to Receive Signature of Proper Officers.

21. After a bill shall have passed both Houses, it shall be duly enrolled and carefully compared by the Engrossing and Enrolling Clerk and Engrossing and Enrolling Committee of the Assembly, or of the Senate, as the bill may have originated, and shall first receive the signatures of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

Enrolling Committee to Compare.

22. When bills are enrolled they shall be re-examined by the Engrossing and Enrolling Committee of the House in which they originated, who shall compare the enrollment with the engrossed bill as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

President and Speaker to Sign Bills.

23. After the examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

Enrolling Committee to Present Bills to Governor.

24. After a bill shall have been thus signed in each House, it shall be presented by the Engrossing and Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first indorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which House the bill originated.) The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

History of Bills, etc.

25. There shall be printed on Monday of each week by both the Senate and Assembly during the session preceding the constitutional recess, a history of all bills, joint and concurrent resolutions and constitutional amendments which shall show the action taken by the House up to the day preceding the publication of such history. A regular form shall be prescribed and no other form shall be used. Immediately following the adjournment for the constitutional recess the history shall be compiled and printed to date of recess. During the remainder of the session the history shall be compiled and printed daily.

Secretary and Clerk to Keep Register.

26. The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

Secretary and Clerk Shall Indorse Bills.

27. The Secretary of the Senate and Clerk of the Assembly shall indorse on every original bill a statement of any action taken by the Senate and Assembly.

Urgency Provisions in Bills.

28. Upon the third reading of an act which is an urgency measure within the meaning of Section 1 of Article IV of the State Constitution, the presiding officer shall direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated:

"Shall this section setting forth the urgency features of this bill be passed?"

If upon such final vote two thirds of all the members elected to the House in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill; but, in case an identical bill without such emergency clause be again introduced into such House, such bill shall be placed on file without reference to any committee.

Indorsement of Bills.

29. Bills introduced into either House shall be indorsed with the day, hour and minute of introduction.

Committee on Revision and Printing.

30. Unless otherwise ordered by the House in which the bill was introduced, all bills before being printed shall be immediately sent to Committee on Revision and Printing for correction of errors. The committee shall have jurisdiction to correct any mere clerical error, such as in orthography, adding the enacting clause to a bill when such has been omitted, and all mistakes in numbering section and references thereto, and, by and with the written assent of the author filed with the committee, to correct errors in grammar, phraseology and to otherwise alter the text of the bill.

Companion Bills.

31. If upon comparison by the Committee on Revision and Printing it be found that two bills, one of which has been introduced in the Senate and the other in the Assembly are identical, such bills, unless otherwise ordered by the committee, shall be considered companion bills and printed jointly as of both Houses. If first introduced in the Senate, the bill shall be printed with the appropriate Senate heading at the top, giving number of bill, name of author, date of introduction and committee reference. Following this shall be a corresponding Assembly heading, after which shall follow the title of the act, the enacting clause and text of the bill. If the bill is first introduced in the Assembly, the position of the Senate and Assembly headings shall be reversed.

Numbering Lines of Bills.

32. The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Reports of Committee on Revision.

33. The Committee on Revision and Printing shall return to the Secretary of the Senate or Clerk of the Assembly all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered.

Joint Meeting of Committees.

34. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Bills, Resolutions, etc.

35. Wherever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

Press Rules.

36. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged, and will not become engaged as a lobbyist for any person, copartnership, corporation or interest, and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the state government and will not become so employed while accepting the privileges of a press representative.

(b) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Superintendent of Capitol Building and Grounds; *provided*, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

Adjournment.

37. Adjournment for the constitutional recess and adjournment *sine die* shall be made only by concurrent resolution.

Concurrent resolution read.

By unanimous consent Senate Concurrent Resolution No. 2 was taken up for consideration without reference to committee.

During the consideration of concurrent resolution the following amendments were submitted:

By Mr. Brown:

Amend by striking out all of Section 30 and inserting in lieu thereof the following: "30. Each House shall appoint a Committee on Revision and Printing, and each House to determine the number of said committee and unless otherwise ordered by the House in which the bill was introduced, all bills before being printed shall be immediately sent to Committee on Revision and Printing for correction of errors. The committee shall have jurisdiction to correct any mere clerical error, such as in orthography, adding the enacting clause to a bill when such has been omitted, and all mistakes in numbering section and references thereto, and, by and with the written assent of the author filed with the committee, to correct errors in grammar, phraseology and to otherwise alter the text of the bill."

Mr. Brown moved the adoption of the amendment.

The roll was called, and amendment lost by the following vote:

AYES—Messrs. Alexander, Beck, Bowman, Brown, Finnegan, Griffin, Guiberson, Killingsworth, Kingsley, Murray, Palmer, Polsley, Shannon, Shearer, Simpson, Stuckenbruck, Wall, Walsh, and Weldon—20.

NOES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Pears, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, White, Woodley, Wyllie, and Mr. Speaker—58.

By Mr. Benedict:

Strike out all of Rule 29 and insert in lieu thereof the following:

29. Bills introduced in either house shall be indorsed with the date of introduction.

Strike out all of Rules 30 and 31 and insert in lieu thereof a new rule to be known as Rule 30, to read as follows:

"30. Unless otherwise ordered by the House in which the bill was introduced, all bills before being printed shall be immediately sent to the Committee on Revision and Printing. The committee, by and with the written assent of the author filed with it, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill."

Renumber Rules 32 to 37 inclusive to read 31 to 36 inclusive.

Amendment adopted.

Also:

Add to Rule 16 a new paragraph, to read as follows:

No member who has served on a Committee on Conference shall be appointed a member of a Committee on Free Conference on the same bill.

Amendment adopted.

By Mr. Brown:

Amend Rule 16 by striking out the words: "It shall require an affirmative vote of not less than four (4) of the members constituting the committee to agree upon a report," and inserting in lieu thereof the following: "It shall require an affirmative vote of a majority of the members of the committee of each House to agree upon a report."

Amendment lost.

Also:

Amend by striking out of Section 16, the following words: "The report of the Committee on Free Conference shall not be subject to amendment, and if either House refuse to adopt such report no further proceedings shall be had," and inserting in lieu thereof the following: "The report of the Committee on Free Conference shall not be subject to amendment in either House, but the conferees may be discharged, and other conferees appointed, or the report may be recommended to the same conferees."

Amendment lost.

By Mr. Polsley:

Strike out Rule 25 and insert the following: There shall be printed daily, by both the Senate and Assembly, a history of all the bills, joint and concurrent resolutions and constitutional amendments, which shall show the action taken by the House up to the day preceding the publication of such history. A regular form shall be prescribed, and no other form shall be used. Immediately following the adjournment for the constitutional recess the history shall be compiled and printed to date of recess.

Amendment adopted.

Also:

Amend by striking out Rule 3.

Amendment lost.

By Mr. Sutherland:

Add a new paragraph to be numbered 37 and to read as follows:

DISPENSING WITH JOINT RULES.

37. No joint rule shall be dispensed with except by vote of two thirds of each House; and if either House shall violate a joint rule a question of order may be raised in the other House and decided in the same manner as in the case of the violation of the rules of such House; and if it shall be decided that the joint rules have been violated, the bill involving such violations shall be returned to the House in which it originated, without further action. Or, at the option of such House, the President or Speaker may direct the Secretary or Clerk to mark the section or sections in conflict with the rules as non-concurred in or negatived.

Amendment adopted.

The question being upon the adoption of the Senate concurrent resolution as amended.

The roll was called and Senate Concurrent Resolution No. 2 as amended, adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—67.

NOES—Messrs. Brown and Polsley—2.

Senate concurrent resolution ordered transmitted to the Senate.

RECESS.

At five o'clock and fifteen minutes p.m., the Assembly was declared at recess until seven o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

MOTION.

Mr. Bohnett moved that in the introduction of bills each member be limited to two bills.

Motion carried.

RULE SUSPENDED.

Mr. Smith moved that Rule 71 be suspended.

Motion carried.

APPOINTMENT OF JOINT STANDING COMMITTEE.

The Speaker announced the appointment of the following joint standing committee:

Revision and Printing—Messrs. Clark (Chairman), Nelson, Slater, Sutherland, and Woodley.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Alexander: Assembly Bill No. 1—An Act to amend section 25 of the Civil Code relating to who are minors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bagby: Assembly Bill No. 2—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Benedict: Assembly Bill No. 3—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bloodgood: Assembly Bill No. 4—An Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett: Assembly Bill No. 5—An Act making an appropriation for university extension work at the University of California.

Bill read first time, and referred to Committee on Universities.

By Mr. Bowman: Assembly Bill No. 6—An Act to add a new section to fish and game laws of the State of California, to be numbered 631c, providing for the breeding and sale of American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridge, bob-white quail, California valley and mountain quail, and all varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports, for the fencing of the preserves and for the revocation of licenses.

Bill read first time, and referred to the Committee on Fish and Game.

By Mr. Brown: Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under title sixteen thereof, and to be numbered 681, prohibiting the use of cruel and unusual punishment in state prisons and reformatory institutions.

Bill read first time, and referred to the Committee on Prisons and Reformatories.

By Mr. Byrnes: Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving, and dredging the channel of San Rafael Creek.

Bill read first time, and referred to the Committee on Commerce and Navigation.

By Mr. Canepa: Assembly Bill No. 9—An Act to regulate the receiving and keeping of food in cold storage and regulating the sale of said food and providing a penalty for the infringement and violation of said act.

Bill read first time, and referred to the Committee on Judiciary.

By Mr. Cary: Assembly Bill No. 10—An Act defining and limiting the right of aliens to acquire title to and own real property in the State of California, and providing a method of divesting title held by aliens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Collins: Assembly Bill No. 11—An Act to require employers of labor to furnish free and pure drinking water to their employees during working hours.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Cram: Assembly Bill No. 12—An Act providing for the construction and equipment of a residence, barns, and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Dower: Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the "Alpine State Highway."

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Ellis: Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Farwell: Assembly Bill No. 15—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans, and half orphans, and for the education of such persons and other worthy persons, under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor; authorizing and empowering the maintenance of funds therefor in the county and state treasuries, to be derived from taxation and private benefaction to be known as a "children's relief fund" and as a "scholarship fund;" making appropriation for a campaign to secure private benefactions, and for the disposition of "transfer and collateral inheritance taxes" therefor, authorizing gifts, bequests and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the superior court and board of supervisors in relation to such persons and such funds.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Finnegan: Assembly Bill No. 16—An Act providing for the free use of all public school houses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance of the same out of the school fund of the State of California, and providing for the conduct and management of the same.

Bill read first time, and referred to Committee on Education.

By Mr. Fish: Assembly Bill No. 17—An Act to amend Section 1881 of the Code of Civil Procedure of the State of California, relating to testimony of licensed physicians or surgeons in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fitzgerald: Assembly Bill No. 18—An Act defining the powers of the State Board of Harbor Commissioners of San Francisco, or their successors, in granting ferry privileges to be used for the purpose of ferrying passengers to and from San Francisco and any city or town situated on the bay of San Francisco owning and prepared to operate a union ferry passenger depot.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Ford, Jr.: Assembly Bill No. 19—An Act to amend Section 3658a of the Political Code of the State of California relating to maps for assessment purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gabbert: Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Green: Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Guiberson: Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code relating to the powers of boards of supervisors relating to roads, and to repeal Section 2461 of the Political Code.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Guill: Assembly Bill No. 23—An Act authorizing the State Board of Prison Directors to fix the price, terms, and conditions of sale at which jute bags should be sold for the State, providing for the prosecution and punishment for offenses under the same, and repealing certain acts.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Hayes: Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Hinkle: Assembly Bill No. 25—An Act appropriating two hundred thousand dollars (\$200,000) to complete the construction of the exposition building of the State of California at the Panama-California Exposition to be held in San Diego, California, during the year 1915.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Inman: Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a State Printing Office.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Johnson: Assembly Bill No. 27—An Act authorizing any county in the State which claims to have sustained a net loss in county revenue by the withdrawal of railroad property from county

taxation in accordance with the provisions of section fourteen of article thirteen of the Constitution of the State of California, as said Constitution was amended November 8, 1910, to commence suit against the State of California, for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Johnston: Assembly Bill No. 28—An Act to amend section one, section five, section twelve and section twenty-three of Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled an Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909."

Bill read first time, and referred to Committee on Election Laws.

By Mr. Johnstone: Assembly Bill No. 29—An Act to amend Sections 2643, 2651, 2654 and 2655 of the Political Code of the State of California relating to the levy and apportionment of road tax, and to the acquisition, construction and maintenance of roads.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Judson: Assembly Bill No. 30—An Act to provide for the furnishing and equipment of the California State Exposition building at the Panama-California Exposition at San Diego, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Kingsley: Assembly Bill No. 31—An Act limiting the hours of labor of persons employed in manufacturing, mechanical, mining or mercantile establishments, laundry, barber shop, hotel, restaurant, telegraph or telephone establishment or office, or employed by any express or transportation company, or any common carrier, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing a penalty for failure, neglect or refusal of the employer to comply with provisions of this Act and for permitting or suffering any overseer, superintendent, or foreman, or other agent of any such employer to violate the provisions of this Act.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Kuck: Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Libby: Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. McDonald: Assembly Bill No. 34—An Act to regulate the hours of employment of conductors, drivers, gripmen and motormen employed on street railways.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Morgenstern: Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Mouser: Assembly Bill No. 36—An Act concerning children receiving public or charitable aid, providing a placing out system therefor; providing for inspection of institutions therefor; defining the duties of officials in relation thereto.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Murray: Assembly Bill No. 37—An Act to establish the Yolo and Lake state highway; to define its course; to provide for its survey and construction, repair and maintenance, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Nelson: Assembly Bill No. 38—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Nolan: Assembly Bill No. 39—An Act to provide for the erection of a memorial monument to George Washington; appointing an auxiliary commission therefor; and providing an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Palmer: Assembly Bill No. 40—An Act to authorize the local boards of managers of the several state hospitals for the insane and homes for the feeble-minded of the State of California to employ regularly ordained ministers and priests to visit and perform spiritual duties and ministrations to the inmates of said state hospitals and homes for the feeble-minded; and to provide for their compensation.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Peairs: Assembly Bill No. 41—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles Department of the College of Medicine of the University of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Polsley: Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district, providing for its management and control, subject to the

provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Richardson: Assembly Bill No. 43—An Act to amend section two thousand two hundred and eighty-nine of the Civil Code of the State of California, relating to the appointment of trustees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No. 44—An Act to provide for the appointment of a commission to investigate the wages of women and minors and to report on the advisability of establishing permanent minimum wage commissions or boards.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Schmitt: Assembly Bill No. 45—An Act granting to the city and county of San Francisco certain tide lands, marsh lands and submerged lands of the State of California, within the boundaries of said city and county, including the right to wharf out therefrom; regulating the management, use and control thereof, and providing for the deposit with the State of California of certain bonds to protect the State of California from any loss which might accrue to said State by reason of outstanding bonds for the use and purpose of the harbor front of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Scott: Assembly Bill No. 46—An Act to amend Section 1402 of the Civil Code relating to the distribution of common property on death of husband.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shannon: Assembly Bill No. 47—An Act to amend Section 1665a of the Political Code of the State of California, relating to the establishment of cosmopolitan schools in certain cities or cities and counties.

Bill read first time, and referred to Committee on Education.

By Mr. Simpson: Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Slater: Assembly Bill No. 49—An Act establishing a state normal school at Santa Rosa, county of Sonoma, State of California, and making an appropriation for the maintenance of said school.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Smith: Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within the municipal corporations by water companies.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Stuckenbruck: Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war and to provide for relief to such soldiers, sailors, and marines, under certain circumstances.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Sutherland: Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Wall: Assembly Bill No. 53—An Act appropriating money for the construction and equipment of a new ward (No. 25) at Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals.

By Mr. Walsh: Assembly Bill No. 54—An Act to establish a state training school for girls; to provide for the maintenance and management of the same, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Weldon: Assembly Bill No. 55—An Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woodley: Assembly Bill No. 56—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31st, 1897, by amending the title to said Act, and by amending Sections 1, 17 and 18 thereof to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes; and to add a new section to be known as Section 110½.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Wyllie: Assembly Bill No. 57—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Bill read first time, and referred to Committee on Education.

Also Assembly Bill No. 58—An Act to amend Section 1858 of the Political Code of the State of California, relating to the method of determining the number of teachers to which a school district is entitled and the apportionment of county school funds by the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

By Messrs. Benedict and Woodley: Assembly Bill No. 59—An Act to regulate the civil service of the State of California.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Wall: Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Sutherland: Assembly Bill No. 61—An Act to prevent the injury to oil, gas, or petroleum-bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum-bearing strata or formation by the penetration or infiltration of water therein," approved March 20, 1909.

Bill read first time and referred to Committee on Oil Industries.

By Mr. Stuckenbruck: Assembly Bill No. 62—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Smith: Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Slater: Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

Bill read first time, and referred to Committee on Insurance.

By Mr. Simpson: Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Shannon: Assembly Bill No. 66—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of examination of cities and cities and counties.

Bill read first time, and referred to Committee on Education.

By Mr. Scott: Assembly Bill No. 67—An Act to amend an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909, by amending Section 2 of said Act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Schmitt: Assembly Bill No. 68—An Act to amend an act entitled "An Act to provide for the establishment and quieting of title of real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1914, but not thereafter.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ryan: Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Podic Society of the State of California, a corporation, to assist in the carrying out of the purposes of the Act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Richardson: Assembly Bill No. 70—An Act to amend Section 1 of Chapter 338 of laws of 1911, being Section 628 of the Penal Code of the State of California, relating to the production and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Polsley: Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1750, 1749, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Peairs: Assembly Bill No. 72—An Act providing for the support, maintenance and equipment of the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Murray: Assembly Bill No. 73—An Act providing for the construction and equipment of two dormitories at the University Farm and Agricultural School, at Davis, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Mouser: Assembly Bill No. 74—An Act to promote education in social science and the arts, and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

By Mr. McDonald: Assembly Bill No. 75—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Libby: Assembly Bill No. 76—An Act to amend Section 1490 of the Code of Civil Procedure of the State of California relating to the giving of notice to creditors of the estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kingsley: Assembly Bill No. 77—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Judson: Assembly Bill No. 78—An Act appropriating money for the equipment of a building for a model rural school at the San Diego State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Johnstone: Assembly Bill No. 79—An Act to amend Section 607e of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Bill read first time, and referred to Committee on Public Charities.

By Mr. Johnston: Assembly Bill No. 80—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Johnson: Assembly Bill No. 81—An Act to amend Section 396 of the Penal Code of the State of California relating to the propelling of vehicles propelled by motor power or by animal power.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Inman: Assembly Bill No. 82—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Hinkle: Assembly Bill No. 83—An Act to provide for the improvement of the grounds around the California State Exposition Building at the Panama-California Exposition at San Diego, California, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Hayes and Bohnett: Assembly Bill No. 84—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Guill and Slater: Assembly Bill No. 85—An Act defining commission merchants, providing for a license for the conduct of the business of commission merchants and the procedure for obtaining the same, also providing regulations for the conduct of the said business and for penalties for violation of this Act.

Bill read first time, and referred to Committee on Agriculture.

By Mr. A. B. Green: Assembly Bill No. 86—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Gelder: Assembly Bill No. 87—An Act to amend the Civil Code, by adding thereto a new Section to be numbered 2004, relating to the assignment of wages of employee and the protection of the family, of such employee, and his employer, from the effect of such assignment.

Bill read first time, and referred to the Committee on Labor and Capital.

By Mr. Fitzgerald: Assembly Bill No. 88—An Act to amend Section 1 of an Act entitled "An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this State," approved March 23, 1901, relating to the employment of the citizens of the United States.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Farwell: Assembly Bill No. 89—An Act to provide for old age pensions, and making an appropriation therefor.

Bill read first time, and referred to the Committee on Judiciary.

By Mr. Ellis: Assembly Bill No. 90—An Act appropriating money to pay the claim of Riverside County against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Cram: Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Cary: Assembly Bill No. 92—An Act to provide for prompt relief and medical attention in case of accidents to employees and travelers upon railroads by compelling common carriers by railroads to maintain hospital cars.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Canepa: Assembly Bill No. 93—An Act to regulate the height of billboards or fences.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Byrnes: Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and presenting penalties for violation of this Act," approved April 21, 1911.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Brown: Assembly Bill No. 95—An Act defining and relating to wage-brokers; regulating assignments of wages and salaries as securities for loans; and fixing a maximum rate of interest for loans upon wages and salaries, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowman: Assembly Bill No. 96—An Act to amend section six hundred and thirty-six of the Penal Code, relating to unlawful nets and lines.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Bohnett and Hayes: Assembly Bill No. 97—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mt. Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Benedict: Assembly Bill No. 98—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bagby: Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Weldon: Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

Resolution read, and referred to Committee on Constitutional Amendments.

By Mr. Ryan: Assembly Concurrent Resolution No. 1—A resolution approving seventeen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

Resolution read, and referred to Committee on Municipal Corporations.

By Mr. Gelder: Assembly Joint Resolution No. 1—Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of President and Vice-President of the United States by a direct vote of the people.

Resolution read, and referred to Committee on Federal Relations.

By Mr. Morgenstern: Assembly Concurrent Resolution No. 2—Relative to approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the tenth day of April, one thousand nine hundred and eleven.

Resolution read, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At eight o'clock and forty minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until eleven o'clock a.m., of Tuesday, January 14, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, January 14, 1913.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hayes, its further reading was dispensed with.

PETITION.

The following petition was presented and ordered printed in the Journal:

By Mr. Bowman:

We, the undersigned, citizens of the county of Monterey, State of California, respectfully recommend that Section 636 of the Penal Code of this State be so amended, or that a new section be added to said Penal Code, so as to provide that "Every person who shall cast, extend, set, use or have in his possession any 'lompara' net, 'paranzella' net, or 'bean trawl' net, for the purpose of catching fish, shellfish, shrimps or crabs, in any of the waters of this State, shall be guilty of a misdemeanor."

Briefly, we will state that our reason for making this recommendation is that it is a well-known fact that to permit the use of any of the above-mentioned nets within the waters of this State, results in the destruction of millions upon millions, and tons upon tons of valuable small and immature food fish, crabs and other shellfish.

Therefore, we believe that unless the use of the above-mentioned nets is prohibited and their possession in any of the waters of this State made unlawful, that great and irreparable injury will in the near future result to the commercial fish interests and the food fish supply of this State.

(Signed) F. F. DARLING (and others).

RESOLUTION.

The following resolution was offered:

By Committee on Attachés and Employees:

Resolved, That the name of L. Young, heretofore appointed as Committee Clerk, and F. C. Hollister, heretofore appointed as Assistant Bill Clerk, at a per diem of \$4.00 each, be stricken from the roll to date from January 13, 1913; and be it further

Resolved, That the following-named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names, said per diem to be paid out of the appropriations for the contingent expenses of the Assembly, said appointment to date from and include the 14th day of January, 1913; and the State Controller is hereby authorized and directed to draw his warrants upon the said fund in favor of the following-named persons for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same, viz.:

M. Fortna, Committee Clerk-----	\$4 00 per day
Frank C. Sherman, Assistant Bill Clerk-----	4 00 per day
Elwood Hagerty, Page -----	2 50 per day

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dover, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—69.

NOES—None.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 13, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Concurrent Resolution No. 2, relative to joint rules.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Johnston: Assembly Bill No. 100—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 544a, relating to service of civil process on all corporations or firms other than state, county, municipal, or district corporations doing business in more than one county in this State.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration, and preservation of fish in the waters of the State of California," approved March 13, 1909.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 102—An Act to add a new section to the Civil Code of California, to be known as section seventeen hundred forty-two, relating to the recording of memoranda of contracts of conditional sales and of statements of compliance with the conditions thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California relating to powers of railroad corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 104—An Act to amend Section 261 and Section 264 of the Penal Code of the State of California, relating to the definition of rape, and fixing the punishment for the commission of the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 105—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 106—An Act to amend the Penal Code of California, by adding a new section thereto, to be numbered three hundred and twenty-seven, relating to possession of lottery tickets.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 107—An Act to amend the Civil Code of California, by adding a new section thereto, to be numbered 510a, relating to equipment of cars of street railroad corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 108—An Act to amend section nineteen hundred and eighteen of the Civil Code, relating to the fixing of the rate of interest by the parties to a contract; fixing the maximum rate of interest that may be agreed upon, and declaring all contracts in conflict therewith null and void.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 109—An Act to provide for the payment by the State or counties or cities or cities and counties of the premium or charges on official bonds when given by surety companies that have

deposited securities with the State Treasurer and regulating the deposit, management, and disposition of such bonds.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Slater: Assembly Bill No. 110—An Act to amend section ten of the Civil Code, relative to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 111—An Act appropriating two thousand dollars for the completing of the restoration and rebuilding of the Mission San Francisco de Solano of the city of Sonoma, California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Bagby: Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Economics.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Shearer: Assembly Bill No. 113—An Act to regulate the ownership and possession of real property in the State of California by certain classes of aliens and corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Weldon: Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 116—An Act appropriating money for building, furnishing, and equipping a receiving building at Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 117—An Act to protect pedestrians at the intersection of highways.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 118—An Act to add a new section to the Penal Code of the State of California, to be numbered 269c.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 119—An Act to amend section ten of the Political Code of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 120—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 121—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 122—An Act to amend Section 1618 of the Code of Civil Procedure of the State of California, relative to the compensation of executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 123—An Act to amend Section 1619 of the Code of Civil Procedure of the State of California, relating to fees of attorneys of executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Mouser: Assembly Bill No. 124—An Act to amend Sections 1, 2, and 3 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 125—An Act to provide for a California building at the Panama-Pacific International Exposition, to be held in San Francisco, California, in 1915, providing for its erection, maintenance, and use, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Palmer: Assembly Bill No. 126—An Act to amend Sections 2 and 6 of an Act entitled "An Act to authorize the establishment of the California State Trades and Training School for dependent orphans, half orphans, abandoned children, and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909, and to transfer and make available for the purchase and location of said California Trades and Training School the site heretofore selected and purchased by a commission under and in pursuance of an Act entitled "An Act to establish the California State Reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, and management thereof; and to make an appropriation therefor," approved April 24, 1911, and to appropriate, transfer, and make available the moneys heretofore appropriated under the Act of which this Act is amendatory, for the purposes of the said Act, providing for the State Reformatory, and to make further appropriations for the purpose of said trades and training school.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 127—An Act to amend Sections 16 and 17 of an Act entitled "An Act to establish the California State Reformatory; to provide for the purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for equipment, conduct, and management thereof; and to make an appropriation therefor," approved April 24, 1911; to transfer the lands heretofore selected and purchased under the provisions of this Act to the commission appointed under it, and to make available for the purposes of an Act entitled "An Act to authorize the establishment of the California State Trades and Training School for dependent orphans, half orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees,

the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909; and to appropriate, transfer, and make available for the purposes of the Act of which this Act is amendatory the moneys heretofore appropriated under the provisions of said Act relating to the establishment of a state trades and training school.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 128—An Act to add a new section to the Political Code of the State of California, to be known as section number 802, relating to the qualification of notary public to act in certain cases, and validating such acts heretofore performed.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 129—An Act to amend section one of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa county, and making an appropriation therefor," approved April 21, 1911.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 130—An Act appropriating money for building barracks at the Veterans' Home of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 133—An Act appropriating money for painting buildings at the Veterans' Home of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 134—An Act appropriating money for the construction of lavatories for companies G and E at the Veterans' Home of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 136—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 137—An Act appropriating money for building and equipping a tubercular ward at Veterans' Home of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 138—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 139—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

Bill read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Bill read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 142—An Act appropriating money for remodeling North Pay Cottage at Napa State Hospital.

Bill read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Bill read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Bill read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Bill read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 146—An Act appropriating money for the construction of six additional cottage units and living and dining room at the Napa State Hospital.

Bill read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 147—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital.

Bill read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Libby: Assembly Bill No. 148—An Act to amend Section 874 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Kingsley: Assembly Bill No. 149—An Act to amend section eleven hundred forty-two of the Political Code of the State of California relating to boards of election.

Bill read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 150—An Act to amend "An Act to amend an Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement

hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved April 14, 1911.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Hinkle: Assembly Bill No. 151—An Act to provide for a heating plant for the California State Exposition Building at the Panama-California Exposition at San Diego, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Gelder: Assembly Bill No. 154—An Act to amend Section 103½ of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 155—An Act to amend section one thousand nine hundred and eighteen (1918) of the Civil Code, relating to a maximum rate of interest and providing for forfeitures for violations thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Green: Assembly Bill No. 156—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 160—An Act appropriating money for the purchase of live stock and poultry at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 161—An Act appropriating money for the purchase of farm machinery and implements at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 162—An Act appropriating money for the purchase of gymnasium equipment at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 164—An Act to amend Section 6287 of the Penal Code of the State of California, relating to clams, and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628g, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 167—An Act to amend Section 848 of the Code of Civil Procedure of the State of California, relating to the service of summons, issued out of a justice's court, outside of the county in which the action is brought.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 168—An Act to amend Section 167 of the Penal Code of the State of California, relating to false certificates and acknowledgments of notary publics and other officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 169—An Act to amend section four hundred and eighty-five of the Civil Code, relating to the protection of right of way of railroads.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 170—An Act to amend Section 26 of an Act entitled, "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to Whittier State School and the Preston State School of Industry, and manner of such commitment, and release therefrom: establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bagby: Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Hayes: Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 173—An Act appropriating money for building a staff house for assistant physicians at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 174—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Inman: Assembly Bill No. 175—An Act to amend Section 759 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the district courts of appeal and prescribing his duties and compensation.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 176—An Act to amend Section 1582 of the Penal Code of the State of California, relating to the salary of the wardens, clerks, and other officers of the penitentiaries and State prisons.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Cram: Assembly Bill No. 177—An Act to amend an Act to establish a uniform system of county and township government (approved April 1, 1897), by amending Section 228 thereof.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 181—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Bradford: Assembly Bill No. 183—An Act to prevent the holding of title to real property by aliens not eligible to become citizens of the United States or corporations the majority of the capital stock of which is held by such aliens; also preventing the holding by such

aliens or corporations of title by lease or agreement to agricultural lands for a longer time than three years, or to town or city lots for a longer time than five years, and providing a method of divesting title to lands held by such aliens or corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 185—An Act providing for the erection of a reinforced concrete grandstand on the State Fair grounds at Agricultural Park in the city of Sacramento, State of California, making an appropriation therefor and prohibiting an admission charge.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Stuckenbruck: Assembly Bill No. 186—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Also: Assembly Bill No. 187—An Act to add a new section to the Penal Code of the State of California to be numbered 340a.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 189—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909, by amending section three thereof.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 190—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Scott: Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the Normal School building at San Francisco State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 192—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School building.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 193—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Finnegan: Assembly Bill No. 194—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Killingsworth: Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun city for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun slough.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Sutherland: Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57, and 59 thereof.

Bill read first time, and referred to Committee on Corporations.

Also Assembly Bill No. 197—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks, and insurance companies, for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five, and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 198—An Act providing for the support, maintenance and equipment of the Department of Agriculture of the University of California, including the station at Berkeley, and the various substations throughout the State, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 199—An Act to amend section one hundred and ninety-seven of the Civil Code of the State of California, relating to the custody, services, earnings, and management of the property of legitimate unmarried minor children.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowman: Assembly Bill No. 200—An Act to amend section four thousand two hundred and fifty of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class. (Santa Cruz County.)

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 201—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred and thirty-six and one half, to prevent the use or possession of lompara nets and paranzella nets, and providing the penalty therefor.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 202—An Act to amend section six hundred and twenty-eight of the Penal Code of the State of California, relating to the protection of fish and shellfish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 203—An Act to amend subdivision twenty-five of section four thousand and forty-one of the Political Code, relating to general, permanent powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 204—An Act to repeal section six hundred and thirty-two and one half of the Penal Code, relating to the protection of steelhead trout.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 205—An Act to amend section six hundred and twenty-eight of the Penal Code, relating to the protection of clams.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 206—An Act to amend section six hundred and thirty-five and one half of the Penal Code, relating to two-mesh, three-mesh, and trammel nets.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 207—An Act to amend section six hundred and thirty-two of the Penal Code, relating to the protection of trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Ellis: Assembly Bill No. 208—An Act to provide one additional judge of the Superior Court of the county of Riverside.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 210—An Act to prohibit the sale or giving away of certain firearms and ammunition therefor, and other dangerous weapons, and providing punishment therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 211—An Act to provide a life fund, and for life insurance, and life annuities to the citizens of California, without liability to the State of California other than the administration thereof, and to provide for the control, management, and administration thereof by certain State officers, by adding a new section to the Political Code, numbered Section 595b.

Bill read first time, and referred to Committee on Insurance.

By Mr. Schmitt: Assembly Bill No. 212—An Act providing for the registration, licensing, use, and operation of motor vehicles, and the registration of chauffeurs; for the disposition and use of funds derived from such licenses; creating the motor vehicle department in the office of Secretary of State, and making an appropriation for the purpose of this Act, and providing for the repeal of an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, and all amendments thereto.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 213—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges for the city and county of San Francisco, and providing for their compensation.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 214—An Act to amend Section 3247a of the

Political Code, relating to the purchase of supplies for the State by boards, committees, and other persons.

Bill read first time, and referred to Committee on Manufactures.

Also: Assembly Bill No. 215—An Act to amend an Act known as the "Public Utilities Act," approved December 23, 1911, by adding a new section thereto to be numbered 42½, providing for the installation by railroads and street railroads of signaling or warning devices at intersecting streets, highways and roads.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 216—An Act to add a new section to the Civil Code of the State of California, to be known as Section 653*zc* thereof, relating to the terms of office of directors in non-profit co-operative corporations, and permitting such corporations to so classify their directors that all need not be elected at any one time.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 217—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905; amended, approved June 13, 1906; amended, approved March 19, 1907; amended, approved March 19, 1909; amended, approved April 24, 1911, by providing certain terms and conditions whereby corporations which have failed to pay the license tax mentioned in said Act may pay the same and be restored to their former rights.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 218—An Act to authorize the payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 219—An Act to amend Code of Civil Procedure of the State of California by adding a new section thereto to be numbered Section 410*a*, relating to service of summons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 220—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

transportation of adulterated, mislabeled or misbranded goods and Quarantine.

Also: Assembly Bill No. 221—An Act to amend sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded goods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 222—An Act to amend Section 170 of the

Code of Civil Procedure, relating to the disqualification of judicial officers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Weisel: Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read first time, and referred to Committee on County Government.

By Mr. Gabbert: Assembly Bill No. 224—An Act to amend section seven hundred and thirty-seven of the Political Code relating to the salary of superior judges.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Wall: Assembly Bill No. 225—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 226—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Murray: Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Bush: Assembly Bill No. 230—An Act to amend section thirty seven hundred and forty-eight of the Political Code of the State of California, relating to time and place of payment of the taxes and prohibiting the tax collector from accepting payment of taxes for the current year on any particular lot, piece or parcel of real estate until all delinquent taxes against the same property shall have been paid.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Canepa: Assembly Bill No. 231—An Act to amend an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, as amended March 23, 1907, by amending Section 1, Subdivision 1; and Section 5, Subdivisions 1, 2, 3, 4, 5, and adding thereto a new subdivision to be numbered Subdivision 6.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. McDonald: Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Canepa: Assembly Bill No. 233—An Act to amend Section 791 of the Political Code, relating to notaries public.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bagby: Assembly Bill No. 234—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, relating to the misbranding of drugs, and the times and places of hearing of drug cases.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i*, 4225*j*, all relating to county boards of health and sanitary inspectors.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 238—An Act to amend Section 1858, paragraph 5, of the Political Code of the State of California, relating to units of attendance in the public schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 239—An Act to amend Section 1696, paragraph 6, of the Political Code of the State of California, relating to making report, transfer, and attendance in the public schools of the State of California.

Bill read first time, and referred to Committee on Education.

By Mr. Morgenstern: Assembly Bill No. 240—An Act authorizing the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Benedict: Assembly Bill No. 241—An Act to amend the Penal Code by adding a new chapter to Title IX of Part I thereof: to preserve one day in the week as a day of rest, and to promote health morals and the public welfare.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 242—An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 243—An Act to amend section seven hundred fifteen of the Civil Code, relating to restraints upon alienation.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 244—An Act to amend section thirteen hundred sixty-five of the Code of Civil Procedure, relating to the appointment of persons entitled to administer upon estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 245—An Act to amend section eight hundred fifty-seven of the Civil Code, relating to express trusts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Polsley: Assembly Bill No. 246—An Act to amend Section 627 of the Penal Code of the State of California, relating to the protection and preservation of game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Kuek: Assembly Bill No. 247—An Act making an appropriation of four hundred thirty-four and 53/100 dollars to pay the claim of Alice J. Miller against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Ryan: Assembly Bill No. 248—An Act to appropriate the sum of thirty-two hundred and twelve dollars and ninety-four cents (\$3,212.94), to pay the claim of J. Harry Russell.

Bill read first time, and referred to Committee on Claims.

By Mr. Fitzgerald: Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts, and other labor troubles.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 250—An Act regulating the use of boxes, barrels, baskets, crates, or other receptacles used in the packing or transportation of fruits.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 251—An Act to provide for public comfort stations in cities, or cities and counties in the State of California having more than 20,000 inhabitants, and providing an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 252—An Act to add a new section to the Penal Code to be known as Section —, prohibiting the use of a coil box for the purpose of cooling alcoholic liquids.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Fish: Assembly Bill No. 253—An Act to amend Section 1213 of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Tulloch: Assembly Bill No. 254—An Act to provide for the organization of the State Produce Exchange Commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the State brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "State Produce Exchange Fund," and providing for the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 255—An Act to amend Section 1584 of the Political Code, relating to the government of school districts by municipal charter.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Johnstone: Assembly Bill No. 256—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commission of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 257—An Act appropriating money for building and equipping detention quarters for girls at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 258—An Act appropriating money for building and equipping detention quarters for boys at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 259—An Act appropriating money for building and equipping a boys' gymnasium and playground at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 260—An Act appropriating money for building and equipping a girls' gymnasium and playground at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 261—An Act appropriating money for the completion of honor cottage at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 262—An Act appropriating money for replacement of equipment at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 263—An Act appropriating money for the equipment and furnishing of hospital building at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Alexander: Assembly Bill No. 264—An Act to provide for and regulating primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909. (Approved April 7, 1911; amended December 24, 1911.)

Bill read first time, and referred to Committee on Election Laws.

By Mr. Walsh: Assembly Bill No. 265—An Act to amend Section 1142 of the Political Code of the State of California, relative to the boards of election.

Bill read first time, and referred to Committee on Election Laws.

By Mr. Woodley: Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purchase of playground equipment for the Los Angeles State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Judson: Assembly Bill No. 267—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 268—An Act appropriating money for the construction of a portable building for model rural school at San Diego State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 269—An Act appropriating money for a sea wall and sedimentation tank at the Scripps Institution for Biological Research at La Jolla.

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Guill: Assembly Bill No. 271—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and the Treasurer of the State in relation thereto.

Bill read first time, and referred to Committee on Universities.

By Mr. Farwell: Assembly Bill No. 272—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certifi-

ates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1907, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 273—An Act to amend the Political Code of the State of California by adding thereto a new section to be known as and numbered 2167*b* relating to and providing for the parole of mentally sick or psychopathic patients out of the Superior Court sitting as a lunacy court in counties and cities and counties of over 200,000 population and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered 650*a*, relating to exposure or threats of exposure of paroled or discharged prisoners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 275—An Act to provide for the protection of stockholders, investors and creditors by requiring certain copartnerships, joint stock companies and corporations to cause to be issued certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 276—An Act amending section number 59 of the Civil Code, relating to marriages which are incestuous and void.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Bohnett: Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs, and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 278—An Act to regulate the organization of fraternal insurance associations.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 279—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Byrnes: Assembly Bill No. 280—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by amending Sections 1 and 3 thereof, and by adding a new section thereto to be known and numbered as Section 7 $\frac{1}{2}$.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hinkle: Assembly Bill No. 281—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto to be numbered Section 2a, relating to the dissolution of such districts where they have no assets and have no indebtedness not barred by the statute of limitations and have ceased to be going concerns.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Inman: Assembly Bill No. 282—An Act to amend section seven hundred and eighteen of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law.

Bill read first time, and referred to Committee on State Grounds and Parks.

Also: Assembly Bill No. 283—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Brown: Assembly Bill No. 284—An Act requiring relatives to support dependent poor persons who are unable to earn a livelihood in consequence of any bodily or mental infirmity, or other unavoidable cause.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 285—An Act to provide for locating, surveying and maintaining a State highway from Pescadero in the county of San Mateo to the Santa Cruz county line, to connect with a road to the California Redwood Park and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 286—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food

kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Weldon: Assembly Bill No. 287—An Act to divide the State of California into fish and game districts, to regulate and license the hunting of wild birds and animals, to provide revenue therefrom and for game and fish preservation and restoration.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Young: Assembly Bill No. 288—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Bill read first time, and referred to Committee on Universities.

By Mr. Clark: Assembly Bill No. 290—An Act to amend Section 4041a of the Political Code, relating to the general permanent powers of the board of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 291—An Act to amend Section 2981 of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Woodley: Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Weldon: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Green: Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 6 of Article IV thereof, relating to senatorial and assembly districts.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Guiberson: Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California a new section to be numbered Section 16a, of Article XI thereof.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Schmitt: Assembly Concurrent Resolution No. 3—Relative to the purchase and use by counties, cities and counties, cities and other political subdivisions of the State of California, of goods, wares, mer-

chandise, manufactures, produce, and other articles which are grown, prepared, manufactured or produced within the State of California.

Read, and referred to Committee on Manufactures.

PETITIONS—(RESUMED).

The following petitions were presented (unanimous consent having been obtained):

By Mr. Wall:

To the Speaker and Gentlemen of the Assembly:

The citizens' committee of the city of Stockton herewith extend a cordial invitation to the membership of the Senate and Assembly, to visit Stockton next Sunday morning, January 19, 1913.

A special train will leave the Traction Company depot at the corner of Eighth and K streets, Sacramento, at nine o'clock Sunday morning, arriving in Stockton at ten forty-five.

There the party will be met with automobiles and taken on a tour of the residential portion of the city, to the Stockton State Hospital, where Dr. Fred Clark, the superintendent, has agreed to take the members through the institution and see every department and the inmates. From there a visit will be made to the Agriculture Park grounds, thence through the manufacturing district to the water front and warehouse section of the city. Luncheon will be had at Hotel Stockton about two o'clock p.m. The train on its return trip will very likely leave Stockton before four o'clock; the exact hour will be announced later on.

Let it be understood that the members will be guests of the city and will be furnished free transportation on the trip, and you are earnestly requested to leave your money and jewelry at home, as you will not have any need for the same.

A careful roll call of each house will be necessary to determine as soon as possible how many members can arrange to take the trip.

In the Assembly the members will be requested to report to Mr. Wall and in the Senate to Senator Caminetti.

W. C. WALL.

By Mr. Stuckenbruck:

SAN JOAQUIN COUNTY TABLE GRAPE GROWERS' PROTECTIVE LEAGUE.

WHEREAS. It is understood that an effort will be made at the present session of the Legislature to enact legislation making the compensation feature of the Roseberry law compulsory, therefore

Resolved, By this board of directors of the San Joaquin County Grape Growers' Protective League, representative of the horticultural interests of San Joaquin County, that any insurance law which operates to place the entire burden of accident insurance upon employers (as does the Roseberry law) is based upon false economic principles, and will operate to place an unjust burden upon the agricultural interests.

Farmers have no means of adding expense incident to such laws to the selling price of products, as do manufacturers, consequently the entire cost of accident insurance, if paid by employers, would ultimately be borne by depreciation of land.

Resolved, That our representatives in the Legislature are hereby requested to oppose all insurance bills which include farmers in the class of employers liable to the payment of accident insurance.

Resolved, That the legislative committee of this body be instructed to take this subject up with representatives and the Governor.

(The above is a true copy.)

ROBT. G. WILLIAMS, Secretary.

C. W. Black, Lodi; M. E. Angier, Lodi; R. G. Williams, Stockton; Jos. McKindley, Acampo; Henry Pope, Lodi; J. V. Bare, Lodi; Chas. Buck, Acampo; Directors.

Also:

FRESNO, Cal., December 12, 1912.

Be it Resolved, That since the State Industrial Accident Board has given notice of an intention to endeavor to secure legislation at the next session of the Legislature, which will make the compensation provisions of the Roseberry law compulsory on the employers of labor, whereby farmers will be compelled to carry heavy insurance to avoid bankruptcy under contingencies occasioned by such legislation; and that the Roseberry law and kindred legislation are based on the mistaken theory that all employers of labor can add the cost to the selling price of their products, thereby assessing the tax especially against the business of the country; and, which from the nature of things bears an opposite economic relation to the business and manufacturing interests, being compelled to sell in world's markets without regard to the cost of production, a fact which will cause the larger part of cost of compensation

liability to be absorbed by depreciating land values; and that such legislation unnecessarily and unjustly disturbs the relations existing between farmers and farm laborers, neither of whom have agitated in favor of such laws; that it is the sense of this State Fruit Growers' Convention that accident compensation laws to be just, should operate to place the burdens of the same on society in general; hence employees should bear a just share of the liability; and that we hereby petition the Legislature to omit farmers from the class of employers that are to be brought under compulsory compensation, and that a committee of three be appointed by the chair to present this request to the Legislature of California at its next session.

I, E. O. Essig, Secretary of the California State Fruit Growers' Association, do hereby certify that the above is an exact and true copy of the resolution on employers' liability legislation as applied to orchard and field help, duly passed and adopted by the California State Fruit Growers' Association at its forty-second convention, held in Fresno, California, December 12, 1912.

(Signed) E. O. ESSIG,
Secretary State Fruit Growers' Association.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Mr. Richardson:

Resolved, That the Superintendent of State Buildings and Grounds, Mr. Radcliff, be instructed to put in ventilators in the top windows of the Assembly Chamber, or electric fans.

Resolution read, and referred to Committee on Contingent Expenses.

By Mr. Clark:

Resolved, That six (6) new typewriter desks be purchased for the use of the Assembly stenographers, a filing cabinet for the Committee on Revision and Printing, and a lavatory for one of the Assembly committee rooms, said purchases to be made by and under the direction of the chairman of the Committee on Contingent Expenses. Said typewriter desk, filing cabinet, and lavatory shall be purchased from the appropriation made by the Legislature of 1909, Statutes of California, Chapter 6, for the purchase of furniture and furnishing of the Senate and Assembly chambers and committee rooms, upon the approval in writing of the President of the Senate and the Speaker of the Assembly.

Resolution read, and referred to Committee on Contingent Expenses.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes p.m., on motion of Mr. McDonald, the Speaker declared the Assembly adjourned until eleven o'clock a.m., of Wednesday, January 15, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, January 15, 1913.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan,

Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ryan, its further reading was dispensed with.

SPEAKER PRO TEM. IN THE CHAIR.

At eleven o'clock and five minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Johnston:

To the State Legislature of California, convened at Sacramento in the Fortieth Session.

ESTEEMED SENATORS AND HONORED GENTLEMEN: We submit, with this memorial, the joint protest of 68,559 male voters of California, whose individual signatures attest their united opposition to the enactment of a Sunday closing law, or any other form of religious legislation, in the State of California.

While the signatures were appended to the accompanying protest, in the expectation that it would be presented to the Legislature of 1911, it was not formally brought to the notice of the legislators at that time. In order to comply with the intention of this great body of your constituents, to make their protest a matter of permanent record, in the archives of the State, we now submit to your honorable body the accompanying petition.

That the disposition of the voters of this State has not changed, during the last two years, was abundantly manifested by the failure of the proposition to invoke the initiative last fall, by means of which the advocates of Sunday sacredness hoped to secure a law, by direct vote of the people, whereby the State should become obligated to enforce the observance of Sunday as a day of rest, notwithstanding differences of moral conviction among citizens as to which day should be observed as the Sabbath, or whether all days should be regarded alike.

Only 8,714 signatures of men and women voters were obtained by the original canvass in favor of a Sunday law, and only 4,999 more were secured by supplemental petition. A meagre total of 13,713 male and female voters of the State having thus expressed a desire for civil enforcement of a sectarian practice, undeniably related to religious custom and belief, it would seem that the voters of California are almost unanimously disposed to leave the individual free from interference in religious things. As contrasted with the magnificent protest, herewith presented to your honorable body, such a weak appeal for a union of Church and State is unworthy of consideration.

But apart from any question of majorities is that of inalienable right. Our own State Constitution declares: "*The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be guaranteed in this State.*" The observance of any day as a period of rest is due wholly to religious conviction, and citizens differ among themselves in practice and belief. The State cannot regulate these things. They are essentially matters of religious belief, and must be left to the individual consciences of citizens, whose moral convictions are not subject to human restraint.

We trust that Senate Bill No. 207 and Assembly Bill, No. 241, companion measures introduced today in the Legislature, will be defeated. They are opposed to constitutional guaranties, based on natural rights, which are and should be inalienable. With full confidence in your disposition to maintain these fundamental principles of justice, on which civil and religious liberty depends, we are

Respectfully,

PACIFIC UNION CONFERENCE SEVENTH DAY ADVENTISTS

By E. E. ANDROSS, President.

Attest: J. J. IRELAND, Secretary.
And sixty-eight thousand others.

By Mr. Finnegan:

To the Honorable Hiram W. Johnson, Governor, and to Officers and Members of the Legislature of the State of California, Greeting.

GENTLEMEN: The undersigned, residents, citizens and taxpayers of the State of California, do hereby most respectfully represent as follows:

That the number of Japanese people in the State of California is rapidly increasing; that these Orientals are fast monopolizing several of the leading industries of California, and particularly the industry of fruit-growing; that they are buying up fruit ranches and real estate in general, and boast that they intend to control this industry; that the buildings they erect are mere shacks which are detrimental to progressive California and a disgrace to any community; that they are displacing white labor and substituting cheap labor of their own race; that morally they are inimical to the best welfare of our State; that white people can not decently live, even in the most frugal manner, and successfully compete with Orientals by reason of their very undesirable and cheap mode and manner of living; that they in no way contribute to the upbuilding of the State, but on the contrary are detrimental to its growth and development; that they have no respect whatever for the provisions of a contract.

And, therefore, we know they are not good citizens and believe that the best interests of the white people of the State of California demand that some action be taken to prohibit aliens from acquiring title to real estate in California, and to limit the number of years for the life of a lease, and that such action be taken without delay.

And, therefore, we urge and petition that you endeavor to bring about the enactment of a law or laws that will prohibit aliens (more especially Japanese) from acquiring title to real estate in the State of California, and limiting the life of leases. And your petitioners will ever pray.

(Signed) F. M. QUINN (and others).

By Mr. Alexander:

We, the undersigned, residents of Monterey County, hereby petition you, as our representative in the State Legislature, to use your best endeavors to prevent any new game legislation that will change the opening and closing dates for doves, quail and deer in this county, as we believe that no improvements can be made in the present law protecting said game.

(Signed) W. E. MARTIN (and others).

By Mr. Polsley:

WHEREAS, The State of California, through its engineering department, has recently completed a stretch of highway in Humboldt and Trinity counties, said State, intended to connect the north Pacific coast section with the upper Sacramento Valley; and

WHEREAS, The county of Tehama is greatly interested with neighboring counties in the beneficial results which may come from a proper use of said highway; and

WHEREAS, There is a further stretch of road, connecting at the easterly terminus of said State highway at Peanut, in Trinity County, which demands attention from the State so that the benefits to be derived from the State highway mentioned may be enjoyed as intended, the same covering a distance of about twelve miles in Trinity County, and ten miles in Shasta County, to connect with continuing public roads in Shasta and Tehama counties, one leading easterly toward the city of Redding, in Shasta County, the other southeasterly toward the city of Red Bluff, in Tehama County. The approximate cost for the proper improvement of said road will be greater than the counties of Trinity and Shasta can bear; and

WHEREAS, The Board of Supervisors of Tehama County declare that if the stretch of road last mentioned, continuing easterly and southeasterly from Peanut, in Trinity County, to Beegum Creek, on the boundary line between Tehama and Shasta counties, is constructed by the State of California for the said distance of twenty-two miles, or thereabouts, the county of Tehama hereby agrees, and the Board of Supervisors of said county do hereby pledge themselves, that the said county of Tehama will improve, construct and maintain a suitable road and highway from the northerly line of Tehama County, at said Beegum Creek, to Red Bluff, a distance of about forty miles, to properly accommodate public travel between the counties of Humboldt, Trinity and Shasta with Tehama and the upper Sacramento Valley, and between the city of Eureka, on Humboldt Bay, and the city of Red Bluff, in the Sacramento Valley. And said county of Tehama further pledges itself, through its said Board of Supervisors, to keep up and maintain said road, and the bridges placed thereon, in good condition for the accommodation of public travel by the citizens of the State of California, at the cost and expense of the said county of Tehama; and

WHEREAS, The stretch of road last mentioned, between said points of Peanut and Beegum Creek, having been originally laid out and constructed by the people of Red Bluff and Tehama County, and since maintained in large part by said people, and now having become an important public thoroughfare, to an extent that

its further maintenance and improvement will cost more than can be had by private subscriptions, it becomes necessary to request the Legislature of the State of California, by and through our honorable representatives thereof, to give the assistance desired, to be enjoyed not only by the traveling public whose homes and interests are contiguous to the said highway, but by the people of the entire State at large; therefore be it

Resolved, That the Board of Supervisors of the county of Tehama do hereby request our representatives in the Senate and Assembly to use their best endeavors to have a sufficient sum appropriated at this session of the Legislature by the State of California, to survey, construct and complete the said stretch of road between Peanut, in Trinity County, and where the present traveled road crosses Beegum Creek, as above mentioned. And be it further

Resolved, That a certified copy of this resolution be forwarded by the clerk of this board to Hon. William Kehoe, the representative in the Senate for this district, and the Hon. Harry Polsley, the representative in the Assembly for this Assembly district, and that the Hon. Harry Polsley confer with the Senator for this district and urge upon him the necessity for the construction of said road and highway, and request him to assist in obtaining the required appropriation for the construction of said highway.

The motion to adopt the resolution was duly seconded by Supervisor Asa G. Peake, and carried by the unanimous vote of the board.

STATE OF CALIFORNIA, }
COUNTY OF TEHAMA, } ss.

I, H. G. Kuhn, County Clerk and Clerk of the Board of Supervisors of the county of Tehama, State of California, do hereby certify that I have compared the foregoing copy of a resolution "In the matter of an appropriation to construct a highway from Red Bluff, via Beegum, to connect with the state highway at Peanut," adopted by the Board of Supervisors of said county and State on the 8th day of January, 1913, and that the same is a true and correct copy of the original record on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said board this 8th day of January, A. D. 1913.

[SEAL.]

H. G. KUHN,
County Clerk and ex officio Clerk of the Board of Supervisors
of Tehama County, State of California.

By Mr. Sutherland:

To the State Legislature in session at Sacramento.

GENTLEMEN: Believing—

1. In the separation of church and state;
2. That the Legislature is prohibited by the Constitution from enacting any law enforcing the observance of any religious institution, or looking toward a union of church and State, or of religion and civil government;
3. That any such legislation is opposed to the best interest of both church and State; and

4. That the first step in this direction is a dangerous step, and should be opposed by every lover of liberty, the several churches composing this Central California Conference of the Seventh-day Adventist denomination have formally adopted the following series of resolutions, for presentation to your honorable body:

WHEREAS, Sunday is a religious institution, and all legislation in behalf of its observance is religious legislation; and

WHEREAS, Religious legislation by civil government is contrary to the principles enunciated by Jesus Christ, and is also subversive of the fundamental principles upon which the American government was founded: be it therefore

Resolved, That we continue to use our influence and our energies to prevent religious legislation, and to perpetuate among all men the blessings of civil and religious liberty.

Resolved, That we hereby express our profound belief in the Christian religion as set forth in the sacred scriptures; and that it is the divine mission of the church to proclaim this gospel to all the world.

Resolved, That we recognize civil government to be of divine appointment, ordained of God to rule in all things civil, and that it is the duty of all men to render loyal obedience to civil government in the exercise of its rightful authority.

Resolved, That we hereby affirm our belief that religion and civil government occupy different realms, and that the church and State should be kept forever separate, in accordance with the teaching of the divine author of Christianity in the words: "Render therefore unto Cæsar the things which are Cæsar's and unto God the things that are God's," and as expressed by the first amendment to the Constitution of the United States, which declares: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

In harmony with the resolutions herewith presented to your consideration, we desire further to remind you that our own State Constitution expressly declares:

"The free exercise and enjoyment of religious profession and worship, *without discrimination or preference*, shall forever be guaranteed in this State."

Moreover, the Constitution of the United States declares: "*No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.*" and it is inconceivable that the Legislature of any State should be permitted to enact laws in restraint of religious conviction when Congress itself is prohibited from so doing.

We therefore respectfully ask your honorable body to observe these barriers to religious legislation, that the blessings of civil and religious liberty, guaranteed by State and nation, may continue to be enjoyed by the citizens of California.

CENTRAL CALIFORNIA CONFERENCE OF SEVENTH DAY ADVENTISTS.

By J. H. BEHRENS, President.

Attest: G. A. WHEELER, Secretary.

By Mr. Slater:

The following resolution was adopted by the Petaluma Chamber of Commerce at a meeting of the executive committee held on Tuesday, January 7, 1913:

WHEREAS, We deem it essential that the State of California should have a State Fair of such character as would permit the full representation of our great resources and possibilities; and

WHEREAS, The creation and maintenance of such an institution would involve a thorough equipment, both as to grounds and buildings as well as permanent exhibits, of our State, which would require a complete financing; and

WHEREAS, The State Fair of California is now unable to meet these requirements, owing to lack of funds and facilities; and

WHEREAS, The present condition will not permit the full representation of our State's opportunities; be it therefore

Resolved, That this Chamber of Commerce does sincerely approve of the appeal made by the State Agricultural Society for funds, and that we heartily indorse and enthusiastically support the movement begun to secure, either by appropriation from the State Legislature or by bond issue, such sum of money as the State Board determines would be necessary to provide an adequate home and adequate facilities for the State Fair; and be it further

Resolved, That we will direct our best efforts to have our people unanimously favor whatever measure will be determined necessary to provide for this fund.

THOMAS MACLAY, President.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Hinkle: Assembly Bill No. 293—An Act to amend section four hundred ninety-nine *a* of the Political Code of the State of California, relating to stealing electricity.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 294—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 295—An Act to amend section six of an Act of the Legislature of the State of California entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 296—An Act appropriating money for a pumping plant at the Scripps Institution for Biological Research at La Jolla.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Finnegan: Assembly Bill No. 297—An Act to amend section one hundred ninety-seven of the Civil Code of the State of California, relating to the custody, services, and earnings of children, and entitling the father and the mother jointly thereto, and providing in case of death or abandonment by either that the other shall be entitled thereto.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Mouser: Assembly Bill No. 298—An Act to authorize the appointment of an interpreter of the Italian and Slavonian languages and their dialects, in criminal proceedings, in counties of the first class, and prescribing his duties and compensation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Slater: Assembly Bill No. 299—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 300—An Act appropriating money for the construction of a barn at Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 301—An Act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 302—An Act appropriating money for building, equipping, and furnishing a nursery for children at Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Scott: Assembly Bill No. 304—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and mediums of treating the sick and afflicted in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907; as amended by a certain Act approved March 19, 1909; as amended by a certain Act approved May 1, 1911.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Gelder: Assembly Bill No. 305—An Act to amend Section 869 of the Penal Code of the State of California, relative to the taking, filing and authentication of testimony and proceedings on examinations in criminal cases and to provide for the fees in payment thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ford: Assembly Bill No. 306—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905; amended, approved, June 13, 1906; amended, approved March 19, 1907; amended, approved March 20, 1907; amended, approved March 19, 1909; amended, approved April 24, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Tulloch: Assembly Bill No. 307—An Act to amend Section 924 of the Code of Civil Procedure of the State of California, relating to costs in actions in the justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woodley: Assembly Bill No. 308—An Act to amend Section 67a of the Code of Civil Procedure, relating to the number of Superior Court judges, and providing for the appointment of eight additional Superior Court judges in counties of the first class, and providing for their compensation.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 309—An Act authorizing and regulating the practice of chiropractics in the State of California; creating a State board of chiropractic examiners; providing for the appointment of the same; defining its power, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. White: Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Farwell: Assembly Bill No. 312—An Act authorizing the Governor to appoint a commission to investigate and report concerning the adoption of a system of old-age insurance and pensions and making an appropriation therefor.

Bill read first time, and referred to Committee on Insurance.

By Mr. Nelson: Assembly Bill No. 313—An Act establishing a State Normal School in Humboldt County, State of California, and making an appropriation for the maintenance of said school.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 314—An Act to amend Section 4300g of the Political Code of the State of California, relating to witnesses' fees.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking, authentication, and filing of transcript of testimony and recognizances in coroner's inquests, and providing for the appointment of a shorthand reporter for such purpose and for fees in payment therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Guiberson: Assembly Bill No. 316—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Griffin: Assembly Bill No. 317—An Act to promote the horticultural interests of the State of California by providing for a county horticultural commissioner, prescribing his duties and fixing his compensation, and repealing an Act entitled "An Act to amend Sections 2322, 2322*b*, 2322*c*, 2322*d*, and 2322*e*, approved March 25, 1911, and to repeal Sections 2322, 2322*b*, 2322*c*, 2322*d*, and 2322*e* of the Political Code of the State of California."

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. Simpson: Assembly Bill No. 319—An Act to amend Section 1573 of the Code of Civil Procedure, relating to the time of the commencement of actions in cases where property has been sold by executors or administrators under the provisions of Chapter VII of said code.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 320—An Act to regulate the sale of certain firearms in the State of California and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Strine: Assembly Bill No. 321—An Act to amend an Act entitled "An Act to add a new section to the Political Code, to be known as Section 1665*a*, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools, in which shall be taught the French, Italian, and German languages in connection with the English branches," approved March 18, 1909, relating to cities of the first and first and one half classes.

Bill read first time, and referred to Committee on Education.

By Mr. Inman: Assembly Bill No. 322—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 306, prohibiting the sale, furnishing or giving away of morphine, codeine, heroin, opium or cocaine, or the salts, compounds or preparations of any thereof, and providing a penalty for its violation.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Kuck: Assembly Bill No. 323—An Act to add a new section to the Code of Civil Procedure, to be numbered 1767*a*, relating to the power to nominate guardians of estates.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowman: Assembly Bill No. 324—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 594*b*, relating to the deposit of security by fidelity and surety insurance companies organized under the laws of any other State of the United States or of any country outside of the United States, with the Insurance Commissioner of the State of California.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628*g*, relating to the protection and preservation of perch.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Libby: Assembly Bill No. 326—An Act to repeal Sections 768, 711, 866, and 869 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 327—An Act to repeal Section 812 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 328—An Act to amend Section 876 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 329—An Act to amend Sections 757 and 857 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 330—An Act to amend Section 980 of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Polsley: Assembly Bill No. 331—An Act to amend section three hundred and forty-three of the Political Code of the State of California, relating to the number and designation of civil executive officers of the State.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 332—An Act to amend Sections 344, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Johnston: Assembly Bill No. 333—An Act to amend Section 320 of the Penal Code of the State of California, relating to the punishment for drawing lottery.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 334—An Act to amend Section 321 of the Penal Code of the State of California, relating to the punishment for selling lottery tickets.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 335—An Act to amend Section 322 of the Penal Code of the State of California, relating to aiding lotteries.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 336—An Act to amend Section 323 of the Penal Code of the State of California, relating to lottery offices and the advertising of lottery offices.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Ellis: Assembly Bill No. 337—An Act to amend section

three hundred thirty-nine of the Code of Civil Procedure, relating to the time of commencing certain actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 338—An Act to add a new section to the Code of Civil Procedure, to be numbered thirteen hundred ten, relating to the probate of wills detained beyond the jurisdiction of the State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kingsley: Assembly Bill No. 339—An Act relating to weekly payment of wages to employees in certain industries, and prescribing a penalty for any violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 340—An Act to compel the cash payment of wages, to prohibit the payment of wages in scrip, to prohibit the conducting of company stores, and providing a penalty for breach thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Fish: Assembly Bill No. 341—An Act to amend Section 1218 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 342—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release, by undertaking and appeal, of property under levy.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 343—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recording homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shartel: Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E. Smith, of Modoc County, against the State of California, exempting this Act from the provisions of Section 672 of the Political Code, and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Bill read first time, and referred to Committee on Claims.

By Mr. Judson: Assembly Bill No. 345—An Act appropriating money for a wharf at the Scripps Institution for Biological Research at La Jolla.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Palmer: Assembly Bill No. 346—An Act to amend Section 4255 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Schmitt: Assembly Bill No. 347—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and mediums of treating the sick or afflicted in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907, amended by a certain Act approved March

19, 1909, amended by a certain Act approved May 1, 1911, by adding a new section thereto; such section to be numbered 16a, relating to the issuance of a license to practice medicine and surgery to any physician or surgeon who was previous to the year 1896 licensed to practice in any other state or territory of the United States.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Brown: Assembly Bill No. 348—An Act to amend the Civil Code of the State of California, by adding three new sections thereto to be numbered 3474, 3475, and 3476, requiring all assignments of wages to be earned in the future to be recorded in the county in which such wages are to be earned, and prescribing the effect thereof, and the fees therefor; and requiring all assignments of wages to be earned in the future when the assignor thereof is a married man or woman to be signed by the wife or the husband of the assignor.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 349—An Act to amend Section 3106 of the Political Code of the State of California, relating to cemeteries, and defining what constitutes a public cemetery.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Slater: Assembly Bill No. 350—An Act creating pensions for State hospital employees and providing for the payment of the same, and creating a board of pensions.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Johnstone: Assembly Bill No. 351—An Act to amend Section 2172 of the Political Code, relating to the disposition of insane persons upon commitment, and repealing all Acts or parts of Acts inconsistent therewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Chandler: Assembly Bill No. 352—An Act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shannon: Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the Postal Savings System to loan its funds to school districts.

Read, and referred to Committee on Federal Relations.

By Mr. Woodley: Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system.

Read, and referred to Committee on Federal Relations.

By Mr. Finnegan: Assembly Joint Resolution No. 4—Relative to national forests situated within the State of California, and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months.

Read, and referred to Committee on Federal Relations.

By Mr. Wall: Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 7, Article I, of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés and Employees:

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the contingent expense fund of the Assembly in favor of L. B. Mallory, Chief Clerk, for the sum of \$30, and the Treasurer is hereby directed to pay the same, said amount to pay for services rendered for the three days prior and incident to the organization of the Assembly.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, Moorhouse, Mouser, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Wyllie—62.

NOES—None.

Also:

Resolved, That the action of L. B. Mallory, Chief Clerk, in employing named persons as temporary help for the positions and at the per diem as provided by law be approved by the Assembly, and the Controller is hereby authorized and directed to draw his warrant upon the contingent expense fund of the Assembly for the said amount, and the Treasurer is hereby directed to pay the same.

McDonnel, C. M., Stenographer, 3 days at \$5-----\$15 00

Revens, Willard, Bill Clerk, 1 day at \$4-----4 00

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Shartel, Simpson, Slater, Smith Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—64.

NOES—None.

By Mr. Shartel:

Resolved, That the thanks and appreciation of the Assembly are hereby extended to the *Los Angeles Tribune* and the *Los Angeles Express*, for the courtesy extended by these papers in placing the members of the Assembly on their mailing lists, during the present session.

Resolution read, and on motion, adopted.

RECESS.

At eleven o'clock and fifty-five minutes a.m., the Assembly was declared at recess until twelve o'clock and ten minutes p.m. of this day.

REASSEMBLED.

At twelve o'clock and ten minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

ANNOUNCEMENT.

The Speaker announced the appointments of the following standing committees:

Agriculture—Messrs. Judson (Chairman), Beck, Bowman, Bradford, Cram, Gabbert, Guill, Johnstone, Moorhouse, Palmer, and Wall.

Attachés and Employees—Messrs. Smith (Chairman), Chandler, Guill, Hinkle, Inman, Pairs, and Ryan.

Banking—Messrs. Roberts (Chairman), Alexander, Fish, Gates, Gelder, Guiberson, Libby, Scott, and Wyllie.

Building and Loan Associations—Messrs. Hayes (Chairman), Cram, Farwell, Ferguson, Libby, Roberts, Shannon, Stuckenbruck, and Wyllie.

Civil Service—Messrs. Bloodgood (Chairman), Emmons, Ford, Johnston, McCarthy, Morgenstern, Shannon, Weisel, and Woodley.

Claims—Messrs. Nolan (Chairman), Ferguson, Green, Hinkle, Kingsley, Richardson, and Shearer.

Commerce and Navigation—Messrs. Inman (Chairman), Bloodgood, Clarke, Geo. A., McDonald, Nolan, Palmer, Shartel, Tulloch, and Woodley.

Conservation—Messrs. Cary (Chairman), Clark, Ellis, Finnegan, Fitzgerald, Johnstone, Judson, Morgenstern, and Wall.

Constitutional Amendments—Messrs. Clark (Chairman), Brown, Clarke, Geo. A., Johnson, McDonald, Shartel, Stuckenbruck, Sutherland, and Weldon.

Contingent Expenses—Messrs. Farwell (Chairman), Gabbert, Hayes, Richardson, and Wyllie.

Contested Elections—Messrs. Gelder (Chairman), Canepa, Emmons, Johnson, Kuck, Slater, and Walsh.

Corporations—Messrs. Fish (Chairman), Alexander, Ambrose, Benedict, Gates, Green, Hinkle, Richardson, Shearer, Strine, and Sutherland.

County Government—Messrs. Woodley (Chairman), Alexander, Bagby, Beck, Bloodgood, Brown, Cram, Gabbert, Green, Griffin, Palmer, Simpson, and Slater.

Drainage, Swamp and Overflowed Lands—Messrs. Morgenstern (Chairman), Bradford, Byrnes, Guiberson, Hayes, Inman, Killingsworth, Kuck, McDonald, Murray, Polsley, Shannon, and Stuckenbruck.

Education—Messrs. Wyllie (Chairman), Bloodgood, Bohnett, Clark, Dower, Griffin, Killingsworth, Pairs, Polsley, Smith, and Strine.

Elections—Messrs. Bohnett (Chairman), Alexander, Benedict, Clark, Ellis, Farwell, Finnegan, Gelder, Johnson, Moorhouse, Pairs, Polsley, Tulloch, Walsh, and Woodley.

Engrossment and Enrollment—Messrs. Moorhouse (Chairman), Ambrose, Collins, Emmons, McCarthy, Nolan, and Palmer.

Federal Relations—Messrs. Johnson (Chairman), Ambrose, Chandler, Johnstone, Shannon, Slater, and Wyllie.

Fish and Game—Messrs. Guill (Chairman), Beck, Canepa, Cary, Clarke, Geo. A., Collins, Emmons, Gates, Green, Judson, Murray, Nelson, Scott, Shannon, and Shearer.

Hospitals and Asylums—Messrs. Cram (Chairman), Ambrose, Cary, Collins, Fish, Gelder, Hayes, Inman, Slater, Sutherland, and Wall.

Insurance—Messrs. Kuck (Chairman), Bagby, Bush, Byrnes, Collins, Nelson, Nolan, Roberts, Schmitt, Simpson, and Smith.

Irrigation—Messrs. Murray (Chairman), Cary, Ellis, Griffin, Guiberson, Johnstone, Libby, Moorhouse, Simpson, Tulloch, and Weisel.

Judiciary—Messrs. Benedict (Chairman), Alexander, Bohnett, Bradford, Brown, Byrnes, Clark, Fish, Griffin, Johnson, Johnston, Libby, Nelson, Pairs, Shannon, Shartel, Simpson, Sutherland, Weisel, Weldon, and White.

Labor and Capital—Messrs. McDonald (Chairman), Bloodgood, Cary, Fitzgerald, Ford, Johnstone, Morgenstern, Mouser, Scott, Strine, and Walsh.

Libraries—Messrs. Clarke, Geo. A. (Chairman), Bradford, Brown, Finnegan, Mouser, Murray and Wyllie.

Live Stock and Dairies—Messrs. Byrnes (Chairman), Brown, Green, Guiberson, Guill, Killingsworth, Murray, Stuckenbruck and Tulloch.

Manufactures—Messrs. Bush (Chairman), Byrnes, Canepa, Fitzgerald, Ford, Johnston, and Schmitt.

Medical and Dental Laws—Messrs. Pairs (Chairman), Alexander, Ambrose, Bush, Emmons, Ford, Smith, Sutherland, and Weldon.

Mileage—Messrs. Mouser (Chairman), Collins, Ferguson, Ryan, and Shartel.

Military Affairs—Messrs. Hinkle (Chairman), Bagby, Beck, Bowman, Byrnes, Gates, Slater, Scott, and Wall.

Mines and Mining—Messrs. White (Chairman), Clarke, Geo. A., Dower, Emmons, Farwell, Ferguson, McCarthy, Shearer, and Weldon.

Municipal Corporations—Messrs. Scott (Chairman), Benedict, Bush, Gelder, Kingsley, Libby, Mouser, Pairs, Richardson, Smith, and Weisel.

Normal Schools—Messrs. Strine (Chairman), Bagby, Cary, Guill, Hayes, Hinkle, Scott, Tulloch, and Woodley.

Oil Industries—Messrs. Green (Chairman), Bagby, Bowman, Bush, Chandler, Gabbert, Kingsley, and Simpson.

Prisons and Reformatories—Messrs. Ellis (Chairman), Farwell, Ferguson, Johnston, McCarthy, McDonald, Mouser, Roberts, Ryan, Tulloch, and Walsh.

Public Charities and Corrections—Messrs. Ryan (Chairman), Ambrose, Bowman, Dower, Farwell, Ferguson, Killingsworth, Palmer, and Shearer.

Public Health and Quarantine—Messrs. Fitzgerald (Chairman), Bagby, Kuck, McCarthy, Palmer, Ryan, Schmitt, Shartel, and Stuckenbruck.

Public Morals—Messrs. Nelson (Chairman), Bohnett, Canepa, Clark, Cram, Hayes, Judson, Polsley, and Strine.

Revenue and Taxation—Messrs. Sutherland (Chairman), Bloodgood, Bohnett, Chandler, Cram, Ellis, Fish, Guiberson, Guill, Johnson, Kingsley, Moorhouse, Polsley, Schmitt, Wall, Weldon, and White.

Revision of Criminal Procedure—Messrs. Weisel (Chairman), Bloodgood, Bradford, Ellis, Finnegan, Gelder, Griffin, Inman, Nelson, Simpson, and White.

Roads and Highways—Messrs. Gabbert (Chairman), Beck, Chandler, Clarke, Geo. A., Cram, Dower, Emmons, Fish, Judson, Kuck, Roberts, Slater, and Wyllie.

Rules—Messrs. Brown (Chairman), Bohnett, Guill, Johnstone, Schmidt, Sutherland, and Mr. Speaker.

State Grounds and Parks—Messrs. Johnston (Chairman), Bowman, Bradford, Bush, Dower, Killingsworth, Kingsley, Morgenstern, and Nolan.

Universities—Messrs. Gates (Chairman), Benedict, Bohnett, Clark, Finnegan, Moorhouse, Nelson, Shartel, and Simpson.

Ways and Means—Messrs. Chandler (Chairman), Beck, Ellis, Fitzgerald, Ford, Gabbert, Hinkle, Gates, Inman, Killingsworth, Kuck, Richardson, Ryan, Scott, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, and Wyllie.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until eleven o'clock a.m., of Thursday, January 16, 1913.

ASSEMBLY CHAMBER, SACRAMENTO, CAL., Thursday, January 16, 1913.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Benedict, its further reading was dispensed with.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Bohnett: Assembly Bill No. 353—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Morgenstern: Assembly Bill No. 354—An Act to repeal section one thousand two hundred and ninety-eight of the Civil Code, and to amend section one thousand two hundred and ninety-nine of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gelder: Assembly Bill No. 355—An Act to amend section six of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 356—An Act to amend the Penal Code, by adding thereto a new section to be numbered four hundred and two *g* (402*g*), relating to any physician, nurse or other person having charge of or in attendance upon, any person or persons having or being afflicted with any contagious, infectious or communicable disease, and prescribing certain duties in relation thereto, and making violations of its provisions a misdemeanor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 357—An Act to protect any child or person enrolled or employed in, around or about or in attendance upon any public or private school, or other educational institution, within the State of California, from indiscriminate vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations of certain sections a misdemeanor: providing penalties: making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto; making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled "An Act to encourage and provide for a general vaccination in the State of California," approved February 20, 1889," approved March 7, 1911.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Smith: Assembly Bill No. 358—An Act to amend Section 452*a* of the Civil Code, relating to the incorporation of mutual benefit and life associations.

Bill read first time, and referred to the Committee on Insurance.

By Mr. Pelsley: Assembly Bill No. 359—An Act to add two new sections to the Penal Code, to be numbered Sections 260 and 261*a*, and to amend Sections 261 and 264 of said code, relating to the crime of rape and the punishment thereof.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Bradford: Assembly Bill No. 360—An Act to amend Section 3 of an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other Acts or parts of Acts now in force relating to estrays," approved March 23, 1901.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Benedict: Assembly Bill No. 361—An Act to amend section four thousand one hundred thirty-seven of the Political Code, relating to the filing and endorsement of instruments, papers and notices for record in the recorder's office.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 362—An Act to amend sections eleven hundred eighty-three, eleven hundred eighty-four, eleven hundred eighty-six, eleven hundred eighty-seven and twelve hundred two of the Code of Civil Procedure; to add a new section thereto, to be numbered twelve hundred; and to repeal sections eleven hundred ninety-one, twelve hundred three and a half and twelve hundred three *a* of said code, all relating to mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 363—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1918, but not thereafter.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Byrnes: Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 365—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Clarke: Assembly Bill No. 366—An Act to amend Section 737 of the Political Code relating to the salaries of superior judges.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 367—An Act to amend section four thousand two hundred and seventy-six of the Political Code of the State of

California, relating to salaries and fees of officers in counties of the forty-seventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Kingsley: Assembly Bill No. 368—An Act to repeal Chapter IX of Title IX of Part III of the Political Code, relating to poll taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Peairs: Assembly Bill No. 369—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 370—An Act to amend Section 264 of the Penal Code by striking out the words "not less than five years" and inserting in lieu thereof the words "not more than fifty years."

Bill read first time, and referred to Committee on Public Morals.

By Mr. Moorhouse: Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Brown: Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McDonald: Assembly Bill No. 373—An Act to add a new section to the Political Code of the State of California, to be numbered Section 2939, prohibiting the employment of minors under eighteen years of age from driving or operating vehicles engaged in carrying passengers, freight, or express matter, milk or foodstuffs, ice or fuel, building materials, or supplies of any kind or character whatever, on the public streets or highways of the State of California, and providing penalties therefor.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 374—An Act to amend Section 1 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and April 14, 1911.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Clark: Assembly Bill No. 375—An Act to amend Section 1552 of the Political Code of the State of California, relating to the traveling expenses of the county superintendent of schools.

Bill read first time, and referred to Committee on County Government.

By Mr. White: Assembly Bill No. 376—An Act to amend an Act entitled "An Act in relation to pandering; to define and prohibit the same, and to provide for punishment thereof; for the competency of certain evidence at the trial therefor," approved February 8, 1911.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Ellis: Assembly Bill No. 377—An Act to amend Sections 1, 2, 8, and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash (or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes), for the construction of the necessary works of protection (and conservation of such storm or flood waters) by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read first time, and referred to Committee on Conservation.

By Mr. Johnston: Assembly Bill No. 378—An Act to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of "conspiracy" in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richardson: Assembly Bill No. 379—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Schmitt: Assembly Bill No. 380—An Act providing for the sanitation and disinfection of public buildings, railway coaches and sleeping cars.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 381—An Act amending the Civil Code of the State of California, by adding a new section thereto to be numbered Section 411, providing for the designation by foreign corporations of a principal place of business within this State, and the keeping at said principal place of business copies of original articles of incorporation, by-laws, stock-book, stock transfer book, and other data relative to said corporation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hinkle: Assembly Bill No. 382—An Act to amend section four thousand two hundred and thirty-six of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bohnett: Assembly Bill No. 383—An Act to amend Section 534 of the Political Code of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Finnegan (by request): Assembly Bill No. 384—An Act appropriating money to pay J. A. Filcher for services performed for the State of California as a delegate to the State Constitutional Convention of 1878-79.

Bill read first time, and referred to Committee on Claims.

By Mr. Johnstone: Assembly Bill No. 385—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial,

Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Woodley: Assembly Concurrent Resolution No. 4—Relative to approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912.

Read, and referred to Committee on County Government.

By Mr. Clarke: Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article XIII thereof, relating to revenue and taxation.

Read, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Mr. Sutherland:

Resolved, That the Chief Clerk be authorized to have printed for distribution 500 copies of the special report of the State Board of Equalization on the relative burden of the state and location taxation in 1912.

Resolution read, and on motion adopted.

ANNOUNCEMENT.

The Speaker made the following announcement:

I wish, at this time, to amplify my suggestion of an arrangement by which your committees may meet without conflict. The main reasons for such arrangement would seem to be two in number:

First—All Assemblymen of previous sessions will recall the fact that it has not been unusual in the past to have two or three important committee engagements at the same time, and that it has been very usual to see committee meetings called and adjourned for want of quorum, owing to conflicting engagements of their members. In this way, I believe, many days' time was lost, and many bills were passed out by a bare quorum of committee members.

Second—At this session we shall be grievously hampered by a scarcity of committee rooms. Another department of the State's government, has, undoubtedly through necessity, been assigned some of our rooms; so that now we are actually in the position of having, outside of the Committee on Judiciary and Ways and Means, only four rooms for forty committees. Your Speaker has taken this matter up with the Lieutenant Governor, with a view to an adjustment by which the Senate may share this burden with the Assembly; but at all events some systematic and orderly arrangement of committee meetings must be had, in order to provide meeting places for the various committees.

Accordingly, in the assignment of committees for this session an attempt has been made to so assign the members of the Assembly to various groups, that each group shall contain at least half the members of the Assembly, who may thus meet in their various committees at the same time with entire absence of conflict.

For instance, Group 1 contains the Committees of Agriculture, Banking, Civil Service, Claims, and Constitutional Amendments. No member of the Assembly belongs to more than one of these five committees, and if their chairmen agree upon some afternoon each week on which they shall meet, each committee may have a full attendance without conflict, providing the chairmen in the other groups will consent to a similar arrangement for their various committees.

This is offered merely as a suggestion to the committee chairmen, which they are at liberty to accept or reject as they see fit. If they accept it, I am confident that our committee work will result in a great saving of time and a maximum of efficiency.

To the end of deciding upon the wisdom of this proposal I would ask that each group of committees get together, today if possible, and appoint one of their number as a representative to meet similar representatives from other groups, and to make arrangements for a tentative schedule of committee meetings, if it be decided advisable to try out this plan.

The committee groups are as follows:

Group 1—Agriculture, Banking, Civil Service, Claims, and Constitutional Amendments.

Group 2—Building and Loan Associations, Commerce and Navigation, Conservation, Contested Elections, and Corporations.

Group 3—Education, Hospitals, Oil Industries, and Prisons and Reformatories.

Group 4—Elections, Fish and Game, Public Health and Quarantine, and State Grounds and Parks.

Group 5—County Government, Drainage, Swamp and Overflowed Lands, Mines and Mining, and Municipal Corporations.

Group 6—Judiciary, and Ways and Means.

Group 7—Irrigation, Medical and Dental Laws, Military Affairs, and Public Morals.

Group 8—Insurance, Libraries, Public Charities and Corrections, and Revenue and Taxation.

Group 9—Roads and Highways, Live Stock and Dairies, Universities, and Labor and Capital.

Group 10—Mileage, Revision of Criminal Procedure, Normal Schools, Federal Relations, and Manufactures.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes a.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until eleven o'clock a.m., of Friday, January 17, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, January 17, 1913.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk T. G. Walker, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Benedict, its further reading was dispensed with.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. Johnstone:

SAN DIMAS, LOS ANGELES COUNTY, CAL.,
January 15, 1913.

To the Speaker of the Assembly of the State of California.

HONORABLE SIR: We, the undersigned, have been appointed a committee by the San Dimas Board of Trade, comprising over two hundred members, most of whom are citrus fruit growers in the districts of San Dimas, La Verne, and Charter Oak, to write you urging immediate action in the placing of state funds on deposit locally for the purpose of alleviating the depression and financial shortage occasioned by the loss of the greater portion of the citrus crop by frost. It is the unanimous hope of this organization, and of every citrus grower in this community, that no technicality will be allowed to stand in the way of immediate and prompt action in so depositing state funds for use in the suffering districts.

We beg to call your attention to the fact that the intrinsic value of the groves in this community has suffered in no way, and that as security they are still available.

W. B. AMES,
GEORGE R. WELLER,
JOHN C. WALKER.
Committee.

By Mr. Speaker:

FOWLER, CAL., January 11, 1913.

To the Hon. Members of the Assembly of the State of California:

We, the undersigned citizens and voters of California, interested in the present and future morals of the women of our commonwealth, hereby request the present Assembly to adopt as a part of our State Constitution the amendment known as the "Red Light Injunction Bill."

EDNA J. GIFFEN (and others).

By Mr. Inman:

Honorable J. M. Inman, Assemblyman, Sacramento County.

DEAR SIR: At a meeting of the city commission of the city of Sacramento held on this date, the enclosed resolutions were adopted, and I was directed to forward copy to representatives of Sacramento county in State Legislature.

Yours very truly,

M. J. DESMOND, City Clerk.

WHEREAS, The United States reclamation service has made surveys of many reservoir sites in both the Sierras and the Coast Range, the combined storage capacity of which is enormous; and,

WHEREAS, Private capital is developing some of these reservoir sites by the construction of dams and further development of other sites may be expected in the near future, due to the greatly increasing demand for electric power and irrigation; and,

WHEREAS, There is at this time no law which provides for State supervision so that the proper and safe construction of these dams is guaranteed and so avoid any menace to life and property on account of faulty plans and improper construction; and,

WHEREAS, There is no provision of the law whereby the State has any control over the use of such impounded waters in the interests of flood control and navigation; therefore, be it

Resolved, That our representatives from this district, in the State Legislature, be requested to use their best endeavors to obtain the adoption of such laws at this session of the Legislature as will place the approval of all plans and the general supervision of construction and maintenance of all dams in the streams of this State, under the Department of State Engineering and that some other department of the State government be given the power and charged with the duty of arranging as to what maximum height the water in such reservoirs be kept during the winter months, in the interest of flood control and as to what minimum discharge of water from such reservoirs be permitted in the summer months, in the interest of navigation.

LEAVE OF ABSENCE.

On motion of Mr. Smith, Mr. Nolan was granted leave of absence for the day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1913.

MR. SPEAKER: Your Committee on Revision and Printing, to whom was sent Assembly Bills Nos. 1 to 385, inclusive; and Assembly Joint Resolutions Nos. 1 to 4,

inclusive; and Assembly Constitutional Amendments Nos. 1 to 6, inclusive; and Assembly Concurrent Resolutions Nos. 1 to 4, inclusive—respectfully report that we have examined the same and returned them all to the Chief Clerk of the Assembly with the exception of Assembly Bills Nos. 203, 290, 362, and 382.

CLARK, Chairman.

ON CONTINGENT EXPENSES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred the following resolutions, have had the same under consideration and beg leave to report the same back and recommend that they be adopted, and the State Controller is hereby directed to draw his warrants on the Contingent Fund of the Assembly and the State Treasurer is hereby directed to pay the same or charge same to the departments, or funds, or to the parties named in said resolutions and in the amounts so designated.

Resolved, That the Superintendent of State Buildings and Grounds, Mr. Radcliff, be instructed to put in ventilators in the top windows of the Assembly Chamber, or electric fans.

Also:

Resolved, That six (6) new typewriter desks be purchased for the use of the Assembly stenographers, a filing cabinet for the Committee on Revision and Printing, and a lavatory for one of the Assembly Committee rooms, said purchases to be made by and under the direction of the chairman of the Committee on Contingent Expenses. Said typewriter desks, filing cabinet, and lavatory shall be purchased from the appropriation made by the Legislature of 1909, Statutes of California, Chapter 6, for the purchase of furniture and furnishing of the Senate and Assembly chambers and committee rooms, upon the approval in writing of the President of the Senate and the Speaker of the Assembly.

1. The purchase of the six new typewriter desks, and that they be of the so-called "sanitary" pattern, quartered white oak and with glides instead of casters. Several concerns have submitted bids for same, and your committee has selected the Underwood Company's desk as the best of those submitted, at \$25 per desk; other bids submitted were \$24.75, and \$25.65 for similar desks.

2. The purchase of the filing cabinet for the Committee on Printing and Revision of Bills, as per bid obtained for same by Superintendent of Buildings Radcliff, from the Yawman-Erbe Company, for \$61, including card file boards and everything complete.

3. A temporary stand with basin and bowl for immediate use of Committee on Revision and Printing (Room No. 134) instead of a fixed lavatory with the accompanying uncertainty of time and cost involved in connection with the proper plumbing thereof, and that the expense of above enumerated items come out of the appropriation of the Legislature of 1909, Statutes of California, Chapter 6, for "Furniture and Furnishing," as set forth in the Clark resolution.

We would suggest that hereafter all supplies, etc., required by the Assembly, or Sergeant-at-Arms thereof, be obtained through the usual requisition orders made out by the Chief Clerk of the Assembly on Superintendent of Buildings, thus avoiding confusion and delays, and that the Sergeant-at-Arms be permitted to obtain such few other and necessary articles, of small value and immediate need, that said Superintendent of Buildings does not happen to have in stock, or that cannot be obtained quickly enough to fill the demands or needs of the occasion, through the ordinary methods of receiving bids for the same.

FARWELL, Chairman.

The above report ordered printed in the Journal.

GOVERNOR'S MESSAGE.

The following message from the Governor was taken up and read:

STATE OF CALIFORNIA, EXECUTIVE OFFICE.

SACRAMENTO, January 17, 1913.

To the Senate and Assembly of the State of California:

A proposed amendment to the Constitution of the United States has been received by this department and is hereby transmitted to you for your ratification or rejection. The amendment is in the form of a joint resolution and is as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled (two thirds of each House concurring therein). That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment

to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; *provided*, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

The above message referred to Committee on Federal Relations.

ANNOUNCEMENT.

The Chief Clerk announced the following assignment of committee clerks:

Committee.	Chairman.	Clerk.
Agriculture	Judson	A. T. Bassford.
Attachés and Employees	Smith	
Banking	Roberts	Claire Guiberson.
Building and Loan	Hayes	Wm. E. Monahan.
Civil Service	Bloodgood	Regina Kilgariff.
Claims	Nolan	J. H. Cunningham.
Commerce and Navigation	Inman	J. R. Thompson.
Conservation	Cary	Gordon B. Laing.
Constitutional Amendments	Clark, Wm. C.	Arthur Wendering.
Contingent Expenses	Farwell	
Contested Elections	Gelder	Olive Dufort.
Corporations	Fish	R. E. Langworthy.
County Government	Woodley	Newton M. Allen.
Drainage, Swamp and Overflowed Lands	Morgenstern	J. F. Carrere.
Education	Wyllie	Gordon B. Laing.
Elections	Bohnett	J. E. Reynolds.
Enrollment and Enrollment	Moorhouse	Hestwood.
Federal Relations	Johnson, Geo. H.	J. C. Cunningham.
Fish and Game	Guill	J. R. Thompson.
Hospitals and Asylums	Cram	Sam Knight.
Insurance	Kuck	Ethel Sampson.
Irrigation	Murray	Regina Kilgariff.
Judiciary	Benedict	Percy A. Wood.
Labor and Capital	McDonald	Nat Haslett.
Libraries	Clarke, Geo. A.	Maggie Van Fleet.
Live Stock and Dairies	Byrnes	F. L. Sanders.
Manufactures	Bush	Wm. E. Monahan.
Medical and Dental Laws	Peairs	J. E. Reynolds.
Mileage	Mouser	
Military Affairs	Hinkle	B. H. Ellis.
Mines and Mining	White	J. E. Reynolds.
Municipal Corporations	Scott	Olive Dufort.
Normal Schools	Strine	Ethel M. Sampson.
Oil Industries	Green	R. E. Langworthy.
Prisons and Reformatories	Ellis	B. H. Ellis.
Public Charities and Corrections	Ryan	A. T. Bassford.
Public Health and Quarantine	Fitzgerald	Arthur Wendering.
Public Morals	Nelson	Newton M. Allen.
Revenue and Taxation	Sutherland	Sam Knight.
Revision of Criminal Procedure	Weisel	F. L. Sanders.
Roads and Highways	Gabbert	Maggie Van Fleet.
Rules	Brown	
State Grounds and Parks	Johnston, T. D.	Regina Kilgariff.
Universities	Gates	Claire Guiberson.
Ways and Means	Chandler	{ Leon E. Ellison. W. H. Sparling. Bookkeeper.

QUESTION OF PERSONAL PRIVILEGE.

Messrs. Polsley and Finnegan rose to a question of personal privilege, and spoke as follows:

By Mr. Polsley:

Mr. Smith stated something that might be construed as if some of the Democrats were nagging the Committee on Printing and opposing the work of the session. I want to say that there was no intention to reflect on the committee. We were referring to the rules that have delayed the work of this House for a week. We have nearly half of the session gone and we have hardly begun work. Referring to the action of the Democrats, I am glad to say that the Democrats show a disposition to try to save the State of California money, and the members' time in legislation; and I can say that many of the Republican and Progressive members are with us.

By Mr. Finnegan:

MR. SPEAKER: I rise to a matter of personal privilege, as a member of the Democratic party just accused of bifurcation by Mr. Smith. I refute such accusation, and say that Mr. Smith has only to study the recent history of his own party to bear me out, and to learn that it is the Republican party which has suffered bifurcation to its own destruction.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 4—Approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the tenth day of April, one thousand nine hundred and eleven.

Also: Senate Concurrent Resolution No. 3—Approving ten certain amendments to the charter of the city of Pasadena, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the twenty-fourth day of May, one thousand nine hundred and twelve.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

Read, and referred to Committee on Municipal Corporations.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Bradford: Assembly Bill No. 386—An Act providing for the extension of the Agricultural Pavilion on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Killingsworth: Assembly Bill No. 387—An Act amending an Act entitled "An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes," approved April 27, 1911.

Bill read first time, and referred to Committee on County Government.

By Mr. Bradford: Assembly Bill No. 388—An Act providing for the moving of the horse barns on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 389—An Act appropriating money for the

purchase of additional land for the State Fair Grounds in the city of Sacramento.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 390—An Act appropriating money for the reconstruction of windows in the Agricultural Pavilion, at the State Fair Grounds in Agricultural Park in the city of Sacramento.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Inman: Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair Grounds in the city of Sacramento.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewage from the State Fair Grounds in the city of Sacramento.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cram: Assembly Bill No. 394—An Act to provide for the reforestation of and the cutting of fire lanes and fire trails on the Angeles National Forest, and to make appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Wyllie: Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Libby: Assembly Bill No. 396—An Act to amend section sixty-nine of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 397—An Act appropriating \$5,000 for the restoration and rebuilding of the old Greek Chapel and Russian Fort, known as Fort Ross at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Johnson: Assembly Bill No. 398—An Act to amend Section 30 of an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 399—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

Bill read first time, and referred to Committee on County Government.

By Mr. Ellis: Assembly Bill No. 400—An Act to amend Section 273*g* of the Penal Code of the State of California, relating to children, and to add a new section to the Penal Code to be known and numbered as Section 273*i*.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 401—An Act to amend Section 1839 of the Political Code of the State of California, relating to public schools.

Bill read first time, and referred to Committee on Education.

By Mr. Johnstone: Assembly Bill No. 402—An Act to amend Sections 4175, 4176 and 4290 of the Political Code, relating to compensation of sheriffs for transporting prisoners and insane persons.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 403—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto to be numbered 1730*a*, relating to the public administrator, his powers and duties.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 404—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto to be numbered 1730*a*, relating to the public administrator, his powers and duties.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 405—An Act to amend Section 601 of the Penal Code, relating to the malicious use of explosives, and providing for the punishment thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 406—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 407—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Green: Assembly Bill No. 408—An Act to establish police courts in cities of the sixth class and to fix their jurisdiction.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. White: Assembly Bill No. 409—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Moorhouse: Assembly Bill No. 410—An Act to amend Section 4265 of the Political Code of the State of California relating to the compensation of officers of counties of the thirty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Griffin: Assembly Bill No. 411—An Act to amend Section 10*k*, Section 10*r*, and Section 10*u*, of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for

their commitment to the Whittier State School and Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such officers, and repealing inconsistent Acts," approved March 8, 1909, and amended April 5, 1911.

Bill read first time, and referred to Committee on County Government.

By Mr. Slater: Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, prescribing his duties and powers.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Smith: Assembly Bill No. 413—An Act to provide for retirement salaries for public school teachers of this State and to provide for the revenue therefor.

Bill read first time, and referred to Committee on Education.

By Mr. Smith: Assembly Bill No. 414—An Act to amend an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritance, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911, by amending Section 25 thereof.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 415—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Bill read first time, and referred to Committee on Education.

By Mr. Johnston: Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure, of the State of California, relating to qualifications of jurors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Canepa: Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize

the Governor to execute and to receive the necessary deeds of conveyance thereof.

Bill read first time, and referred to Committee on State Grounds and Parks.

Also: Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations: and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 419—An Act regulating marriages and the issuance of marriage licenses, prohibiting in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Ford, Jr.: Assembly Bill No. 420—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stable or tent tops and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Bill read first time, and referred to Committee on Manufactures.

By Mr. McCarthy: Assembly Bill No. 421—An Act to amend Section 67 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Tulloch: Assembly Bill No. 422—An Act to amend Section 868 of the Code of Civil Procedure relating to the issuance of writs of attachments issued from justices' courts and providing that several writs may be issued at the same time to the sheriffs of counties other than the one in which said justice's court may be situated.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shearer: Assembly Bill No. 423—An Act providing for the acceptance of the U. S. Ship Portsmouth by the State of California from the government of the United States, and providing for the care and preservation of the same.

Bill read first time, and referred to Committee on Federal Relations.

By Mr. Scott: Assembly Bill No. 424—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ambrose: Assembly Bill No. 425—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California and for the appointment of a board of medical examiners, a board of drugless examiners, and a board of registration of religious practitioners.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Polsley: Assembly Bill No. 426—An Act to amend section four thousand two hundred and seventy-five of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Schmitt: Assembly Bill No. 427—An Act entitled an Act to amend Section 670 of the Penal Code of the State of California, in relation to the commencement of the term of imprisonment in criminal actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 428—An Act entitled an Act to amend section thirteen of the Penal Code of the State of California, in relation to punishments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shannon: Assembly Bill No. 429—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Brown: Assembly Bill No. 430—An Act to establish in certain cities, State employment offices under the control and management of the Commissioner of the Bureau of Labor Statistics; defining the duties and powers of said commissioner in relation to such offices and the manner of conducting same; providing for suitable rooms or offices to be located in the different cities, and providing for the equipment and maintenance thereof; providing for necessary employees, fixing their compensation, and defining their powers and duties; prescribing the fees to be paid by persons furnished positions; and making an appropriation for the purpose of this act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 431—An Act to add a new section to the Penal Code of the State of California, to be designated and numbered three hundred and eighty-one prohibiting the appointment to office of relatives by state officers and judges; and fixing the penalty for making such appointments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bloodgood: Assembly Bill No. 432—An Act to amend Sections 3692, 3696, 3714, 3732, 3737, 3746, 3756, of the Political Code of the State of California, all of said sections relating to the assessment, equalization and collection of taxes of the counties and the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Woodley: Assembly Bill No. 433—An Act to amend section twenty-nine hundred thirty-nine and one half of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gelder: Assembly Concurrent Resolution No. 5—Relative to approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

Read, and referred to Committee on Municipal Corporations.

Also: Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the

Constitution of the State of California, by adding a new section to Article XIII, relating to revenue and taxation.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Smith: Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section one of article four thereof, relating to the initiative and referendum.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section one of article twenty-three relating to the recall.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Polsley: Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California, an amendment to Section 18, Article XX, of the Constitution of the State of California, relative to the employment of females in the handling and sale of intoxicating liquors.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bloodgood: Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to Section 8, Article XIII of the Constitution of the State of California, relating to statements required to be made by taxpayers to county assessors.

Read, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1913.

MR. SPEAKER: Concerning the resolution offered by Mr. Richardson, of San Francisco, that "the Superintendent of Buildings and Grounds be instructed to put in ventilation in the top windows of the Assembly Chamber," we recommend for approval and adoption as follows:

Firstly—That inasmuch as this proposed method of natural ventilation will in no manner interfere with the present inefficiency of our uncertain method of heating and ventilating the Capitol Building; that the bid of Book Bros., of Sacramento, for \$48 for remodeling four of the upper sash of the Assembly into side-pivoted transoms, two of which will be on either side of the Assembly Chamber, be accepted, and that this amount be charged to the State Engineering Department and not to the Contingent Expense Fund of the Assembly, as such matters come under their jurisdiction.

Secondly—We recommend that while the present system of heating and ventilation of the Capitol Building, installed as it was, under a former regime, was, as has been said, a crime against the State, on account of the many principles of sanitary laws that it violates, that the State Engineering Department be herewith requested to make a thorough investigation and overhauling of the system, especially the ventilation part thereof, and report at the last portion of this session their findings and the estimate for putting the system in proper condition.

It is the opinion of your committee that the rough, unfinished manner in which the exhaust flues for vitiated air were constructed, or rather were *not* constructed, is one of the immediate causes of the almost constant state of vitiated atmosphere in the Assembly Chamber. The fresh air question was serious enough at the previous session and the lapse of two years doesn't seem to have brought forth any improvements.

It seems strange that some of the thousands wasted annually, in one way or another, could not find their way into relieving the unsanitary condition of the building.

Thirdly—We recommend that the State Superintendent of Grounds, Mr. Radcliff, be instructed to hereafter place in the hands of the engineer of the building the full and complete charge of the heating and ventilation plant and that he, only, be empowered to run both the fan system for supplying the fresh air and also the fan system which is to exhaust the vitiated air, thus saving any further "chuckle-headed" confusion as to who runs one set of fans or who runs the other set, and that hereafter the fresh air is to be heated over the steam coils prepared for that purpose before coming to the chamber, and the temperature maintained at not to exceed 70 degrees Fahrenheit.

Yours respectfully,

FARWELL, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés and Employees:

Resolved, That the name of F. L. Sanders, heretofore appointed as committee clerk at a per diem of \$4, be stricken from the roll to date from January 17, 1913; and be it further

Resolved, That the following-named person be and he is hereby appointed and employed for the position and at the per diem set opposite his name, said per diem to be paid out of the appropriations for the contingent expenses of the Assembly, said appointment to date from and include the 17th day of January, 1913; and the State Controller is hereby authorized and directed to draw his warrants upon the said fund in favor of the following-named person for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same, viz.:

J. F. Carrere—Committee Clerk-----\$4 00 per day

SMITH, Chairman.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—69.

NOES—None.

Also:

Resolved, That the action of L. B. Mallory, Chief Clerk, in employing the following named persons for the positions and at the per diem as provided by law after the organization of the Assembly, be approved by said body and the Controller is hereby authorized and directed to draw his warrant upon the contingent expense fund of the Assembly for the said amounts and the Treasurer is hereby directed to pay the same:

McDonald, C. M.—Stenographer -----3 days at \$5 00 per day----\$15 00

Bevens, Willard—Bill Clerk-----1 day at 4 00 per day----- 4 00

Strauss, Vera—Stenographer-----1 day at 5 00 per day----- 5 00

Martin, Anna—Stenographer-----1 day at 5 00 per day----- 5 00

Bruce, L. R.—Stenographer-----2 days at 5 00 per day----- 10 00

SMITH, Chairman.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—64.

NOES—None.

By Mr. Stuckenbruck:

WHEREAS, The Assembly of the State of California hears with profound regret of the death of the wife of former Assemblyman and now Senator D. J. Beban; therefore, be it

Resolved by the Assembly of the State of California, That we extend to Honorable D. J. Beban our heartfelt sympathy in this hour of his great bereavement; and, be it further

Resolved, That when the Assembly adjourns on this day, it do so out of respect for the deceased; and, be it further

Resolved, That a copy of these resolutions be spread upon the Journal of the Assembly this day.

Resolution read, and unanimously adopted.

RE-REFERENCE OF BILLS.

On motion of Mr. Bagby, Assembly Bill No. 171 was recalled from the Committee on Ways and Means and referred to Committee on Normal Schools.

HOOR OF RECESS EXTENDED.

On motion of Mr. Schmitt, the hour of recess was extended until the business of the day was completed.

MOTION.

Mr. Johnstone moved that when the Assembly adjourns this day, it adjourn until Monday, January 20, 1913, at eleven o'clock and thirty minutes a.m.

Motion carried.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following resolution:

Resolved, That a special committee of three members of the Senate be appointed by the President of the Senate, and that the Assembly be invited to appoint a like committee to confer with the Senate committee, to recommend to the two branches of the Legislature a policy to be adopted and followed relative to the consideration of measures introduced and pending prior to the constitutional recess.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

MOTION.

Mr. Bohnett moved that a committee of three be appointed in accordance with the above resolution.

Motion carried.

APPOINTMENT OF COMMITTEE.

In accordance with the above motion the Speaker appointed Messrs. Bohnett, Hinkle and Stuckenbruck as such committee.

SPEAKER PRO TEM. IN CHAIR.

At twelve o'clock and fifty-five minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

SENATE MESSAGES—(RESUMED).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following resolution:

Resolved. That a special committee of the Senate be appointed, to consist of the chairman of the Finance Committee of the Senate and two other members of the Finance Committee, to be selected by him, for the purpose of conferring with a like committee of the Assembly, to be composed of three members of the Ways and Means Committee of the Assembly, regarding the use of committee rooms in the State Capitol building by committees of the two Houses and the necessity of providing adequate office room for other departments of the State, now temporarily using rooms heretofore assigned for legislative purposes in the Capitol building.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

MOTION.

Mr. Slater moved that a committee of three be appointed from the members of the Committee on Ways and Means in accordance with the above resolution.

Mr. Smith moved to amend by having the committee appointed from the Assembly.

Amendment adopted.

Motion, as amended, adopted.

SPEAKER IN CHAIR.

At one o'clock p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

APPOINTMENT OF COMMITTEE.

In accordance with the above motion the Speaker appointed Messrs. Benedict, Chandler and Smith as said committee.

COMMUNICATION.

The Speaker filed the following communication and stated that the documents were in his possession:

OFFICE OF CLERK OF LOS ANGELES COUNTY.

LOS ANGELES, CAL., January 15, 1913.

Hon. Frank C. Jordan, Secretary of State, Sacramento, California.

DEAR SIR: In accordance with the provisions of Section 281 of the Political Code, I am enclosing herewith sealed depositions, original statements and a copy of the notice served upon W. A. Roberts, member of the Assembly and the commission issued by me to the Justices of the Peace, Sidney N. Reeve and William Young.

You will note that Section 281 of the Political Code provides that you must deliver same unopened to the presiding officer of the Assembly on or before the second day of the session of the Legislature next after the taking of said depositions.

Very respectfully yours,

H. J. LELANDE, County Clerk.

ANNOUNCEMENTS.

To the Members of the Assembly of the State of California:

I beg leave to announce that, pursuant to Section 247 of the Political Code, I have appointed the following pages, said appointment to date from the dates set opposite their respective names:

Duhain, C. E., Page, January 13	-----\$2 50
Haggerty, Elwood, Page, January 14	-----2 50
Hayes, John, Page, January 13	-----2 50
Smith, Earl, Page, January 13	-----2 50

C. C. YOUNG.

The Chief Clerk filed the following statement:

To the Members of the Assembly of the State of California:

MR. SPEAKER: Pursuant to Section 246 of the Political Code, I have appointed Moses Stern and F. J. Trude as assistants to the Chief Clerk, and respectfully request the Assembly to confirm said appointment, the same to date from January 13, 1913.

L. B. MALLORY, Chief Clerk.

ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Mr. Stuckenbruck, the Speaker declared the Assembly adjourned until eleven o'clock and thirty minutes a.m., of Monday, January 20, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, January 20, 1913.

At eleven o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgens-tern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. McDonald, its further reading was dispensed with.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1913.

MR. SPEAKER: Your Committee on Revision and Printing, to whom was sent Assembly Bills Nos. 386 to 433, inclusive; also Assembly Constitutional Amendments Nos. 7 to 11, inclusive; also Assembly Concurrent Resolution No. 5, received this date.

Also: Assembly Bills Nos. 203, 290, 362, and 382, heretofore received, have been examined and this day returned to the Clerk of Assembly.

CLARK, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred the message from the Governor, transmitting a resolution adopted by the Congress of the

United States, proposing an amendment to the Constitution relative to the election of United States Senators in Congress, have had the same under consideration and recommend the adoption of the following joint resolution:

Assembly Joint Resolution No. 5—A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

JOHNSON, Chairman.

The above reported joint resolution ordered on file, without reference.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 4, approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the 10th day of April, one thousand nine hundred and eleven.

Also: Senate Concurrent Resolution No. 3, approving ten certain amendments to the charter of the city of Pasadena, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the 24th day of May, 1912.

Have had the same under consideration, and respectfully report the same back and recommend that they be adopted.

SCOTT, Chairman.

The above reported Senate concurrent resolutions ordered on file.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

SACRAMENTO, CAL., January 20, 1913.

MR. SPEAKER: Your committee appointed to meet a like committee of the Senate to arrange quarters for committee meetings has met and secured the rooms herein-after given and, in conjunction with the Sergeant-at-Arms of the Assembly, has made the following assignments:

Room No. 133, Agriculture—Fridays	3:00 to 4:30 p.m.
Room No. 130, Banking—Fridays	3:00 to 4:30 p.m.
Room No. 94, Building and Loan—Tuesdays	4:30 to 6:00 p.m.
Room No. 93, Civil Service—Fridays	3:00 to 4:30 p.m.
Room No. 92, Claims—Fridays	3:00 to 4:30 p.m.
Room No. 133, Commerce and Navigation—Tuesdays	4:30 to 6:00 p.m.
Room No. 93, Conservation—Tuesdays	4:30 to 6:00 p.m.
Room No. 126, Constitutional Amendments—Fridays	3:00 to 4:30 p.m.
Room No. 92, Contested Elections—Tuesdays	4:30 to 6:00 p.m.
Room No. 130, Corporations—Tuesdays	4:30 to 6:00 p.m.
Room No. 130, County Government—Mondays	4:30 to 6:00 p.m.
Room No. 94, Drainage, Swamp, etc.—Mondays	4:30 to 6:00 p.m.
Room No. 133, Education—Tuesdays	7:30 p.m.
Room No. 133, Education—Fridays	4:30 to 6:00 p.m.
Room No. 126, Elections—Mondays and Wednesdays	3:00 to 4:30 p.m.
Room No. 94, Federal Relations—Thursdays	4:30 to 6:00 p.m.
Room No. 129, Fish and Game—Mondays and Wednesdays	3:00 to 4:30 p.m.
Room No. 129, Fish and Game—Tuesdays	7:30 p.m.
Room No. 126, Hospitals—Tuesdays	7:30 p.m.
Room No. 126, Insurance—Tuesdays and Thursdays	3:00 to 4:30 p.m.
Room No. 94, Irrigation—Wednesdays	4:30 to 6:00 p.m.
Room No. 127, Judiciary—Mondays, Wednesdays and Fridays	7:30 p.m.
Room No. 133, Labor and Capital—Mondays and Thursdays	7:30 p.m.
Room No. 92, Libraries—Tuesdays	3:00 to 4:30 p.m.
Room No. 94, Live Stock and Dairies—Thursdays	7:30 p.m.
Room No. 93, Manufactures—Thursdays	4:30 to 6:00 p.m.
Room No. 133, Medical and Dental Laws—Wednesdays	4:30 to 6:00 p.m.
Room No. 92, Mileage—Thursdays	4:30 to 6:00 p.m.
Room No. 93, Military Affairs—Wednesdays	4:30 to 6:00 p.m.
Room No. 93, Mines and Mining—Mondays	4:30 to 6:00 p.m.
Room No. 133, Municipal Corporations—Mondays	4:30 to 6:00 p.m.
Room No. 133, Normal Schools—Thursdays	4:30 to 6:00 p.m.
Room No. 94, Oil Industries—Tuesdays	7:30 p.m.
Room No. 130, Prisons and Reformatories—Tuesdays	7:30 p.m.
Room No. 94, Public Charities—Tuesdays and Thursdays	3:00 to 4:30 p.m.

Room No. 92, Public Health—Mondays and Wednesdays	3:00 to 4:30 p.m.
Room No. 130, Public Morals—Wednesdays	4:30 to 6:00 p.m.
Thursdays	7:30 p.m.
Room No. 129, Revenue and Taxation—Tuesdays and Thursdays	3:00 to 4:30 p.m.
Room No. 130, Revision of Criminal Procedure—Thursdays	4:30 to 6:00 p.m.
Room No. 126, Roads and Highways—Thursdays	7:30 p.m.
Room No. 93, State Grounds—Mondays	3:00 to 4:30 p.m.
Room No. 94, Universities—Fridays	4:30 to 6:00 p.m.
Room No. 118, Ways and Means—Mon., Wed. and Fri.	7:30 p.m.

Respectfully submitted.

BENEDICT, Chairman.
SMITH.
CHANDLER.

Report read, and ordered printed in the Journal, on motion of Mr. Brown.

Also:

MR. SPEAKER: Your special committee appointed to confer with a committee from the Senate, and with said Senate committee to recommend to the Legislature a general policy to be followed in the consideration of bills prior to the constitutional recess, in order to meet a contingency that now exists and in the interest of public business, beg leave to report and recommend that prior to the constitutional recess:

First—The Assembly act upon all bills that may be made to take effect immediately under the provisions of Article IV, Section 1 of the Constitution in the usual course.

Second—The Assembly act upon all other bills in the usual course, except that no bill or joint or concurrent resolution, other than those mentioned in the first recommendation, shall be placed upon its final passage if the author or any eight members request in writing that the bill remain on the third reading file, said written request to be filed with the clerk.

Respectfully submitted.

BOHNETT.
HINKLE.
STUCKENBRUCK.

Report read, and ordered printed in the Journal, on motion of Mr. Brown.

UNANIMOUS CONSENT REFUSED.

Mr. Johnson asked for unanimous consent to take up the report of the Committee on Federal Relations, out of order.

Objections were made by Messrs. Johnston and Brown.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Wyllie: Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 435—An Act entitled an Act to amend Section 1714 of the Political Code of the State of California, relating to the apportionment of school library funds in cities.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 436—An Act to amend Section 1665 of the Political Code of the State of California, relating to the list of subjects to be taught in the elementary day and evening schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 437—An Act to amend Section 1583 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 438—An Act to amend Section 1615 of the Political Code of the State of California, relating to school trustees in newly formed school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 439—An Act to amend Section 1617 of the Political Code of the State of California, relating to the powers and duties of boards of school trustees and boards of education in cities.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 440—An Act to repeal Section 1624 of the Political Code of the State of California, relating to the appointment of school census marshals.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 444—An Act to amend Section 1576a of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 446—An Act to amend Section 1566 of the Political Code of the State of California, relating to trustees' meetings.

Bill read first time, and referred to Committee on Education.

By Mr. Weisel: Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Bill read first time, and referred to Committee on Conservation.

By Mr. Finnegan: Assembly Bill No. 448—An Act to amend Section 2283 of the Political Code of the State of California, granting aid to mothers of half orphans living in their own homes, making such payments obligatory where need is shown, and defining the amounts to be paid and ages of orphans and half orphans receiving such aid and adding a new section thereto, to be known as Section 2283a of the Political Code of the State of California, giving to the State Board of Control authority to examine all cases coming under Section 2283 of the said code, and to reject or grant aid as it shall determine.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Shearer: Assembly Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris, in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like or greater sum for the same purpose.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Dower: Assembly Bill No. 450—An Act to amend section two hundred twenty-four of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments to the consent to such adoption.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Roberts: Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California, relating to the advertisement of amendments to the Constitution and relating to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and creating a board for the purpose of preparing statement as to the effect and purpose of such questions, propositions and constitutional amendments.

Bill read first time, and referred to Committee on Elections.

By Mr. Ellis: Assembly Bill No. 452—An Act to amend Section 3629 of the Political Code of the State of California, relating to assessors.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 453—An Act to amend Section 4049 of the Political Code of the State of California, relating to county supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 454—An Act to amend Section 4014 of the Political Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 455—An Act to amend Section 4049a of the Political Code of the State of California, relating to county supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Bloodgood: Assembly Bill No. 456—An Act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance of said civic center out of the school fund of the State of California, and providing for the conduct and management of the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 457—An Act to amend Section 276 of the Code of Civil Procedure, relating to the admission and license of attorneys and counselors at law, and to add a section to said code, to be known as Section 276a, relating to the same subject.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 458—An Act entitled "An Act to repeal an Act to provide for the organization, control and equipment of high

school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor." approved April 5, 1911.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Roberts: Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also creating a board whose duty it shall be to determine the order and manner of placing all questions, propositions and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board.

Bill read first time, and referred to Committee on Elections.

By Mr. Stuckenbruck: Assembly Bill No. 460—An Act to amend subdivision five of Section 2 of Act 2331 of the General Laws of the State of California, relating to motor vehicles, approved March 22, 1905 (Stats. 1905, p. 816, amended 1907, p. 914).

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 461—An Act to provide for the use of land for the purpose of dumping ore or waste by miners in developing mines or mining claims.

Bill read first time, and referred to Committee on Mining.

By Mr. Tulloch: Assembly Bill No. 462—An Act to amend Section 928 of the Penal Code of the State of California, relating to the duties of grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett: Assembly Bill No. 463—An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act and repealing an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, and all Acts or parts of Acts amendatory thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Tulloch: Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Mouser: Assembly Bill No. 465—An Act to amend an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, by amending Sections 9 and 10 of said Act, relating to the appointment of deputy labor commissioners, their places of residence, and fixing the salaries of the labor commissioner, deputy and assistant deputy commissioners, statisticians, stenographers and other employees of the Bureau of Labor Statistics, and repealing all Acts in conflict herewith.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 466—An Act entitled "An Act to amend Section 1583 of the Political Code of the State of California, relating

to joint districts by changing the apportionment from census children to average daily attendance."

Bill read first time, and referred to Committee on Education.

By Mr. Moorhouse: Assembly Bill No. 467—An Act to amend Section 1662 of the Political Code of the State of California, relating to course of study for the elementary day and evening schools, the admission of pupils to such schools, and the exclusion of pupils from such schools.

Bill read first time, and referred to Committee on Education.

By Mr. McDonald: Assembly Bill No. 468—An Act for the protection of railroad employees and other persons, and providing for the placing of safety blocks in all frogs and guard rails used in the operation of railroads.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Peairs: Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Polsley: Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredger for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 472—An Act to amend Sections 599*f*, 626*e*, 626*f*, 626*h*, 626*i*, 626*l*, 627*a*, 627*b*, 628, 628*c*, 628*e*, 629, 630*b*, 631, 631*a*, 631*b*, 632, 632½, 632*a*, 632*b*(2), 633, 634, 635, 635½, 636, 636*a*, 636*b*, 637, 637*a*, 637*c*, and 637*e*, of the Penal Code of the State of California, and to repeal Sections 626*k*, 628*a*, and 637*b*, of the Penal Code of the State of California, all relating to the protection and preservation of the fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 473—An Act to amend Section 602 of the Penal Code of the State of California, relating to trespass.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Weldon: Assembly Bill No. 474—An Act to further divide the State into fish and game districts by establishing a district especially suited for propagation of game, and to provide for the management and protection thereof.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 475—An Act to add two new sections to the Civil Code of the State of California, to be known as Sections 68*a* and 68*b*; both relating to marriage.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Palmer: Assembly Bill No. 476—An Act making appropriation to repay to L. H. Boggs, moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Bill read first time, and referred to Committee on Claims.

By Mr. Bowman: Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with the name and address of the original manufacturer thereof, providing for the enforcement of, and providing for penalties for the violation of the provisions of this Act.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Shartel: Assembly Bill No. 478—An Act to amend Section 4041 of the Political Code of California, relating to boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Fish: Assembly Bill No. 479—An Act to amend the Code of Civil Procedure of the State of California by adding thereto four new sections to be numbered 204*a*, 204*b*, 204*c*, and 204*d*, relating to jury commissioners, their duties, appointment and compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 480—An Act to amend Section 375 of the Code of Civil Procedure, providing for a compromise of suits by guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 481—An Act to amend Section 1769 of the Code of Civil Procedure, relating to powers and duties of guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 482—An Act to amend Sections 3 and 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Smith: Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Benedict: Assembly Bill No. 484—An Act to amend Sections 953*a*, 953*b*, and 953*c* of the Code of Civil Procedure, and providing for an alternative method for the trial and appeal of cases in equity and those tried by the court without a jury.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure, to be numbered Section 1810*a*, relating to contracts for attorney's fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 486—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotel keepers on property of guests for charges.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 487—An Act to amend Section 284 of the Code of Civil Procedure of the State of California, relating to change of attorneys.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 489—An Act to preserve for use within the State electricity generated by water power from the waters of the lakes, rivers, creeks and streams of this State, and to prevent the transmission out of the State of electricity so generated.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees, instead of establishing a separate county free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Bill read first time, and referred to Committee on Libraries.

By Mr. Farwell: Assembly Bill No. 491—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all other Acts and parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 492—An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Walsh: Assembly Bill No. 493—An Act to amend an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Johnston: Assembly Bill No. 494—An Act to recognize and declare valid all proceedings in Richmond Municipal Water District.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Palmer: Assembly Bill No. 495—An Act to amend Section 537 of the Penal Code of the State of California, relating to defrauding inns, lodging or boarding-houses.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Griffin: Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Johnson: Assembly Bill No. 497—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3746a, relating to the payment of taxes by a taxpayer who exercises the elective franchise.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 498—An Act to amend Section 30 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911.

Bill read first time, and referred to Committee on Elections.

By Mr. Gelder: Assembly Bill No. 499—An Act to amend Section 61 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 500—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 501—An Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12 and 15 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment providing for the appointment of a Board of Eclectic Medical Examiners; and amending said Act by adding thereto a new section, to be numbered 6a, relating to reciprocity with other states and territories and the District of Columbia in the matter of granting licenses without examinations.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Clark: Assembly Bill No. 502—An Act to establish a civil service commission, and to regulate the civil service of the State of California.

Bill read first time, and referred to Committee on Civil Service.

Also: Assembly Bill No. 503—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting, for their use and benefit, moneys, gifts or donations from the public.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 504—An Act authorizing surgeons retired or relieved from active duty or honorably discharged from the medical department of the United States army or navy, regular or volunteer, to practice medicine in the State of California.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Chandler: Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits and authorizing the State to accept the same.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 506—An Act to provide for the care, management and protection of state highways and to repeal an Act entitled "An Act to provide for the care, management, and protection of state highways," approved March 24, 1903, and all Acts or parts of Acts amendatory thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 508—An Act to create the California Highway Commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor.

Bill read first time, and referred to Committee on Roads and Highways.

HOUR OF RECESS EXTENDED.

On motion of Mr. Benedict, the hour of recess was extended until the business of the day be completed.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced and referred as indicated:

By Mr. Bohnett: Assembly Bill No. 509—An Act making an appropriation for printing for the State Board of Forestry for the balance of the sixty-fourth fiscal year.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Brown: Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 514—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 515—An Act to amend Section 538 of the Code of Civil Procedure of the State of California, relating to attachments in civil actions, and providing what the affidavit for attachment shall contain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Schmitt: Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3804a, relating to the approval or rejection of claims for refund of taxes, penalties and costs by board of supervisors.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Young: Assembly Bill No. 517—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 518—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 520—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Young: Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 522—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Ways and Means.

By Committee on Federal Relations: Assembly Joint Resolution No. 5—Relative to ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

Read, and ordered on file without reference.

By Mr. Shearer: Assembly Joint Resolution No. 6—Relative to the extension of the Chinese exclusion Act so as to include all Asiatic and pauper labor.

Read, and referred to Committee on Federal Relations.

Also: Assembly Joint Resolution No. 7—Relative to ratifying and improving the amendment of the Constitution of the United States providing for the election of United States Senators by the direct vote of the people.

Read, and referred to the Committee on Federal Relations.

By Mr. Roberts: Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 13½ of Article XI, relating to the making of public bonds payable at any place or places within or outside the United States, and in any money, domestic or foreign.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Cary: Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a paragraph to Section 14 of Article XI thereof, relating to the creation, organization, duties and powers of a commission to be known as the Fruit Commission of the State of California.

Read, and referred to Committee on Constitutional Amendments.

REQUEST.

Mr. Bagby requested that the following reports of the State Normal School of Manual Arts and Home Economics of Santa Barbara be printed in the Journal.

Request granted.

REPORTS ON MANUAL ARTS, ETC.

Last year's students, graduated from the Home Economics and Domestic Art departments in June, 1912, are holding the following positions:

High School and Grades—Palo Alto (supervisor), San Jacinto, Lordsburg, St. Helena, Richmond, Pomona, Santa Cruz, Lompoc, Bakersfield, Napa, Gilroy, Glendale, Corona, Alhambra, Santa Barbara; Los Angeles Vocational School, Los Angeles grade, Los Angeles High School, Los Angeles Intermediate, Los Angeles Intermediate, grade position in Huntington Beach, grade position in St. Louis, Mo.; grade position in Eureka, private school, Palo Alto; Chico Normal School, grade school, Long Beach; grade school, Riverside.

Manual Arts, Applied Arts and Industrial Arts—High school, Pasadena; grade school, Pasadena; high school and grade, Lompoc; high school and grade, Palo Alto; high school and grade, Gilroy; grade school, Glendale; grade school, Goleta; grade school, Carpinteria; grade school, Highland; grade school, Nordhoff; grade school, Sawtelle; grade school, Los Angeles; grade school, Saticoy; grade school, Blythedale; grade school, Sacramento; high school, San Jose; Chico Normal School.

Graduates have held or are holding positions in the following cities:

Teaching in Los Angeles City, 16; Compton, 1; Corona, 1; Pomona, 1; Alhambra, 1; Glendale, 2; Riverside, 3; Pasadena, 4; Lordsburg, 1; San Jacinto, 1; Huntington Beach, 1; Saticoy, 1; Long Beach, 3; Blythedale, 1; Covina, 1; Sawtelle, 1; Alameda, 1; Santa Cruz, 3; Oakland, 4; Berkeley, 3; Sacramento, 4; Eureka, 1; San Jose Normal, 1; San Jose High School, 1; Palo Alto, 4; Gilroy, 2; Richmond, 1; St. Helena, 1; Nordhoff, 2; Napa, 1; Salinas, 1; Oakdale, 1; Rosedale, 1; Bakersfield, 1; Chico Normal, 2; Highland, 1; San Mateo, 2; Livermore, 1; Fresno, 1; Santa Barbara, 4; Carpinteria and Goleta, 1; Montecito, 2; Lompoc, 3; Whittier, 1; Los Alamos, 1; Watsonville, 1; St. Louis, Mo., 1; San Francisco, 1; Modesto, 1; Brawley, 1; Venice, 1—97.

In business (crafts, shops, etc.), 9; married, 8. Eight have entered universities or colleges for further training.

Of the people who are in attendance this year, those who have entered on credentials from other schools are as follows:

- 15 College diplomas.
- 9 University diplomas.
- 50 California and other normal school diplomas.
- 30 College credentials, one or two years.
- 10 College credentials, three years.
- 9 College and normal credentials.
- 32 Teaching experience with college credentials.

Those who graduated in 1912 entered from:

- 4 College diplomas.
- 8 University diplomas.
- 14 California and other normal school diplomas.
- 18 College credentials, one or two years.
- College credentials, three years.
- College and Normal credentials.
- 4 Teaching experience with college credentials.

A class of sixteen is graduating the 31st day of January, 1913. Another section will graduate the middle of May; another the last of August, and from that time there will be entering and graduating students every quarter, the school year (forty-eight weeks) being divided into four quarters of even length—the summer being practically ten weeks on account of the late closing or early opening of the public school term.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés and Employees:

Resolved, That the name of Harry Doyle, heretofore employed as Assistant File Clerk at a per diem of \$5, be stricken from the roll, and the name of H. M. Payne be substituted therefor at a like per diem, and the Controller is hereby authorized and directed to draw his warrant in favor of said H. M. Payne for said per diem, and the Treasurer is hereby authorized to pay the same.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nolan,

Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—68.

NOES—None.

Also:

WHEREAS, R. S. Gray, legislative expert, is serving the Committee on Revision and Printing as adviser without compensation,

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the contingent expense fund of the Assembly and the Treasurer is hereby directed to pay the same for the amount of \$6 per day, said amount to pay the expenses of the said R. S. Gray while serving in the above capacity, to date from January 14, 1913.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—68.

NOES—None.

By Mr. Inman:

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to mail to each county clerk and each district attorney of the several counties of the State of California, every Monday, one copy of the daily history.

Resolution read, and on motion adopted.

By Mr. Bohnett:

Resolved, That the Chief Clerk be authorized to have printed 1,500 copies of all bills, resolutions, constitutional amendments, and journals, beginning with January 20th.

Resolution read, and referred to Committee on Contingent Expenses.

RE-REFERENCE OF BILL.

On motion of Mr. Polsley, Assembly Bill No. 331 was recalled from the Committee on Judiciary and referred to Committee on Fish and Game.

REQUEST.

Mr. Sutherland asked permission for the use of the Assembly Chamber on Tuesday and Thursday after 2 p.m. for meetings of the Committee on Revenue and Taxation.

Request granted, on motion of Mr. Morgenstern.

ANNOUNCEMENT.

The Speaker made the following announcement:

To the Members of the Assembly:

I beg leave to announce that, pursuant to Section 247 of the Political Code, I have appointed James Fraser a Page, at the per diem as provided by law.

C. C. YOUNG.

ADJOURNMENT.

At one o'clock p.m., on motion of Mr. Johnston, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Tuesday, January 21, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, January 21, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgestern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Walsh, its further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Scott:

SAN FRANCISCO, CAL., January 19, 1913.

To the Legislature of California, Sacramento, Cal.

HONORABLE GENTLEMEN: At a mass meeting of a number of labor unions, held in this city on the above date, in which there were representatives present of the undersigned unions, it was resolved, that your honorable body be requested to pass the Kehoe-Benedict Weekly Rest Day bill, providing one day of rest in seven for all employees of labor, and that this weekly rest day shall fall on Sunday in all lines of business and labor which the public welfare does not require shall be kept in constant operation.

(Signed) M. R. GRUNHOP,

[SEAL]

Second Organizer of Pacific Coast Butchers (and others).

By Mr. Bradford:

A petition relating to anti-alien legislation.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Concurrent Resolution No. 4—Relative to approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified

electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

WOODLEY, Chairman.

The above reported resolution ordered on file for consideration.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles—have had the same under consideration, and respectfully report the same back, with recommendation that it do pass.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Concurrent Resolution No. 2—Approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the tenth day of April, one thousand nine hundred and eleven.

Also: Assembly Concurrent Resolution No. 5—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

SCOTT, Chairman.

The above reported concurrent resolutions ordered on file for consideration.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Also: Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California relating to the furnishing of water for family use.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution, have had the same under consideration, and beg leave to report the same back, and recommend its adoption:

Resolved, That the Chief Clerk be authorized to have printed fifteen hundred copies of all bills, resolutions, constitutional amendments and journals, beginning with January 20th.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.
Motion carried.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1914, but not thereafter.

Also: Assembly Bill No. 199—An Act to amend section one hundred and ninety-seven of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation—have had the same under consideration, and respectfully report the same back, with the recommendation that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 20, 1913: Assembly Bills Nos. 434 to 522, inclusive; also, Assembly Constitutional Amendments Nos. 12 to 13, inclusive; also, Assembly Joint Resolutions Nos. 5 to 7, inclusive, and returned the same day Assembly Bills Nos. 434 to 451, inclusive; Nos. 454 to 497, inclusive, and Nos. 500, 502 and 503. Also, Assembly Constitutional Amendments Nos. 12 to 13, inclusive; also Assembly Joint Resolutions Nos. 5 to 7, inclusive.

CLARK, Chairman.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 20, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following report of special committee:

MR. PRESIDENT: Your special committee appointed to confer with a committee from the Assembly, and with said Assembly committee to recommend to the Legislature a general policy to be followed in the consideration of bills prior to the constitutional recess in order to meet a contingency that now exists and in the interests of public business, beg leave to report and recommend that prior to the constitutional recess:

First—The Senate act in the usual course upon all bills that may be made to take effect immediately under the provisions of Article IV, Section 1 of the Constitution.

Second—The Senate act upon all other bills in the usual course, except that no bill, other than those mentioned in the first recommendation, shall be placed upon its final passage prior to the constitutional recess.

W. N. PARRISH, Secretary of the Senate.

By W. H. WRIGHT, Assistant Secretary.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Inman: Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 524—An Act appropriating money for the purchase of live stock at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 525—An Act appropriating money for

the construction of a laundry building and the equipment of the same at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 528—An Act appropriating money for the construction and equipment of shop buildings at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Ferguson: Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics, and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Cary: Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Johnston: Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Guiberson: Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection

of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Also: Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Also: Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal the Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal the Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Also: Assembly Bill No. 538—An Act to regulate the production and sale of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Judson: Assembly Bill No. 539—An Act to amend section seven hundred and seventy-two of the Penal Code, relating to the removal of public officers by summary proceedings before the Superior Court and relating, in such proceedings, to the testimony of accomplices.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County; appointing a commission therefor and providing an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Military Affairs.

By Messrs. Simpson and Stuckenbruck: Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Bill read first time, and referred to Committee on Elections.

By Mr. Slater: Assembly Bill No. 542—An Act to add a new section to the Civil Code of the State of California to be numbered 133, relating to complaints in divorce cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 543—An Act to add a new section to the Civil Code of the State of California, to be numbered 134, relating to answers in divorce cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 544—An Act adding a new section to the Civil Code of the State of California, to be numbered Section 135, relating to the duties of probation officers and district attorneys of the several counties of the State of California, in divorce cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nelson: Assembly Bill No. 545—An Act to amend the Civil Code of the State of California, by adding a new section thereto to be known and numbered Section 171a, relating to husband's liability for wife's torts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hinkle: Assembly Bill No. 546—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Collins: Assembly Bill No. 547—An Act to repeal Section 340 of Title IX, Chapter XI, of the Penal Code, relating to the rate of interest chargeable or receivable by pawnbrokers and enact the following Act relating to the rate of interest chargeable or receivable by any person.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 548—An Act to repeal Section 1021, Title XIV, Chapter VI, of the Code of Civil Procedure, relating to compensation of attorneys and costs of parties and enact an Act relating to said same subject, to wit.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clarke: Assembly Bill No. 549—An Act to add a new section to the Penal Code of California, to be known as Section 317a, relating to advertising alcoholic liquors on certain buildings and signboards.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 550—An Act to amend Section 4028 of the Political Code of the State of California.

Bill read first time, and referred to Committee on County Government.

By Mr. Chandler: Assembly Bill No. 551—An Act appropriating money to reimburse the State Printing Fund for expenses paid therefrom by the Superintendent of State Printing in printing the constitutional amendments distributed according to law prior to the election on November 5, 1912.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. White: Assembly Bill No. 552—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870a.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Shartel: Assembly Bill No. 553—An Act appropriating money to pay the claim of Lassen County against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Alexander: Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Roberts: Assembly Bill No. 555—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Scott: Assembly Bill No. 556—An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Roberts: Assembly Bill No. 557—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Beck (by request): Assembly Bill No. 558—An Act to amend Section 924 of the Code of Civil Procedure, relating to costs in justices' courts.

Also: Assembly Bill 559—An Act to amend Section 1183 of the Code of Civil Procedure, relating to the liens of mechanics and others.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Johnston: Assembly Bill No. 560—An Act to amend Section 210 of the Code of Civil Procedure of the State of California relative to the selection, listing, and time of service of jurors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Farwell: Assembly Bill No. 561—An Act to amend Section 598 of the Civil Code, relating to the sale, mortgage, and encumbrance of the property of religious, social and benevolent corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Benedict: Assembly Bill No. 562—An Act to amend Section 1411 of the Civil Code of the State of California, relating to the appropriation of water.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways

or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Brown: Assembly Bill No. 564—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be known as Section 581*b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nelson: Assembly Joint Resolution No. 8—Relative to the protection from fire of the forested watershed of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law.

Resolution read, and referred to Committee on Federal Relations.

RESOLUTIONS.

The following resolutions were offered:

BY COMMITTEE ON ATTACHÉS AND EMPLOYEES.

In order to secure efficient service and regular attendance of the various employees,

Resolved, That each of the attachés of the House, except the pages and desk clerks, be and they are hereby required on each day the Assembly is in session, to register their names in the Sergeant-at-Arms' room, upon their proper roll, as provided by the Chief Clerk. Any such attaché failing to so register will not be allowed per diem for that day unless properly excused. The Sergeant-at-Arms is hereby directed to report to the Chief Clerk any failure to comply with this resolution.

Resolution read, and on motion adopted.

Also:

Resolved, That the names of Leon E. Ellison, Wayne H. Sparling and Percy A. Wood, heretofore employed as committee clerks at a per diem of \$4, be stricken from the roll, to date from Monday, January 20, 1913; and be it further

Resolved, That the following named persons be and they are hereby employed for the positions and at the per diem set opposite their respective names, to begin Monday, January 20, 1913:

Leon E. Ellison, Clerk to the Committee on Ways and Means, at a per diem of \$6.
Wayne H. Sparling, Bookkeeper to the Committee on Ways and Means, at a per diem of \$6.

Percy A. Wood, Clerk to the Judiciary Committee, at a per diem of \$6.

J. S. White, Porter, at a per diem of \$3.

And the Controller is hereby authorized and directed to draw his warrant in favor of said names for said per diem, and the Treasurer is hereby authorized to pay the same.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, George A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, George H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—64.
NOES—None.

SPECIAL ORDER.

The following special order was taken up for consideration:

The question being on the adoption of the following report of select committee:

MR. SPEAKER: Your special committee appointed to confer with a committee from the Senate, and with said Senate committee to recommend to the Legislature a general policy to be followed in the consideration of bills prior to the constitutional recess in order to meet a contingency that now exists and in the interest of public business, beg leave to report and recommend that prior to the constitutional recess:

First—The Assembly act upon all bills that may be made to take effect immediately under the provisions of Article IV, Section 1 of the Constitution in the usual course.

Second—The Assembly act upon all other bills in the usual course, except that no bill or joint or concurrent resolution, other than those mentioned in the first recommendation, shall be placed upon its final passage if the author or any eight members request in writing that the bill remain on the third-reading file, said written request to be filed with the clerk.

Respectfully submitted.

BOHNETT.
HINKLE.
STUCKENBRUCK.

During the consideration of the report the following amendments were submitted:

By Mr. Bohnett:

Strike out all of the second recommendation and insert in lieu thereof the following:

Second—The Assembly act upon all other bills in the usual course, except that no bill other than those mentioned in the first recommendation shall be placed upon its final passage prior to the constitutional recess.

Mr. Bohnett moved the adoption of the amendment.

Roll call regularly demanded.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—54.

NOES—Messrs. Alexander, Bradford, Byrnes, Clark, Wm. C., Collins, Cram, Ferguson, Fitzgerald, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McDonald, Ryan, Schmitt, Scott, Simpson, Sutherland, Wall, Walsh, and White—21.

By Mr. Schmitt:

Insert after the words "constitutional recess" the following:

Provided, however, that no bill may be considered by any committee prior to the constitutional recess, over the written objection of at least three members of the house.

Amendment lost.

The question being on the adoption of the report as amended.

A *viva voce* was taken and report, as amended, adopted.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly engrossed: Assembly Joint Resolution No. 5—A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

MOORHOUSE, Chairman.

CONSIDERATION OF SENATE FILE.

Senate Concurrent Resolution No. 3—An Act approving ten certain amendments to the charter of the city of Pasadena, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the 24th day of May, 1912.

The question being on the adoption of the concurrent resolution.

The roll was called, and Senate Concurrent Resolution No. 3 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polesley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—70.

NOES—None.

Concurrent resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 3.

Approving ten certain amendments to the charter of the city of Pasadena, State of California, voted for and ratified by the electors of said city at a special municipal election held therein on the 24th day of May, 1912.

WHEREAS, The city of Pasadena, in the county of Los Angeles, State of California, contains a population of more than thirty-five hundred inhabitants, and has been ever since the year nineteen hundred and one, and is now, organized and acting under a freeholders' charter, adopted under and by virtue of section eight, of article eleven, of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the twentieth day of November, A. D., nineteen hundred, and approved by the Legislature of the State of California, on the twenty-ninth day of January, nineteen hundred and one (Statutes of 1901, page 884); and

WHEREAS, The city council of said city of Pasadena did, by Ordinance No. 1217, adopted by said city council and approved by the mayor of said city on the 18th day of April, 1912, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of the said city of Pasadena, eleven certain amendments to the charter of said city of Pasadena, to be submitted to said qualified electors at a special municipal election to be held in said city on the 24th day of May, 1912; said amendment number eleven was submitted as an alternative proposition to amendment number 10; and

WHEREAS, Said proposed amendments were, and each of them was published for ten (10) times in a daily newspaper, printed, published and circulated in said city of Pasadena and having a general circulation therein, to wit, the *Pasadena Daily News*, said publication beginning on the 23rd day of April, 1912, and ending on the 3d day of May, 1912; and

WHEREAS, The city council of said city did, by ordinance No. 1218, adopted by said city council and approved by the mayor of said city on the 7th day of May, 1912, duly order the holding of a special municipal election in said city of Pasadena on the 24th day of May, 1912, said day being at least twenty days after the completion of the publication of such proposals for ten (10) times in a daily newspaper of general circulation printed, published and circulated in said city, to wit, the *Pasadena Daily News*, and did provide in said ordinance for the submission of the proposed charter amendments numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, to the qualified electors of said city for their ratification at said election; said ordinance was published for five (5) days in the *Pasadena Daily News*, a daily newspaper printed and published in said city of Pasadena, said publication beginning on the 8th day of May, 1912, and ending on the 13th day of May, 1912. Said ordinance specified the purpose and time of such election and established election precincts and designated the polling places therein and the names of the election officers for each of such precincts; and

WHEREAS, At said election a majority of the qualified electors voting thereon voted in favor of the ratification of, and did ratify ten of the proposed amendments to said charter; proposed amendment number 11 submitted as an alternative proposition to proposed amendment number 10 did not receive a majority of the votes of the qualified electors voting thereon; and

WHEREAS, The city council of said city of Pasadena duly met on the first Monday after the day of election, to wit, the 27th day of May, 1912, at their usual time and

place of meeting and duly canvassed the returns of said election and duly found, determined and declared that a majority of the qualified electors of said city voting thereon had voted for, and ratified ten of the said proposed amendments to the charter of said city of Pasadena, to wit: proposed amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10; and

WHEREAS, The mayor and city clerk of said city of Pasadena did, on the 19th day of December, 1912, duly certify to the submission to the electors of said city of Pasadena of said eleven proposed amendments to said charter and to the ratification of said ten of said proposed amendments, and did further certify to a copy of said proposed amendments authenticated by the seal of said city of Pasadena, which said certificate is in words and figures following, to wit:

STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES, } ss.
CITY OF PASADENA. }

Certificate of Ratification of Proposed Charter Amendments to the Charter of the City of Pasadena.

The undersigned, William Thum, mayor of the city of Pasadena, State of California, and Heman Dyer, city clerk of said city, do hereby certify as follows, to wit:

That the city of Pasadena in the county of Los Angeles, State of California, contains a population of 3,500 inhabitants, and has been ever since the year 1901, and now is organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 20th day of November, 1900, and approved by the legislature of the State of California on the 29th day of January, 1901 (Statutes of 1901, page 884).

That the city council of the city of Pasadena did, by Ordinance No. 1217, adopted by the city council on the 18th day of April, 1912, and approved by the mayor of the city on the 18th day of April, 1912, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of Pasadena, certain amendments to the charter of said city, to be submitted to the qualified electors at a special municipal election to be held in said city on the 24th day of May, 1912, which said amendments were, and are in words and figures as follows, to wit:

Proposed Charter Amendment No. 1.

That the charter be amended by adding thereto a new article to be known as Article No. 22 and to read as follows:

ARTICLE 22.

SECTION 1. At the general city election in April, 1913, there shall be elected five commissioners, who shall take office at noon on the first Monday in May after their election. The commissioners first elected shall so classify themselves by lot that two shall hold office for four years and three for two years, and until their respective successors are elected and qualify. Their respective successors shall hold office for four years and until their successors are elected and qualify. Said officers shall be nominated and elected at large. If any vacancy occurs in any such office, the remaining commissioners shall appoint a person to fill such vacancy during the balance of the unexpired term.

SEC. 2. Each commissioner shall receive a salary of three thousand dollars per annum, payable monthly, shall have an office at the city hall, and shall devote his time to the city's business.

SEC. 3. The city shall be governed by a commission consisting of five commissioners elected as herein provided, each of whom shall have the right to vote on all questions coming before the commission. Three commissioners shall constitute a quorum and the affirmative vote of three commissioners shall be necessary (and shall be sufficient) to adopt any ordinance, resolution or motion, or pass any measure unless a greater number is specifically required. Whenever more than a majority vote of the city council is required to adopt any measure, then an affirmative vote of four of the commission shall be necessary to adopt such measure. Upon every vote the yeas and nays shall be called and recorded. Every ordinance or resolution adopted by the commission must be signed by the chairman (whom the commission shall select), or by three commissioners.

SEC. 4. The commission shall have and possess all legislative and judicial power had, vested in or possessed by the mayor, city council, board of commissioners, board of water commissioners, board of health and board of library trustees; also said commission and said commissioners shall have and possess and shall exercise all executive and administrative powers, functions and duties, had, vested in, possessed or exercised by, the mayor, city council, board of commissioners, board of water commissioners, board of health, and board of library trustees. Said commission and said commissioners shall be the successors of the officers, bodies and boards respectively herein in this section specified. The commission shall appor-

tion and assign the executive and administrative powers, functions and duties of the city among five departments, shall determine the powers and duties to be exercised and performed by said departments, and shall assign a commissioner to be the head of each such department. The performance of administrative or executive acts may be delegated to the departments so created.

SEC. 5. The commission shall have the power of appointment and removal of all officers and employees of the city (except members of the board of education), and may fix the qualifications, compensation, powers and duties of officers and employees. Until different provision is made, the offices provided for in this charter (except those offices and boards hereinbefore specified, the powers and duties of which are vested in the commission and which are superseded hereby) shall continue, but the commission may at any time abolish or consolidate such offices or change the compensation, qualifications, powers and duties of the incumbents thereof and provide for other offices, boards and employees.

SEC. 6. This article shall be liberally construed to carry out the purposes hereof, and there shall be no presumption that it is not intended to change or supersede other provisions of the charter at variance or inconsistent herewith. Nothing contained in this article, however, shall affect the department of education provided for in Article XVI. So far as this article is inconsistent with the provisions of Sections 1 and 2 of Article III, Sections 1, 4, 6, 7 and 11 of Article V, and Sections 1, 2, 3, 3½, 4, 5, and 6 of Article VIII, they shall be deemed to have been superseded hereby, to the extent of such inconsistency, but the specific reference to said sections shall not be deemed to be exclusive. This article shall go into effect for all election purposes on the day of its ratification by the Legislature, and for all other purposes on the first Monday in May, 1913, upon the qualification of the commissioners first elected hereunder.

That Section 1 of Article II be amended to read as follows:

SECTION 1. The elective officers of the city shall be:

Five commissioners and a

Board of education, consisting of five members.

The appointive officers of the city shall be:

City treasurer, who shall be ex officio tax and license collector.

City clerk.

City attorney.

Judge of the police court.

City auditor, who shall be ex officio city assessor.

City engineer.

Superintendent of streets and such other officers as are now or may hereafter be provided for, all subject, however, to the provisions of Article XXII.

This section shall go into effect at once for the purpose of determining the officers to be elected at the general municipal election in April, 1913, and for all purposes upon the election and qualification of the commissioners provided for in Article XXII. With the exception of the officers, boards and bodies succeeded by the commission, the present officers of the city shall continue until the commission shall make different provision.

That Section 7 of Article VIII be amended to read as follows:

SEC. 7. The enacting clause of all ordinances shall be, "The commission of the city of Pasadena ordains as follows:"

This section shall go into effect upon the election and qualification of the commissioners provided for in Article XXII.

That the charter be amended by adding thereto a new article, to be known as Article XXIII and to read as follows:

ARTICLE 23.

REFERENDUM.

SECTION 1. The commission may submit to a referendary vote of the qualified electors of the city at any general or special election any proposed ordinance that the commission itself might adopt. If a majority of the qualified electors voting on such proposed ordinance vote in favor of the same, it shall be deemed to be adopted and shall take effect upon the declaration of the result of such election by the commission, and it shall have the same force and effect as an ordinance adopted under the provisions of this article relating to the referendum.

SEC. 2. No general penal ordinance passed by the commission in the exercise of the police power vested in the city, and no ordinance granting any franchise shall go into effect until the expiration of thirty days from its publication, except an ordinance required for the immediate preservation of the public peace, health, or safety which shall contain a specific statement showing its urgency, and which is passed by a unanimous vote of the commission, and except ordinances fixing the rates to be charged by public utilities. No grant of any franchise, however, shall ever be construed as an emergency measure but all grants of franchises shall be subject to a referendary vote as hereinafter provided. All other ordinances shall go into effect upon their publication or at such time as may be provided therein, and shall not be subject to the referendum.

SEC. 3. At any time within the thirty days mentioned in the preceding section a petition addressed to the commission and signed by the qualified electors of said city equal in number to at least fifteen per cent of the number of votes cast at the last general municipal election, may be filed with the city clerk demanding the submission of any such ordinance passed by the commission to a vote of the qualified electors of such city. Any such petition shall be known as a referendary petition and shall contain the ordinance in full, the submission of which to a vote is hereby demanded. Such petition as to form and verification shall be governed by the provisions of Section 15 or Article VIII.

SEC. 4. Within ten days from the date of filing a referendary petition, the city clerk shall examine and ascertain whether or not said petition is signed by the requisite number of electors entitled to vote, and if necessary the commission shall allow him extra help for that purpose. He shall attach to said petition his certificate showing the result of such examination. If the petition shall be found to be sufficient, the clerk shall submit the same to the commission without delay.

SEC. 5. If the city clerk shall be unable to make a certificate to the sufficiency or insufficiency of any referendary petition within thirty days after the publication of the ordinance, the submission of which to a referendary vote is hereby demanded, such ordinance shall be suspended from taking effect within the expiration of said thirty days and until the date of the certificate of the city clerk to the sufficiency or insufficiency thereof.

SEC. 6. If by certificate of the city clerk such petition is certified to be sufficient, such ordinance shall not go into effect until it shall be adopted by vote of the electors of the city, as hereinafter provided, but if by such certificate such petition is certified to be insufficient, such ordinance shall go into effect upon the date of such certificate; *provided, however*, that no such ordinance shall take effect until the expiration of the said thirty days.

SEC. 7. Upon the presentation to the commission by the city clerk of a referendary petition, the ordinance, the submission of which to a referendary vote is thereby demanded, must be either repealed by the commission without delay or submitted to a vote of the qualified electors of the city for approval or rejection at the next general municipal election occurring subsequent to forty days from the date of the presentation of such referendary petition to the commission; *provided*, that if before such general election, and subsequent to said forty days, a special election shall be held for any other purpose, then such ordinance shall be so submitted at such special election, or in the discretion of the commission at any special election called for that purpose.

SEC. 8. Whenever any ordinance is submitted to a referendary vote, as herein provided, there shall be printed on the ballots to be used at such election the words "Shall the ordinance (stating the nature of the ordinance) be adopted," and opposite such proposition to be voted on, and to the right thereof, the words "Yes" and "No" shall be printed in separate lines in voting squares. If an elector shall stamp a cross (X) in the voting square after the printed word "Yes," his vote shall be counted in favor of the adoption of the ordinance, and if he shall stamp a cross (X) in the voting square after the printed word "No," his vote shall be counted against the adoption of the same. The provisions of this section shall apply where an ordinance is submitted to a referendary election at the initiative of the commission, as provided in Section 1 of this article.

SEC. 9. No ordinance that has been submitted to a referendary vote shall go into effect unless a majority of the qualified electors voting thereon shall vote in favor thereof, and if such ordinance so submitted shall receive the votes of a majority of such qualified electors voting thereon, it shall be deemed to be adopted and shall take effect upon the declaration by the commission of the result of the election at which it shall have been so submitted; *provided, however*, that any ordinance so adopted shall be subject to amendment or repeal by the commission at any time after one year from the date of its adoption by unanimous vote of the commission, but such amendment or repeal shall be subject to a referendary vote.

SEC. 10. Any number of ordinances proposed by initiative petitions, or referred by referendary petition or upon the initiation of the commission, may be voted upon at the same election, either general or special; *provided*, that there shall not be held at any period of six months more than one election called for the purpose of submitting an ordinance or ordinances proposed by initiative petitions, but if an election be called for any other purpose within said period, said ordinance or ordinances may also be submitted thereat. If the provisions of two or more ordinances adopted at the same election by vote of the qualified electors of the city conflict, then the ordinance receiving the highest affirmative vote shall prevail.

SEC. 11. After an election based on a referendary petition, the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

SEC. 12. This article shall go into effect upon the election and qualification of the commissioners provided for in Article XXII.

Proposed Charter Amendment No. 2.

That Section 2 of Article XIX be amended to read as follows:

SEC. 2. On the first Thursday of April, 1913, and biennially thereafter, there shall be held in the city a general municipal election at which shall be elected the successors in office of the elective officers, provided for by this charter, whose terms expire on the first Monday of May next succeeding such election, and which successors shall take office at noon on the first Monday of May after their election; *provided, however*, that if proposed charter amendment No. 1 providing for the amendment of the charter by adding a new article to be known as Article XXII, be adopted and ratified (said proposed amendment being submitted at the same time that this proposed amendment is submitted), no person shall be elected to fill the offices of city clerk or city treasurer, but said two offices shall be filled by appointment by the commissioners as provided in said Article XXII.

The provisions of this section shall not apply to the members of the board of education, whose election is provided for in Article XVI of this charter.

That Section 3 of Article XIX be amended to read as follows:

SEC. 3. Candidates to be voted for at any general municipal election shall be nominated at a primary nominating election, and no names shall be printed upon the ballot for such general election other than those selected in the manner hereinafter prescribed.

That Article XIX be amended by adding thereto eight sections to be known as Sections 3(a), 3(b), 3(c), 3(d), 3(e), 3(f), 3(g) and 3(h) and to read as follows:

SEC. 3(a). The primary nomination election shall be held on the third Thursday preceding such general election, unless said Thursday shall fall on a legal holiday, in which case such election shall be held on the next succeeding day. The officers of election who shall be appointed for the primary nominating election shall be, so far as possible, appointed as the officers of such general election, and such general election shall be held at the same places, so far as possible, and the polls shall be opened and closed at the same hours as may be provided for the primary nominating election.

SEC. 3(b). Any person desiring to become a candidate for any office to be filled at such general election shall at least ten days prior to the primary election file with the city clerk a statement of such candidacy in substantially the following form:

"STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES, } SS.
CITY OF PASADENA. }

I, _____, being first duly sworn, say that I reside at _____ street in the city of Pasadena, county of Los Angeles, State of California; that I am a candidate for nomination to the office of _____ to be voted upon at the primary election to be held on the _____ Thursday of _____, 19____, and am legally qualified to fill said office, and I hereby request that my name be printed upon the primary ballots for nomination at such primary election for such office.

(Signed)

Subscribed and sworn to before me this _____ day of _____, 19____.

and shall at the same time file therewith the petition of at least twenty-five qualified voters requesting such candidacy. Each petition shall be verified by one or more persons as to the qualifications and residence, with street number of each of the persons so signing the said petition, and the said petition shall be in substantially the following form:

"Petition Accompanying Nominating Statement.

The undersigned, duly qualified electors of the city of Pasadena, residing at the places set opposite our respective names, do hereby request that the name of _____ (name of candidate) be placed on the ballot as a candidate for nomination for _____ (name of office) at the primary election of _____, 19____. We further state that we know him to be a qualified elector of said city and a man of good moral character, and qualified, in our judgment, for the duties of such office.

Names of qualified electors	Number	Street

Immediately upon the expiration of the time of filing the statements and petitions for candidates, the city clerk shall cause to be published at least once in a daily newspaper, published and circulated in the city, the names of the offices to be filled and of the persons as they are to appear upon the primary ballots.

SEC. 3(c). The city clerk shall cause ballots to be printed and numbered and bound. Each ballot shall contain the list of candidates and the respective offices as published with the following caption:

"Primary Nominating Election.

City of Pasadena.

(Insert date thereof.)

To vote, stamp a cross opposite the name of the candidate except when the name of the candidate is written in by voter."

The names of the offices to be filled shall be arranged on the ballot in the order in which the officers of the city to be elected are named in this charter and the names of the candidates for each office shall be arranged on the ballot of the primary nominating election in alphabetical order. There shall be nothing on any ballot indicative of the party affiliation, source of candidacy or the support of any candidate.

SEC. 3(d). Each ballot shall contain a blank space underneath the printed names of each office wherein the voter can write the name of any candidate whose name is not printed on the ballot, and for whom he may wish to vote.

SEC. 3(e). The two candidates receiving the highest number of votes for any given office at the primary nominating election shall be the candidates and the only candidates for such office whose names shall be printed upon the ballots to be used at the general municipal election; *provided*, that where more than one office of the same kind is to be filled candidates therefor equaling in number twice the number of such offices, and who received the highest number of votes at the primary nominating election shall be the candidates and the only candidates for such offices whose names shall be printed upon the ballots to be used at such general election.

SEC. 3(f). The ballots at such general election shall be in the same general form as for such primary nominating election so far as applicable, and without any indication as to the party affiliation, source of candidacy, or support of any candidate.

SEC. 3(g). The provisions of the general law of the State governing municipal elections, where the same are held separate from the general state elections, except as otherwise herein provided, shall govern in the holding of said elections.

SEC. 3(h). No election, either general or special shall be set aside for any error, irregularity or defect in the proceedings, leading up to said election or in said election when the provisions of law governing the same are substantially complied with and where a fair expression of the will of the electorate is secured.

That Section 4 of Article XIX be amended to read as follows:

SEC. 4. The conduct and carrying on of all city elections shall be under the control of the city council, and the mayor and city council shall, by ordinance, provide for the holding of all municipal elections, and may district and subdivide the municipality into municipal election precincts for the holding of municipal elections, and change and alter such precincts and redistrict the municipality for such elections as often as occasion may require. Unless the boundaries of the precincts shall be changed, as herein provided, they shall remain as fixed for the election of state and county officers at the last general election preceding the city election. Sample ballots and instructions to voters may be sent out to the registered electors entitled to vote at any municipal election but the sending of such ballots and instructions shall not be necessary, and no notice of any such election other than the publication of the ordinance calling the same shall be necessary.

That Section 5 of Article XIX be amended to read as follows:

SEC. 5. At all general city elections each of the election officers shall receive for his services the sum of \$6, unless the city council, by ordinance, shall provide a less amount, and at all special city elections each of the election officers shall receive for his services the sum of \$5, unless the city council by ordinance, shall provide a less amount.

Proposed Charter Amendment No. 3.

That Article XIII be amended to read as follows:

ARTICLE 13.

FRANCHISES.

SECTION 1. Plenary control over all primary and secondary uses of its streets and other public places is vested in the city. Franchises may be granted to persons, firms or corporations, upon such terms, conditions, restrictions or limitations as may be prescribed by the city council by ordinance, but no franchise shall be granted without reserving to the city adequate compensation for the privilege conferred, nor shall any franchise be granted for a longer period than (20) years, unless there be reserved to the city the right to take over at any time the works plant and property constructed under the grant at their physical valuation and without compensation for franchise or good will. The city council may by ordinance adopted by unanimous vote of all its members provide a method whereby franchises may be granted and from time to time in like manner change the method so provided. Until such provision is made the method provided by the general laws of the State shall apply.

Proposed Charter Amendment No. 4.

That subdivision second of Section 10 of Article VIII be amended to read as follows:

Subdivision Second—To make and pass all ordinances, resolutions and orders not repugnant to the Constitution of the United States, or of the State of California, or to the provisions of this charter, necessary for the municipal government and the management of the affairs of the city, for the execution of the powers vested in the city and for carrying into effect the provisions of this charter. The power of the city council, however, to enact general penal ordinances (except rate ordinances) in the exercise of the police power vested in the city shall be limited to the months of September and March of each year; *provided, however*, such ordinances may be passed at other times by unanimous vote of all members of the city council when imperatively demanded for the immediate preservation of the public peace, health or safety. The limitation herein made upon the power of the city council shall be confined strictly to the ordinances last referred to and shall not apply to the enactment of other ordinances which the city council is empowered to enact.

Proposed Charter Amendment No. 5.

That Section 3 of Article I be amended by adding thereto a new subdivision to be known as subdivision twenty-fifth and to read as follows:

Subdivision Twenty-fifth—To join with one or more other municipal or public corporations for the purpose of the acquisition, construction, ownership, operation, control or use, within or without, or partly within and partly without the city, of public utilities, parks or of works or property for the disposition of garbage, sewage, storm water, or refuse matter, upon such terms and conditions and to the extent provided for by general law or by ordinance, and to incur bonded indebtedness for such purposes; *provided*, that the city shall not so join for any such purpose or purposes without the assent of a majority of the qualified electors of the city voting on the question at a general or special election at which such question may be submitted.

Proposed Charter Amendment No. 6.

That subdivision 16 of Section 10 of Article VIII be amended to read as follows:

Sixteenth—To regulate the construction of and the material used in all buildings, chimneys, stacks and other structures; to prevent the erection and maintenance of insecure or unsafe buildings, walls, chimneys, stacks or other structures, and to provide for their summary abatement or destruction; to prescribe the depth of cellars and basements, the materials used in and the method of construction of foundations and foundation walls, the manner of construction and location of drains and sewers, the materials used in and the thickness and construction of party walls, partition and outside walls, the thickness and construction of chimneys, the construction and character of bath-rooms, water-closets, privies and vaults, the manner and materials used in wiring buildings or other structures for the use of electricity for lighting, power or other purposes, and the manner and materials used for piping buildings or other structures for the purpose of supplying same with water and gas; to prohibit the construction of buildings and structures which do not conform to such regulations.

This subdivision shall not and nothing in this charter shall be taken or construed as exempting or withdrawing any public school buildings from regulations made by the city council pursuant to this and other similar grants of power, but such buildings and the electrical wiring and plumbing installation therein shall be subject to any such regulations equally and to the same extent as other buildings.

Proposed Charter Amendment No. 7.

That Article XII be amended by adding thereto a new section to be known as Section 10(a) and to read as follows:

Sec. 10(a). The council shall appropriate in the aggregate during each year not less than five thousand dollars (\$5,000.00) or more than fifteen thousand dollars (\$15,000.00) to be expended for promotion, publicity and entertainment purposes.

Proposed Charter Amendment No. 8.

That Article XII be amended by adding thereto a new section to be known as Section 10(b) and to read as follows:

Sec. 10(b). The council shall appropriate in the aggregate during each year not less than five thousand dollars (\$5,000.00) or more than ten thousand dollars (\$10,000.00) to be expended for the care of the sick and helpless.

Proposed Charter Amendment No. 9.

That Article XV be amended by adding two sections to be known as Section 11 and Section 12 and to read as follows:

Sec. 11. The council shall have power to provide for the separate detention and trial of, and a probation system for, juvenile offenders against municipal ordi-

nances and also all juvenile offenders in all cases of other offenses of which this court has jurisdiction.

SEC. 12. The judge may in his discretion, upon good cause shown, grant a parole during good behavior to any person convicted in this court; *provided*, that said parole so granted may be revoked at any time by the judge within six months after the granting of the same, and the sentence imposed against such person shall thereupon be carried into execution.

Proposed Charter Amendment No. 10.

That Article XIV of the charter be amended to read as follows:

ARTICLE 14.

ALCOHOLIC LIQUORS.

SECTION 1. No person, either as principal, agent, servant, or employé, shall open, establish, keep, maintain or carry on within the corporate limits of Pasadena any tippling house, dram shop, cellar, saloon, bar, bar-room, sample-room, buffet or other place where spirituous, vinous, malt or other alcoholic liquors are sold or given away; *provided, however*, that it shall be lawful:

(a) For any hotel having at least one hundred (100) sleeping rooms, to furnish such liquors in its dining rooms, with its regular service of meals, to its bona fide registered guests (except minors); except as permitted by the following subdivision, no resident of Pasadena shall be deemed a bona fide guest unless he be a permanent resident guest of such hotel.

(b) For any hotel, boarding house or restaurant under such restrictions and regulations as may be adopted by the council, to furnish vinous or malt liquors to its guests (except minors) in the dining rooms thereof with and as a part of a regular meal costing not less than twenty (20) cents, exclusive of such vinous or malt liquors, and served and consumed between the hours of 11:30 a.m. and 2:00 p.m., and between the hours of 5:30 p.m. and 8:00 p.m., and at no other time or place.

(c) For any regularly licensed druggist (1) to sell such liquors upon the written prescription of a practicing physician regularly licensed in the state of California, and (2) to sell alcohol for scientific and mechanical uses.

SEC. 2. The city council shall have power to grant a permit to any person to furnish liquors as provided in section 1 hereof, and may revoke any such permit when the person to whom it has been granted shall have been proven to such council guilty of a violation of any of the provisions of this article or the ordinances adopted pursuant thereto, or shall have been convicted in any court of competent jurisdiction of such violation. Such permit shall be issued without charge, and without it, no person shall engage in the business of selling or furnishing liquor.

SEC. 3. It shall be lawful to deliver any such liquors to the hotel, boarding house, restaurant or drug store for which a permit has been issued, or to any resident at his home, provided that such liquors shall be delivered in receptacles effectively concealed from view, in vehicles without any advertisement thereof or any mark or designation of any manufacturer thereof; any other delivery shall be unlawful.

SEC. 4. Any person violating any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable for a first offense by a fine of not more than five hundred dollars (\$500), nor less than one hundred dollars (\$100) at the discretion of the court in which such conviction is had; and for any subsequent conviction thereof shall be punishable by a fine of not more than five hundred dollars (\$500) nor less than two hundred dollars (\$200) and by imprisonment for not more than six (6) months nor less than ninety (90) days.

SEC. 5. All provisions of ordinance No. 1157 prohibiting sales to minors, soliciting, advertising, screens and pool room connections and regulating the filing and inspection of prescriptions not in conflict herewith are continued in full force and effect.

Proposed Charter Amendment No. 11 Alternate to the Foregoing Charter Amendment No. 10.

That Article XIV of the charter be amended to read as follows:

ARTICLE 14.

ALCOHOLIC LIQUORS.

SECTION 1. No person, firm, association or corporation, either as principal, agent, or servant shall open, establish, keep, maintain or carry on within the city of Pasadena, any tippling house, dramshop, cellar, saloon, bar, bar-room, sample-room, grill, buffet, club, club-room, club-house or social club or bona fide social club or other place, where spirituous, vinous, malt or other alcoholic or intoxicating liquors are manufactured, sold, distributed, divided, delivered, handed out, purveyed or given away, or solicit any person, firm, association or corporation to purchase or sell any such liquors, or take or receive any orders for the purchase or sale of intoxicating liquor from any person, firm, association or corporation; *provided*, that

this section shall not apply to the use of wine for sacramental purposes nor to the sale of such liquors by regularly licensed pharmacists upon the written prescription of a practicing physician regularly licensed to practice his profession in the State of California nor to the sale by such pharmacists of alcohol for mechanical or scientific uses, both said exceptions being subject to such regulations as may be adopted by the city council or by the electors of said city by a majority vote of those voting at any general or special election at which the proposition may be submitted.

SEC. 2. The delivery within the city of Pasadena, of any such intoxicating liquors to any person, firm, association or corporation by any person, firm, association or corporation or their agents or servants, (except in original packages from points without this state direct to the consumer until the United States shall permit the prohibition by states or municipalities of the shipment of such liquors from points in one state to points in another, and except to regularly licensed pharmacists as provided in Section 1 hereof) is prohibited.

SEC. 3. No person, firm, association or corporation shall permit any building, tenement, or place owned by him or them or under his or their control in said city, to be used in violation of any of the provisions of this article.

SEC. 4. No person, firm, association or corporation shall publish, post, show or display any sign, card, notice, bill-board or other device of any nature or character at any place in said city advertising for sale or gift any such liquor.

SEC. 5. Any person either as principal, agent or servant violating any provision of this article shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500), and not less than one hundred dollars (\$100), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment in the discretion of the court in which such conviction is had, for the first offense, and upon a second or any subsequent conviction, shall be punished by a fine of not more than five hundred dollars (\$500) nor less than two hundred dollars (\$200) and imprisonment for not more than six (6) months and not less than fifteen (15) days.

That thereafter, the city council of said city, by ordinance known as Ordinance No. 1218, which was duly adopted on the 7th day of May, 1912, and approved by the mayor on the 7th day of May, 1912, duly called a special election in said city of Pasadena for the 24th day of May, 1912, which said last mentioned date was at least 20 days after the completion of the publication of such proposed amendments for ten times in a daily newspaper of general circulation, printed, published and circulated in said city, and said ordinance did specify the purpose and time of such election and establish the election precincts and designated the polling places therein and the names of the election officers for each of such precincts, which said ordinance was duly published for five (5) times in a daily newspaper of general circulation, printed, published and circulated in said city, to wit, the Pasadena *Daily News*.

That at such special election a majority of the qualified electors voting thereon, voted in favor of the ratification, and did ratify said proposed amendments numbered 1 to 10 inclusive. Said proposed Amendment No. 11 submitted as an alternative proposition to said proposed Amendment No. 10 did not receive a majority of the votes of the qualified electors voting thereon, and was not ratified by said voters. The votes cast for and against said proposed amendments respectively, were as follows:

<i>Charter Amendment No. 1.</i>		
Yes	-----	5,647
No	-----	2,286
<i>Charter Amendment No. 2.</i>		
Yes	-----	6,532
No	-----	981
<i>Charter Amendment No. 3.</i>		
Yes	-----	6,203
No	-----	963
<i>Charter Amendment No. 4.</i>		
Yes	-----	5,877
No	-----	1,118
<i>Charter Amendment No. 5.</i>		
Yes	-----	6,422
No	-----	1,036
<i>Charter Amendment No. 6.</i>		
Yes	-----	5,385
No	-----	2,253
<i>Charter Amendment No. 7.</i>		
Yes	-----	4,443
No	-----	3,508

<i>Charter Amendment No. 8.</i>	
Yes -----	6,678
No -----	1,325
<i>Charter Amendment No. 9.</i>	
Yes -----	7,009
No -----	722
<i>Charter Amendment No. 10.</i>	
Yes -----	5,234
No -----	4,979
<i>Charter Amendment No. 11.</i>	
Yes -----	4,809
No -----	5,325

That the city council of said city of Pasadena at a regular meeting thereof held on Monday, May 27th, 1912, duly canvassed the returns of said election and duly found, determined and declared a majority of such qualified electors voting thereon had voted for and ratified said proposed amendments numbered 1 to 10 inclusive, and had not ratified said proposed Amendment No. 11 submitted as an alternative proposition to said proposed Amendment No. 10. That we have compared the foregoing proposed and ratified amendments with the original ordinance proposing said amendments and find that they are correct.

In witness whereof, we have hereunto set our hands and affixed the corporate seal of the city of Pasadena, this 19th day of December, 1912.

WILLIAM THUM,

Mayor of the City of Pasadena.

HERMAN DYER,

City Clerk of the City of Pasadena.

[SEAL]

AND, WHEREAS, The said ten proposed amendments so ratified as hereinbefore set forth, have been duly presented and submitted to the Legislature of the State of California for approval or rejection without power of alteration or amendment, in accordance with Section 8 of Article II of the Constitution of the State of California; now therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein), That the ten proposed amendments to the city charter of the city of Pasadena, designated as proposed amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, hereinabove set forth, as presented and submitted to, and adopted and ratified by the qualified electors of said city, be, and the same are hereby approved as a whole, for and as amendments to the city charter of the city of Pasadena.

Senate Concurrent Resolution No. 4—An Act approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the 10th day of April, 1911.

The question being on the adoption of the concurrent resolution.

The roll was called, and Senate Concurrent Resolution No. 4 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Palsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannou, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—75.

NOES—None.

Senate concurrent resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 4.

Approving three certain amendments to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the 10th day of April, one thousand nine hundred and eleven.

WHEREAS, The city of Alameda, in the county of Alameda, State of California, contains a population of over ten thousand inhabitants, and has been ever since the

year one thousand nine hundred and seven and is now, organized and acting under a freeholders' charter, adopted under and by virtue of Section 8, of Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose in manner, form and substance as required by law, and approved by the Legislature of the State of California, and said charter has not been amended at any time less than two years; and

WHEREAS, The legislative body and authority of the city of Alameda, in Alameda county, California, that is to say, the council of the city of Alameda, did, by resolution and proclamation passed and adopted by said council on the 7th day of March, one thousand nine hundred and eleven, and approved by the mayor of said city subsequently thereto and on the seventh day of March, one thousand nine hundred and eleven, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of the said city of Alameda, three certain amendments to the charter of the said city of Alameda, to be submitted to the said qualified electors at a general municipal election to be held in said city of the tenth day of April, one thousand nine hundred and eleven, which said amendments were and are in the words and figures following, to wit:

Amend Article III, Chapter II, Section 7, relating to the office of auditor and assessor so that the said section shall read as follows:

SEC. 7. An auditor shall be elected at the same time and in the same manner as the mayor. He shall be an elector of the city, and shall have been such for three years preceding his election. He shall hold office for four years. He shall be ex officio assessor. His compensation for acting in both capacities shall be a salary to be fixed by the council.

Amend Article IX, Chapter I, Section 8, relating to the apportionment of moneys for use of the department of electricity, so that the said section shall read as follows:

SEC. 8. All moneys apportioned by the council for use of the department of electricity, together with all moneys collected by the board of electricity, shall be set apart in a fund to be known as the electric fund, which fund shall be drawn on only by order of the board of electricity except as otherwise provided in this charter; *provided*, that in making the apportionment for the expense of lighting the public streets and buildings of the city and for the cost of current for the fire alarm system and such other public use of electric current or supplies as may be required, the council shall apportion an amount adequate to meet such expense at the rates fixed therefor and the moneys so apportioned shall be paid into the general fund. Thereafter such moneys shall be subject only to transfer into the electric fund upon monthly demands to be presented by the board of electricity in the same manner as other demands and to be based upon service rendered or supplies furnished to the various departments of the city for the preceding month.

Also amend Article IX, Chapter I, Section 14, relating to contracts for electric supplies so that the said section shall read as follows:

SEC. 14. All contracts for supplies, materials, machinery or construction work where the amount to be expended exceeds five hundred dollars shall be advertised and awarded to the lowest bidder, except that the board may determine to reject all bids; and

WHEREAS, Said proposed amendments were, and each of them was published in a daily newspaper, printed and published in said city, and of general circulation in said city, to wit, the Alameda *Daily Argus* for twenty (20) days; and

WHEREAS, Thereafter the said council of the city of Alameda, did, by resolution and proclamation, which was duly passed and adopted by said council on the seventh day of March, one thousand nine hundred and eleven, order the holding of a general municipal election in said city of Alameda, in the county of Alameda, California, on the tenth day of April, one thousand nine hundred and eleven, (which last named day was at least twenty days after the publication of said proposed amendments for ten days in said daily newspaper of general circulation in said city of Alameda, to wit, the Alameda *Daily Argus*), and did provide in said resolution and proclamation for the submission of said proposed amendments to the said charter, to the qualified electors of said city, for their ratification at said general municipal election, which said resolution and proclamation was approved by the mayor of said city on the seventh day of March, one thousand nine hundred and eleven, and was published in the manner and for the time required by law; and

WHEREAS, Said amendments were submitted as aforesaid to the qualified electors of said city, at said general municipal election, previously duly called and thereafter held therein (at least twenty days after the publication of said proposals for ten (10) days in a daily newspaper of general circulation in said city of Alameda, to wit, in the Alameda *Daily Argus*), on the tenth day of April, one thousand nine hundred and eleven; and

WHEREAS, At such general municipal election more than a majority of the qualified electors voting thereon at such general municipal election, did vote in favor of and in favor of the ratification of and did ratify each and all of said proposed amendments to said charter; and

WHEREAS, The said council of the city of Alameda, in county of Alameda, Cali-

ifornia, at a meeting thereof held on Monday, the seventeenth day of April, one thousand nine hundred and eleven, duly canvassed the returns of said election, and duly found, determined and declared that more than a majority of such qualified electors voting thereon at said election, had voted for and ratified each and all of the said proposed amendments to said charter.

STATE OF CALIFORNIA,
COUNTY OF ALAMEDA, } ss.
CITY OF ALAMEDA.

This is to certify that we, William H. Noy, mayor of the city of Alameda, and Frank E. Browning, clerk of the city of Alameda, have compared the foregoing proposed and ratified amendments to the charter of the city of Alameda with the original resolution and proclamation proposing such amendments and submitting the same to the qualified electors of said city of Alameda, at a general municipal election called for that purpose, on Monday, the tenth day of April, one thousand nine hundred and eleven, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceeding said amendments to said charter and the matters set forth herein, are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the corporate seal of the city of Alameda to be attached, this 7th day of January, one thousand nine hundred and thirteen.

[SEAL.]

W. H. NOY,

Mayor of the City of Alameda.

FRANK E. BROWNING,

City Clerk of the City of Alameda.

AND WHEREAS, The said proposed amendments so ratified as hereinabove set forth have been duly presented and submitted to the Legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein). That the said amendments to the said charter of said city of Alameda, hereinbefore set forth, as presented and submitted to and adopted and ratified by the qualified electors of said city of Alameda be, and the same are hereby approved as a whole for, and as amendments to said charter of said city of Alameda.

ASSEMBLY FILE.

Assembly Joint Resolution No. 5—Relative to the election of United States Senator.

The question being on the adoption of Assembly joint resolution.

The roll was called, and Assembly Joint Resolution No. 5 adopted by the following vote.

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—73.

NOES—None.

Assembly joint resolution ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 5.

A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

WHEREAS, The Senate and the House of Representatives of the United States of America, in Congress assembled, have adopted a resolution (two thirds of each house concurring therein) proposing an amendment to the first paragraph of Section 3, Article I, of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, as follows: "The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall

have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature. When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancy; *provided*, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the legislature may direct. This amendment shall not be so construed to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution," and

WHEREAS, Said amendment will be valid, to all intents and purposes, as part of the Constitution of the United States of America when ratified by the legislatures of three fourths of the several states; now, therefore, be it

Resolved by the Legislature of the State of California at its fortieth regular session, commencing on the 6th day of January, 1913 (a majority of all the members of each house of said Legislature voting in favor thereof), That the said amendment be and the same is hereby ratified.

ANNOUNCEMENT.

The Speaker announced that he had placed in the hands of the Committee on Contested Elections the documents in the contest filed against Assemblyman W. A. Roberts for his seat in the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Ryan, leave of absence for the day was granted Mr. Ford on account of sickness.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as indicated:

By Mr. Palmer: Assembly Bill No. 565—An Act creating a board of state commissioners, for the purpose of governing all state institutions: providing for appointments of the members thereof; fixing their term of office and compensation: defining its powers and duties and providing for its housing.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 566—An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate names of each, and to change the name of the Napa State Hospital to that of the Tulocay State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Ryan: Assembly Bill No. 567—An Act to create a "state bureau of criminal identification and investigation;" providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, director, clerks, and stenographer; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Moorhouse: Assembly Bill No. 568—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett: Assembly Concurrent Resolution No. 6—Relative to the printing of the report of the State Controller provided for by Section 243 of the Political Code.

Read, and referred to Committee on Ways and Means.

WITHDRAWAL OF CONCURRENT RESOLUTION.

Mr. Morgenstern asked for and was granted unanimous consent to withdraw Assembly Concurrent Resolution No. 2.

Assembly Concurrent Resolution No. 2 withdrawn and ordered stricken from the file.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Wednesday, January 22, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, January 22, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ryan, its further reading was dispensed with.

PETITION.

The following petition was presented and ordered printed in the Journal:

MARTINEZ, January 16, 1913.

T. D. Johnston, Assemblyman of Contra Costa County.

DEAR SIR: We have just read the bills that are intended to be put in at this session; also thought that yours was a very good one, but as the matter stands duck hunting is only for a few of the big sticks, as they have monopolized all the overflowed lands and the choice places by their gun clubs, and the ducks are baited so when anybody else wants to go out to shoot a few ducks for only themselves

they are hunted like grayhounds on all sides by fellows that they have watching to try to arrest them if they can catch them with a foot on their reserves, which ought to be everybody's privilege that is a citizen of the United States. So, therefore, I'll favor that clause of Assemblyman Polsley of Red Bluff, which wants to knock out these gun clubs hunting on private land to which others are not allowed to have same privilege. So we, the undersigned, would beg your assistance to work on the same lines with the man Polsley that all the people that cares to hunt may have the same chance.

Respectfully yours.

S. HANSDORF (and others).

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 40—An Act to authorize the local boards of managers of the several state hospitals for the insane and homes for the feeble-minded of the State of California to employ regularly ordained ministers and priests to visit and perform spiritual duties and ministrations to the inmates of said state hospitals and homes for the feeble-minded; and to provide for their compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended; and further recommend that it be re-referred to the Committee on Ways and Means.

CRAM, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Also: Assembly Bill No. 53—An Act appropriating money for the construction and equipment of new ward No. 25, at Stockton State Hospital.

Also: Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Also: Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Also: Assembly Bill No. 116—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

Also: Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also: Assembly Bill No. 142—An Act appropriating money for remodeling North Pay Cottage at Napa State Hospital.

Also: Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Also: Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Also: Assembly Bill No. 146—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

Also: Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Also: Assembly Bill No. 174—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Also: Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also: Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Also: Assembly Bill No. 190—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Also: Assembly Bill No. 225—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass; and further recommend that they be re-referred to the Committee on Ways and Means.

CRAM, Chairman.

The above reported bills re-referred to Committee on Ways and Means.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on State Grounds and Parks, to whom was referred Assembly Bill No. 282—An Act to amend section seven hundred and eighteen of the Political Code of the State of California, relating to employees of the superintendent of the capitol building and grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

JOHNSTON, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1913.

MR. SPEAKER: Your Committee on State Grounds and Parks, to whom was referred Assembly Bill No. 283—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the superintendent of the capitol building and grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JOHNSTON, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 295—An Act to amend Section 6 of an Act of the Legislature of the State of California, entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the matter of the contest of the election of W. A. Roberts as member of the Assembly of the State of California from the Sixty-first Assembly District, beg leave to report as follows:

That, at the hour of four o'clock and thirty minutes of the twenty-first day of January, nineteen hundred thirteen, pursuant to previous notice, your committee met in room 92 of the State Capitol at Sacramento, and upon roll call a full committee answered present. The chairman then announced that the matter of the contest of the election of W. A. Roberts as member of the Assembly of the State of California from the Sixty-first Assembly District was before the committee for its pleasure; and thereupon the proceedings had in retaking depositions and the sworn statement of the county clerk of the county of Los Angeles and also a copy of the "Statement of Grounds of Contest of Election of W. A. Roberts as Member of the Assembly, Sixty-first District," were duly read and considered by your committee.

After full consideration of the charges made, as hereinabove set forth, and as more particularly set out in the "Proceedings had in retaking depositions" and attached hereto, the committee unanimously find that the charges are vague and indefinite, that Mr. Roberts had never been served with a copy of the charges pursuant to the law, and upon testimony being taken we further find that said charges were without foundation; and furthermore, that the party making said charges did not appear before the two justices of the peace—Hon. Sidney N. Reeve and Hon. William Young—and there give any testimony or press or substantiate the charges herein set forth.

Now, therefore, your committee respectfully report that the matter of the contest of election of W. A. Roberts as member of the Assembly of the State of California from the Sixty-first Assembly District to be dismissed forthwith.

GELDER, Chairman.
SLATER.
JOHNSON.
EMMONS.
KUCK.
CANEPA.
WALSH.

Mr. Gelder moved the adoption of the above report.
Motion unanimously carried.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Revision and Printing, received January 21, 1913: Assembly Bills Nos. 523 to 568, inclusive, also Assembly Concurrent Resolution No. 6, also Assembly Joint Resolution No. 8, and returned the same day; Assembly Bills, Nos. 523 to 568, inclusive, also Assembly Concurrent Resolution No. 6, also Assembly Joint Resolution No. 8.

CLARK, Chairman.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Sutherland: Assembly Bill No. 569—An Act to amend an Act of the Legislature of the State of California entitled "An Act providing for the supervision and control, by the State Board of Charities and Corrections, of the placing of dependent children into homes, and for the supervision of all societies and organizations engaged in such work, and known as Children's Home Finding Societies," approved April 24, 1911.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants, making an appropriation therefor, and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the state hygienic laboratory.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 571—An Act making an appropriation for the payment of the claim of the Coalinga Water and Electric Company.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 572—An Act to amend section two thousand nine hundred and eighty-two of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Inman: Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of the officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections two, three, four, five, six and seven and one half thereof, by adding a new section thereto to be known as section six and one half, and repealing section seven thereof, all relating to the powers and duties of the State Veterinarian, Assistant State Veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Also: Assembly Bill No. 574—An Act to provide for the destruction of animals exhibiting physical symptoms of the disease known as glanders; providing for the testing of horses, mules and asses which have been in contact with an animal showing physical symptoms of glanders; providing for the manner in which animals giving positive reactions to such tests shall be kept; providing for the inspection of such animals by the State Veterinarian; providing for penalties for violations of this Act, and repealing all Acts and parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Also: Assembly Bill No. 575—An Act to prevent the sale, except for slaughter, of any bovine animal affected with tuberculosis; providing for the issuance of a permit by the State Veterinarian to the owner of such an animal before said animal shall be slaughtered for food purposes; and providing for post mortem inspection to be made of the carcass and viscera of such animal at the time of slaughter by said State Veterinarian; and providing for the disposition of the carcass and viscera of said animal when lesions of disease are found sufficient to warrant its condemnation; and providing for penalties for violation of this Act.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Nelson: Assembly Bill No. 576—An Act to amend Section 4240 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 577—An Act to amend Sections 626, 626d, and 626f of the Penal Code of the State of California, all relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 578—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 579—An Act to amend the Penal Code of the State of California, by adding thereto a new section to be known

and numbered Section 628*g*, relating to the importation of predatory fishes and animals into the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 580—An Act to amend Section 628*c* of the Penal Code of the State of California, relating to young fish, private ponds and hatchery streams.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Green: Assembly Bill No. 581—An Act to amend Section 599 of the Penal Code of the State of California, relating to and prescribing a penalty for killing or destroying any of the species of sea birds known as gulls.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Murray: Assembly Bill No. 582—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Stuckenbruck: Assembly Bill No. 583—An Act to amend Sections 628*a*, 634, and to repeal Section 636*b*, of the Penal Code of the State of California, all relating to the protection and preservation of fish.

Bill read first time and referred to Committee on Fish and Game.

By Mr. Walsh: Assembly Bill No. 584—An Act to amend Section 1142 of the Political Code of the State of California, relative to boards of elections.

Bill read first time, and referred to Committee on Elections.

Also (by request): Assembly Bill No. 585—An Act amending the Civil Code by adding a new section thereto to be known and designated as Section 607*h*, and providing for a "state humane commission, composition, rights and duties thereof and regulations for the more efficient transaction of humane work."

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Walsh (by request): Assembly Bill No. 586—An Act amending the Civil Code by adding a new section thereto, to be known and designated as Section 607*i*, and providing for the term of office of commissioners, meetings, compensation, partial disposition of fines imposed in humane cases, penalties attached to violation of the provisions of Section 607*h* of the Civil Code and of this section.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Peairs (by request): Assembly Bill No. 587—An Act to amend Section 1858 of the Political Code of the State of California, relating to the apportioning of school moneys by the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

Also (by request): Assembly Bill No. 588—An Act to amend Section 1649 of the Political Code of the State of California, providing for the election of a clerk.

Bill read first time, and referred to Committee on Education.

Also (by request): Assembly Bill No. 589—An Act to amend Section 69 of the Civil Code, and to add two new sections thereto, to be

numbered Sections 69*a* and 69*b*, relating to the issuance of marriage licenses.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 590—An Act to add a new section to the Political Code, to be known and numbered as Section 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 591—An Act to add a new section to the Civil Code, to be known and numbered as Section 128*a*, providing for the service of summons and complaint on the district attorneys in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Inman: Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as number two thousand nine hundred eighty-two *a*, providing for a sanitary engineer to the State Board of Health and fixing his salary.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 593—An Act to amend section three thousand and seventy-five of the Political Code, relating to the office of state registrar of the bureau of vital statistics and the State Board of Health, and providing for deputies, clerks, and assistants and their compensation.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Polsley: Assembly Bill No. 594—An Act making an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Strine (by request): Assembly Bill No. 595—An Act to amend Section 1543 of the Political Code of the State of California defining the duties of the county superintendent of schools of each county.

Bill read first time, and referred to Committee on Education.

By Mr. Slater: Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532*a*.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cary: Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

Bill read first time, and referred to Committee on Corporations.

By Mr. Gabbert: Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as section two thousand six hundred ninety-seven and

section two thousand six hundred ninety-eight, relating to the abandonment of highways.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 599—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura, to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Gates (by request): Assembly Bill No. 600—An Act to amend Section 1663 of the Political Code of the State of California defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Bill read first time, and referred to Committee on Education.

By Mr. Bloodgood: Assembly Bill No. 601—An Act to repeal Section 1624 of the Political Code of the State of California, requiring the appointment of school census marshals.

Bill read first time, and referred to Committee on Education.

Also (by request): Assembly Bill No. 602—An Act to amend Section 1549 of the Political Code of the State of California relating to the appointment of deputy county superintendents, and their compensation.

Bill read first time, and referred to Committee on Education.

By Mr. Gates (by request): Assembly Bill No. 603—An Act to amend Section 1662 of the Political Code of the State of California, defining the length of the elementary school course, school age, and conditions of admission to and exclusion from the day and evening elementary schools.

Bill read first time, and referred to Committee on Education.

By Mr. Collins: Assembly Bill No. 604—An Act to amend section thirteen hundred twenty-seven of the Code of Civil Procedure, relating to the time for contesting wills after probate.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Guill: Assembly Bill No. 605—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico, and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Byrnes: Assembly Bill No. 606—An Act to amend Sections 276, 277, and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counsellors-at-law, and to add three sections to said code, to be known as Sections 276*a*, 276*b*, and 276*c*, relating to the same subject; and repealing Sections 280*a* and 280*b*.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Canepa: Assembly Bill No. 607—An Act to provide for the erection of a memorial monument to Christopher Columbus, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McDonald: Assembly Bill No. 608—An Act regulating the hours of employment in underground mines or any underground workings, whether for the purpose of tunneling, making excavation, or to accomplish any other purpose or design, or in smelting and reduction works.

Bill read first time, and referred to Committee on Mines and Mining.

Also: Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Ambrose (by request): Assembly Bill No. 610—An Act to amend Sections 1712, 1713, and 1714 of the Political Code of the State of California, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and expended for such libraries.

Bill read first time, and referred to Committee on Education.

By Mr. Fish: Assembly Bill No. 611—An Act to amend section one thousand one hundred and ninety-one of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shartel: Assembly Bill No. 612—An Act to amend Section 4278 of the Political Code of the State of California, relating to the compensation of officers of counties of the forty-ninth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 613—An Act to amend Section 1622 of the Political Code of the State of California, relating to expenditure of state and county school money.

Bill read first time, and referred to Committee on Education.

By Mr. Woodley (by request): Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California defining the powers and duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Mr. Ellis: Assembly Bill No. 615—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 616—An Act to amend Section 3804 of the Political Code, relating to taxes erroneously collected.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 617—An Act to amend Section 96 of the "Bank Act," relating to trust companies to deposit bonds with State Treasurer.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 618—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Section 100 thereof.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 619—An Act to amend an Act entitled "An Act to define and regulate the business of banking," approved March

1, 1909, by amending Section 23 of said Act in relation to banks doing departmental business.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 620—An Act to provide for the organization and government of publicity districts in the State of California, and to provide for the expenses thereof, and to encourage the development of and settlement upon agricultural lands in the State of California, and for disseminating facts, knowledge and information in relation to the natural resources and possibilities of lands in certain districts and for the levying of assessments upon such lands to pay the expenses of conducting and operating such publicity districts.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 621—An Act to amend Section 190 of the Penal Code of the State of California, relating to capital punishment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scott: Assembly Bill No. 622—An act to amend Sections 1246, 1247, 1247a, and 1247c, of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeal, in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gelder (by request): Assembly Bill No. 623—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911, by amending Sections 6, 8, 9, 11, 13, 14 and 18 thereof, and by repealing Section 12 thereof and by adding a new section to said Act, which section shall be numbered 12, relating to the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also (by request): Assembly Bill No. 624—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended by a certain Act approved March 21, 1907, by amending Sections 1 and 16 thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Moorhouse: Assembly Bill No. 625—An Act to amend section two thousand six hundred and ninety-two of the Political Code of the State of California, relating to private roads and private ways for canals.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Schmitt: Assembly Bill No. 626—An Act to authorize the payment of the claim of Western Fuel Company against the State of

California and making an appropriation therefor out of the San Francisco harbor funds.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 627—An Act appropriating money to pay the claim of Beckel & Presher against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Brown: Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Byrnes: Assembly Bill No. 629—An Act to amend Section 1 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Kuck: Assembly Bill No. 630—An Act to amend Sections 4, 5, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peairs: Assembly Bill No. 631—An Act to amend Section 279 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Farwell: Assembly Bill No. 632—An Act to amend Section 1576a of the Political Code of the State of California, relating to the hiring of a clerk by certain districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 633—An Act to create for the State of California a department of architecture, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to make an appropriation for the salaries and other expenses of said department of architecture and repealing all Acts or parts in conflict herewith.

Bill read first time, and referred to Committee on Ways and Means.

Also: Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Johnstone—Assembly Bill No. 635—An Act to amend Section 1577 of the Political Code, relating to the formation of new districts, to changes of boundaries, to the formation of joint districts, to the pupils in newly formed districts, and to the disposal of the funds of districts which have been combined.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 636—An Act to amend Sections 1560, 1562, and 1564 of the Political Code, relating to the teachers' institutes, joint institutes, and penalties for failure to hold institutes.

Bill read first time, and referred to Committee on Education.

By Mr. Beck: Assembly Bill No. 637—An Act to amend Section 622a of the Political Code of the State of California, relating to fire insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 638—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 439a.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 639—An Act to add a new section to the Political Code of the State of California, to be known and numbered Section 633a.

Bill read first time, and referred to Committee on Insurance.

By Committee on Agriculture: Assembly Joint Resolution No. 9—Relative to action by Congress in directing an investigation through the Department of Agriculture of measures for protection of fruit from frost damage.

Read, and referred to Committee on Federal Relations.

By Mr. Ryan: Assembly Joint Resolution No. 10—Relative to Irish Home Rule.

Read, and referred to Committee on Federal Relations.

By Mr. Fish: Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said Constitution to be numbered Section 1a of Article XII thereof, relating to exempting certain property of educational institutions of collegiate grade from taxation.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Woodley: Assembly Constitutional Amendment No. 15—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Read, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

Resolved, That the following communication be prepared and sent out by the Chief Clerk to addresses furnished by such members as may wish bills and journals to send to the public libraries of their respective districts, as well as such chambers of commerce and similar public bodies as maintain rooms or offices open to the public:

ASSEMBLY CHAMBER, SACRAMENTO, January —, 1913.

DEAR MR. —: The Assembly of the fortieth session of the Legislature is prepared to send you each day copies of the Journal of the Assembly as well as the bills introduced into the Assembly, together, in each case, with a binder for inserting the same; provided,

1. You will leave these binders on a table in your rooms, where they may readily

be referred to by the public during the present legislative session, and will agree to insert from day to day, in their proper numerical order, such bills and Journals, in their original or amended forms.

2. You will post notices and otherwise make public the fact that this legislative material is ready and open to unrestricted public inspection.

Your name has been handed to us by Assemblyman —.

In case you wish to co-operate with the Assembly to this extent, please let the Assemblyman from your district know at once, in order that he may make the necessary arrangements.

In case you wish only the bills or only the Journals, instead of both bills and Journals, please specify accordingly. We will also send you each Monday a History of bills to date and would ask you to destroy the History of the previous week as each new History arrives.

And further be it resolved, That the mailing list of the Chief Clerk be so extended as to cover the requests which are received in response to the above communication, and that the State Printer be requested to prepare the necessary binders, printed with the title "Assembly Bills" or "Journals," as the case may be, together with the name of the institution to which they are to be furnished and the name of the Assemblyman at whose request they were sent.

Resolution read, and on motion, referred to Committee on Contingent Expenses.

SECOND READING OF BILLS.

Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1914, but not thereafter.

During second reading of bill, the following amendments were submitted by the committee:

On page 1, line 7, of the title, strike out the word "December," and insert in lieu thereof the following: "July."

Amendment adopted.

Also: On page 1, line 7, of the title, strike out the figure "1914," and insert in lieu thereof the following: "1915."

Amendment adopted.

Also: On page 1, Section 18, line 6, strike out the word "December," and insert in lieu thereof the following: "July."

Amendment adopted.

Also: On page 1, Section 18, line 6, strike out the figures "1914," and insert in lieu thereof the following: "1915."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Also: Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California relating to the furnishing of water for family use.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Bill read second time, and ordered to engrossment and third reading.

RECESS.

At eleven o'clock and ten minutes a.m., on motion of Mr. Smith, the Assembly was declared at recess until eleven o'clock and twenty-five minutes a.m. of this day.

REASSEMBLED.

At eleven o'clock and twenty-five minutes a.m., the Assembly reconvened.

Speaker Young in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Rules beg leave to report the following standing rules for the Assembly, and recommend their adoption:

BROWN, Chairman.

STANDING RULES OF THE ASSEMBLY.

HOUR OF MEETING.

1. The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes a.m. After the constitutional recess, a recess shall be taken daily at the hour of twelve o'clock noon until the hour of one o'clock and thirty minutes p.m., unless otherwise ordered by a vote of the House.

ORDER OF BUSINESS.

2. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File.
14. Business on General File and Third Reading of Bills.
15. Announcements of Committee Meetings.

REPORTS OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

3. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

MESSAGES FROM THE GOVERNOR AND SENATE.

4. Messages from the Governor and from the Senate may be considered at any time by vote of the House.

MESSENGERS MAY BE INTRODUCED.

5. Messengers may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a member is addressing the House.

PETITIONS TO BE PRESENTED WITH A BRIEF STATEMENT OF CONTENTS.

6. Whenever petitions, memorials, or other papers addressed to the House are presented by a member, a brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

INTRODUCTION AND READING OF BILLS.

7. Any member desiring to introduce a bill shall rise in his place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it is the first, second or third reading. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

INTRODUCTION OF BILLS BY COMMITTEE.

8. Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, read, ordered printed, and placed upon the Assembly file for further action.

DISPOSITION OF SENATE BILLS.

9. When a Senate bill has been received by the House with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received the provisions of which are stated by a member to be identical with those of an Assembly bill which has already been considered and reported by a committee of the Assembly, such Senate bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report on the next legislative day whether or not said bill is identical with the Assembly bill; and if reported identical, shall be read the second time, be substituted for the Assembly bill (the latter being considered withdrawn), shall take the latter's place on the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

JOINT AND CONCURRENT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS.

10. Joint and concurrent resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that, after they have been reported by a committee; *and provided, further*, that the ayes and noes shall not be called upon their adoption, unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they shall have been reported by a committee.

PROCEEDINGS TOUCHING APPROPRIATIONS OF MONEY TO BE CONSIDERED IN COMMITTEE OF THE WHOLE.

11. All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

REFERENCE OF BILLS.

12. No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

REFERRING WITH SPECIAL INSTRUCTIONS.

13. A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

ORDER OF MAKING FILE.

14. Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 6. When reported back they shall be placed upon

the General File, to be kept by the Clerk, as follows: All bills when reported to the House by the committees shall be placed at the foot of the second reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third reading file and second reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the House. The bills upon third reading file shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of two thirds of the members present; *provided*, that if a bill is passed on file for any reason, other than the absence of the author by leave of the Assembly, note of the fact shall be made in the general file and when passed on file a second time, the bill shall be ordered to the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file, shall be omitted from the general file. The Clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the general file, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

ORDER MAKING SPECIAL FILE.

15. The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the state government and state institutions, revenue, election laws and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

TAKING UP BILLS OUT OF ORDER.

16. When a member shall ask leave to have a bill taken up out of its regular order, he shall in making the motion give the number and title of the bill and its position on the file.

ENGROSSING AND ENROLLING BILLS.

17. The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to the bills or preparation of bills before this House. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly.

BILLS TO BE REPORTED BACK WITHIN TEN DAYS.

18. All bills referred to any committee shall be, by such committee, reported back to the House with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

SPEAKER TO CALL HOUSE TO ORDER.

19. The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and the Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

SPEAKER TO PRESERVE ORDER; TO DECIDE POINTS OF ORDER; AND MAY SPEAK TO SAME.

20. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

SPEAKER TO HAVE DIRECTION OF THE HALL; MAY CALL ANY MEMBER TO THE CHAIR.

21. He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

SPEAKER TO SIGN RESOLUTIONS, ETC., ATTESTED BY THE CLERK.

22. All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

SPEAKER MAY ORDER THE GALLERIES AND LOBBY CLEARED.

23. In case of any disturbance or disorderly conduct in the galleries or lobby, or whenever he shall deem it necessary, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

DUTIES OF THE SERGEANT-AT-ARMS.

24. The Sergeant-at-Arms shall attend the House during its sittings, execute the commands of the Speaker of the House, and serve all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision over the Assistant Sergeants-at-Arms, gate keepers, watchmen and porters, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such attaché under him for dereliction of duty, and shall report to the Committee on Attachés such suspension and the causes thereof. Said attaché shall not receive any pay during the time of such suspension. The Committee on Attachés shall have the power to relieve the attaché of his suspension, and shall have the power, subject to the approval of the House, to remove any attaché for incompetency or for wilful neglect of duty.

EXPENSES OF SERGEANT-AT-ARMS.

25. The Sergeant-at-Arms shall receive his actual traveling expenses for himself or a special messenger when executing any process issued by the House or by any officer or committee thereof.

ASSISTANT SERGEANT-AT-ARMS TO BE DOORKEEPER.

26. The Assistant Sergeant-at-Arms designated by the Speaker shall be the doorkeeper and shall be sworn to keep the secrets of the House.

27. The standing committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of eleven members.
2. A Committee on Attachés, to consist of seven members.
3. A Committee on Banking, to consist of nine members.
4. A Committee on Building and Loan Associations, to consist of nine members.
5. A Committee on Civil Service, to consist of nine members.
6. A Committee on Claims, to consist of seven members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members.
9. A Committee on Constitutional Amendments, to consist of nine members.
10. A Committee on Contingent Expenses, to consist of five members.
11. A Committee on Contested Elections, to consist of seven members.
12. A Committee on Corporations, to consist of eleven members.
13. A Committee on County Government, to consist of thirteen members.
14. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
15. A Committee on Education, to consist of eleven members.
16. A Committee on Elections, to consist of fifteen members.
17. A Committee on Engrossment and Enrollment, to consist of seven members.
18. A Committee on Federal Relations, to consist of seven members.
19. A Committee on Fish and Game, to consist of fifteen members.
20. A Committee on Hospitals and Asylums, to consist of eleven members.
21. A Committee on Insurance, to consist of eleven members.
22. A Committee on Irrigation, to consist of eleven members.
23. A Committee on Judiciary, to consist of twenty-one members.
24. A Committee on Labor and Capital, to consist of eleven members.
25. A Committee on Libraries, to consist of seven members.
26. A Committee on Live Stock and Dairies, to consist of nine members.
27. A Committee on Manufactures, to consist of seven members.
28. A Committee on Medical and Dental Laws, to consist of nine members.
29. A Committee on Mileage, to consist of five members.
30. A Committee on Military Affairs, to consist of nine members.
31. A Committee on Mines and Mining, to consist of nine members.
32. A Committee on Municipal Corporations, to consist of eleven members.
33. A Committee on Normal Schools, to consist of nine members.
34. A Committee on Oil Industries, to consist of nine members.
35. A Committee on Prisons and Reformatories, to consist of eleven members.
36. A Committee on Public Health and Quarantine, to consist of nine members.
37. A Committee on Public Morals, to consist of nine members.
38. A Committee on Public Charities and Corrections, to consist of nine members.
39. A Committee on Revenue and Taxation, to consist of seventeen members.
40. A Committee on Revision of Criminal Procedure, to consist of eleven members.
41. A Committee on Roads and Highways, to consist of thirteen members.
42. A Committee on Rules, to consist of seven members.
43. A Committee on State Grounds and Parks, to consist of nine members.
44. A Committee on Universities, to consist of nine members.
45. A Committee on Ways and Means, to consist of twenty-one members.

COMMITTEES TO BE APPOINTED BY SPEAKER.

28. All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

COMMITTEE ON CONTESTED ELECTIONS.

29. It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of such members returned to serve in this House as may have their seats contested, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question, and be referred to them by the House, or the Speaker thereof.

COMMITTEE ON WAYS AND MEANS.

30. It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State Officers and State Boards or State Commissions, and all propositions relative to the revenue of the State, as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider and report thereon the amount of appropriation required, but such bill shall retain its place on file pending its consideration by said Committee on Ways and Means. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

31. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by this House with the engrossed copies thereof; and, before they pass out of the possession of this House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

COMMITTEE EXPENDITURES.

32. No member of any committee shall be permitted to incur any expense by visiting any part of the state on official or other business, without first obtaining leave of the House by a two-thirds vote of the members thereof.

COMMITTEE OF THE WHOLE HOUSE.

33. In forming a Committee of the Whole House, the Speaker as Chairman or a Chairman to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the Chairman. After being reported to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

RULES IN COMMITTEE OF THE WHOLE.

34. The rules of the Assembly shall be observed in Committees of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes need not be taken unless demanded.

MOTION TO RISE DECIDED WITHOUT DEBATE.

35. A motion that the committee rise shall always be in order, and shall be decided without debate.

REFERENCE OF BILLS.

36. When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

CALLING MEMBERS TO ORDER WHEN TRANSGRESSING RULES.

37. If any member, in speaking or otherwise, transgresses the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If

the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

SPEAKER TO DECIDE WHO IS ENTITLED TO THE FLOOR.

38. When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

ORDER IN SPEAKING TO QUESTIONS.

39. Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall have the right to close the debate. No member shall be allowed to speak more than fifteen minutes upon any question except by leave of the House, and except further, the author shall be allowed fifteen minutes to open and fifteen minutes to close.

CALLED TO ORDER FOR OFFENSIVE WORDS IN DEBATE.

40. If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

PERSONAL EXPLANATION.

41. Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

MOTIONS TO BE STATED BY SPEAKER, AND IF DESIRED SHALL BE REDUCED TO WRITING, OR MAY BE WITHDRAWN.

42. No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

MOTION TO ADJOURN.

43. A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made and adjournment taken.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case occupy more than two minutes.

Concurrent resolutions for adjournment sine die shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and tax levy.

PRECEDENCE OF MOTIONS DURING DEBATE.

44. When a question is under debate, or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

PREVIOUS QUESTION.

45. The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

QUESTIONS OF ORDER AFTER PREVIOUS QUESTION IS ORDERED.

46. All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

PREVIOUS QUESTION DEMANDED.

47. The previous question shall be put only when demanded by three members.

QUESTION INDEFINITELY POSTPONED.

48. When a question is postponed indefinitely, the same shall not again be introduced during the session.

DIVISION OF QUESTIONS.

49. Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

SUBSTITUTE.

50. A substitute shall be deemed and held to be an amendment, and be treated in all respects as such.

SUBJECTS DIFFERENT FROM THE ONE UNDER CONSIDERATION.

51. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

PRINTING OF BILLS.

52. One thousand copies of all bills and as many additional copies as the House shall order, shall be printed. The Sergeant-at-Arms shall be required to certify to the receipt by the House of all such printed matter, and the quantity thereof.

PRINTING EXTRA NUMBER OF BILLS, ETC.

53. A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

PRINTING OF MAPS.

54. Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

FILLING BLANKS.

55. In filling up blanks the least sum and shortest time shall be put first.

PRIORITY OF BUSINESS.

56. All questions relating to the priority of business shall be decided without debate.

READING OF PAPERS.

57. When the reading of a paper is called for, except petitions, and the same is objected to by a member, such reading shall be determined by a vote of the House, without debate.

NOTICE OF RECONSIDERATION.

58. On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

ELECTION BY HOUSE.

59. In all cases of election by the house, the vote shall be taken *viva voce*.

CALLING AYES AND NOES.

60. The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

MEMBERS AT CLERK'S DESK.

61. No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

VOTING ON QUESTION WHEN INTERESTED.

62. No person shall vote on any question in the result of which he is personally interested or involved.

DIVISION AND COUNT OF HOUSE.

63. Upon a division and count of the House on any question, no person without the bar shall be counted.

EXPLAINING OR CHANGING VOTE.

64. No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced by the chair.

CALL OF THE HOUSE.

65. Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

SUSPENDING AND CHANGING RULES.

66. No standing rule or order of the House shall be rescinded or changed without a vote of two thirds of the members of the Assembly, and one day's notice being given of the motion therefor; *provided*, that the Committee on Rules may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the state government, its revenue, its various departments or commissions, or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.
4. Bills amending election or primary election laws.
5. Constitutional amendments.
6. Bills amending or repealing the Codes, or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendments by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules.

The Committee on Rules may also, at any time, report a temporary rule or regulation. When such temporary rule or regulation shall have been adopted by a two-thirds vote of the House it shall have the effect, for the time being, of a standing rule, and if such temporary rule shall be in conflict with a standing rule it shall supersede said standing rule for the time being, and shall be enforced by the Speaker.

MEMBERS ABSENTING THEMSELVES.

67. No member shall absent himself from attendance at a session of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House, or by unanimous consent.

PERSONS ADMITTED TO THE FLOOR.

68. No person except Senators, State officers, Governors and ex-Governors of States, members of Congress, Judges of the Supreme, Appellate and Superior Courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their respective journals, ladies when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House cleared of any or all such persons. The Speaker is charged with the enforcement of this rule: *provided, however*, any other guest of any member may be admitted to the floor of the House by written permission of said member, such permission being good for the sessions of the day on which it is given, the names of such members and guests to be entered in the Journal when requested by such members.

SMOKING IN HALL.

69. No smoking shall be allowed within the Assembly Chamber during the sessions of the House or at any time during the forenoon of any day on which the Assembly is to be in session.

PARLIAMENTARY RULES.

70. The rules of parliamentary practice contained in Robert's Rule's of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and Assembly.

USE OF HALL.

71. The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

FEES FOR WITNESSES.

72. Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

PROTESTS OF MEMBERS.

73. It shall be in order for any member or members to protest against the action of the House, and have such protest entered in the Journal.

ASSIGNMENT OF ATTACHÉS.

74. The Committee on Attachés shall assign the committee clerks and the official stenographers of the House to the various committees and, on recommendation of the Chief Clerk, shall have authority to reassign any clerk or attaché under him to special duties or other committees when the necessity arises.

The Committee on Attachés, in co-operation with the Chief Clerk and Sergeant-at-Arms, shall exercise general supervision over and shall systematize the work of all attachés.

All assignments of committee clerks and stenographers made by the Committee on Attachés under this rule shall be reported to the House and entered in the Journal.

INTRODUCTION OF BILLS AFTER CONSTITUTIONAL RECESS.

75. Immediately upon convening after the constitutional recess the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The

author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and the Committee on Introduction of Bills may have the same time for reply.

FORM FOR PRINTED AMENDED BILLS.

76. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted; the new matter added by any amendments to be printed in italics and any matter proposed to be omitted by such amendments to be included in brackets.

DUTIES OF CHIEF CLERK.

77. The Chief Clerk shall have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. He shall have the supervision of all the clerks and assistants at the desk (except the minute clerk and his assistants and the journal clerk), of all bill clerks, bill filers, stenographers, and of all committee attachés, and all pages, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such clerk or attaché under him for dereliction of duty, and shall report to the Committee on Attachés such suspension and the cause thereof. Said suspended clerk or attaché shall not receive any pay during the time of such suspension. The Committee on Attachés shall have the power to relieve the attaché or clerk of his suspension, and shall have the power, subject to the approval of the House, to remove any clerk or attaché for incompetency or for wilful neglect of duty.

LOBBYING.

78. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule.

This rule cannot be suspended except by a two-thirds vote of the entire Assembly.

The above report ordered printed in the Journal, to be considered on next legislative day.

INTRODUCTION AND REFERENCE OF BILL—(RESUMED).

The following was introduced and referred as indicated:

By Mr. Cram: Assembly Concurrent Resolution No. 7—Relative to the charter of San Bernardino County, State of California.

Read, and referred to Committee on County Government.

ANNOUNCEMENT.

The Speaker made the following announcement:

To the Assembly of the State of California:

I beg leave to announce that, pursuant to Section 247 of the Political Code, I have this day appointed W. Giles as Porter, at the per diem as provided by law.

C. C. YOUNG.

COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Pursuant to your instructions, the following named persons have signed the accompanying application and are recognized as the duly accredited representatives of the newspapers set opposite their respective names: George A. Van Smith, Opie L. Warner, San Francisco *Call*; Franklin Hichborn, Sacramento *Bee*; H. E. Walker, Carl M. Anderson, San Francisco *Chronicle*; C. E. Persons, Thomas A. Connell, Associated Press; Lou Gunernsey, Los Angeles *Times*; Jack Jungmeyer, United Press and Scripps papers; A. H. Harlan, Stockton *Mail*.

APPLICATION.

Representatives of the Press in the Assembly.

HON. C. C. YOUNG, *Speaker of the Assembly*:

I, _____, a duly accredited representative of the _____

hereby apply for recognition as, and the privileges of, a press representative in the Assembly, and I hereby declare that I am not engaged, and will not during the Legislative session of 1913, become engaged as a lobbyist for any person, copartnership, corporation, or interest; that I am not, and will not become, the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, and that I am not employed in any executive, administrative or Legislative department of the State government and will not accept such employment while enjoying the privilege and rights of a press representative assigned to Legislative work during the Legislative session of 1913.

Sacramento, Cal., January 22, 1913.

L. B. MALLORY, Chief Clerk.

ADJOURNMENT.

At twelve o'clock and twenty minutes p.m., on motion of Mr. McDonald, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Thursday, January 23, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, January 23, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Benedict, its further reading was dispensed with.

PETITIONS.

The following petitions were presented and ordered printed in the Journal.

By Mr. Scott:

SAN FRANCISCO, CAL., January 21, 1913.

To the Honorable, the Members of the Legislature of the State of California, Sacramento, Cal.

GENTLEMEN: The Richmond Federation of Improvement Clubs respectfully petitions your honorable body to provide for a thorough and complete investigation into

the affairs of the Francisca Maternity Hospital and Babies' Aid, formerly known as the San Francisco Lying-in Hospital and Foundling Asylum.

A committee of the Federation has made an investigation into the affairs of this institution, in so far as it has had the power, but not having any official authority, the committee was unable to make its investigation complete.

Sufficient facts were developed to show that the institution is not complying with the terms under which it obtained the right to the use of the property, and that a title has been obtained under the McEnerney Act without authority, and which we believe should be set aside.

In the interests of simple justice this Federation prays that the right and title of the people be protected.

Respectfully submitted.

RICHMOND CENTRAL IMPROVEMENT CLUB.

R. H. NORTON, Secretary-Treasurer.

J. J. PRATT, President.

Also:

SAN FRANCISCO, CAL., January 22, 1913.

To the Honorable the Members of the Assembly of the State of California, Sacramento, California.

GENTLEMEN: The Richmond Central Improvement Club herewith petitions your honorable body to conduct a rigid investigation into the affairs of the San Francisco Lying-in Hospital and Foundling Asylum, now known as the Francisca Maternity Hospital and Babies' Aid.

The people who have charge of this institution are not using the premises for the purposes set forth in the original grant. They have secured a McEnerney title and recently tried to dispose of the property through a local real estate firm for the sum of \$75,000, but the deal fell through because the prospective purchaser was not satisfied with the title offered.

In one of the buildings, what appears to be a lodging-house is being conducted, as a number of men lounge around the porches at various hours of the day.

There is no foundling asylum being conducted, but in a small shack, an institution known as the "Babies' Aid" is carried on, very young babies being kept there for a few days at a time, or until they can be placed in boarding homes.

It has been found impossible to get the streets around this property improved, although repeated efforts have been made.

The charitable features of this institution are apparently mythical, as anyone who has been treated there has had to pay regular prices, so far as we have been able to learn.

Trusting that your honorable body will grant this petition and give our citizens relief from these conditions, we remain

Respectfully yours,

RICHMOND FEDERATION OF IMPROVEMENT CLUBS.

R. H. NORTON, Secretary.

DANIEL V. DREW, President.

Also:

SAN FRANCISCO, January 22, 1913.

To the Honorable Legislature of the State of California, Sacramento, Cal.

GENTLEMEN: The Lincoln Park Improvement Club, composed of resident home owners who reside in the immediate vicinity of the Francisca Maternity Hospital and Babies' Aid, herewith petition your honorable body to appoint a committee to investigate the standing and condition of the above-named institution.

Our citizens in the neighborhood are suffering from the conditions under which this institution is conducted. It is not a charitable institution, but is conducted for private profit, yet it pays no rent or taxes, nor can it be made to improve the streets surrounding the block which it occupies.

Though this institution only occupies this property and enjoys its use through a deed of trust from the city and county of San Francisco, they have had undisputed possession so long a time that they seem to think that they are the rightful owners, and we fully believe that they are liable to obtain title to the property without right.

The original grant was for a specific purpose and for no other use whatsoever, and we believe that the terms of the original grant are not and have not been complied with, and therefore the institution should no longer enjoy the use and possession of this property, but that the property should revert to the city and county of San Francisco, the original and only rightful owner.

Praying that your honorable body will grant this petition for simple justice to our members, we are,

Most respectfully,

LINCOLN PARK IMPROVEMENT CLUB.

J. J. PRATT, Secretary.

HENRY J. KESSEL, President.

By Mr. Canepa:

SAN FRANCISCO, CAL., January 23, 1913.

To the Senate and Assembly of the Legislature of California:

In 1895 the Legislature of this State enacted a law at the request of the barbers to close all barber shops on Sunday, but the Supreme Court declared it unconstitutional on the ground that it did not apply to all lines of business which public necessity did not require should be kept in daily operation. We now petition your honorable body to pass the Kehoe-Benedict "Sunday Rest Bill," which the best attorneys assure us will meet the constitutional test. The barbers helped to draft this bill. The Barbers' Protective Union of California, the Master Barbers' Association, the California State Federation of Journeymen Barbers and the various barbers' local unions throughout the State are backing this bill. Sunday closing of all barber shops in the State is what we want, what we claim to be our natural and American right, what the barbers of nearly all the states of the Union are now enjoying, and what we shall keep fighting for till it is ours. A law which only provides for one day of rest in seven means that many shops will be open every day and a shift of our men and women must be at their chairs on Sunday after a long Saturday. For the promotion of the social life, the home life, and the religious life of the men and women engaged in our craft, we urge and beseech you to pass the Sunday rest bill without amendment.

The above petition was endorsed by the undersigned union.

Attest: JOURNEY BARBERS' INTERNATIONAL UNION (Local 148).

ROE H. BAKER, Secretary.

By Mr. Hinkle:

To the Members of the Assembly:

We, the undersigned voters of California, residents of the city of San Diego, respectfully request your honorable body to enact a law prohibiting the manufacture, importation, transportation, distribution, buying, selling, giving or using of cigarettes, or cigarette wrapping paper, in this State, and we pray for heavy penalties in order to secure the law's enforcement.

H. K. HUFFMAN (and others).

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the following communication be prepared and sent out by the Chief Clerk to addresses furnished by such members as may wish bills and Journals to send to the public libraries of their respective districts, as well as such chambers of commerce and similar public bodies as maintain rooms or offices open to the public.

ASSEMBLY CHAMBER, SACRAMENTO, January —, 1913.

DEAR MR. —:

The Assembly of the fortieth session of the Legislature is prepared to send you each day copies of the Journal of the Assembly as well as the bills introduced into the Assembly, together, in each case, with a binder for inserting the same; *provided*,

1. You will leave these binders on a table in your rooms where they may readily be referred to by the public during the present legislative session, and will agree to insert from day to day, in their proper numerical order, such bills and Journals in their original or amended forms.

2. You will post notices and otherwise make public the fact that this legislative material is ready and open to unrestricted public inspection.

Your name has been handed to us by Assemblyman —.

In case you wish to co-operate with the Assembly to this extent, please let the Assemblyman from your district know at once in order that he may make the necessary arrangements.

In case you wish only the bills or only the Journals, instead of both bills and Journals, please specify accordingly. We will also send you each Monday a History of bills to date and would ask you to destroy the History of the previous week as each new History arrives.

And further be it resolved, That the mailing list of the Chief Clerk be so extended as to cover the requests which are received in response to the above communication, and that the State Printer be requested to prepare the necessary binders, printed with the title "Assembly Bills" or "Journals," as the case may

be, together with the name of the institution to which they are to be furnished and the name of the Assemblyman at whose request they were sent.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.
RICHARDSON.
WYLLIE.
GABBERT.

Mr. Bohnett moved the adoption of the report and resolution.

During the consideration of the above report, the following amendment was offered:

By Mr. Bohnett:

In line 3 of Journal, after the word "libraries" insert the following: "and high schools."

Amendment adopted.

Mr. Bohnett moved the adoption of the report and resolution as amended.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 249—To regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

Assembly Bill No. 184—To provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Assembly Bill No. 63—To amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

Assembly Bill No. 50—To amend the Civil Code of the State of California by adding a new section thereto to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Also: Assembly Concurrent Resolution No. 5—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following: Assembly Concurrent Resolution No. 4—Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 3—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Also: Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 76—An Act to amend Section 1490 of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

Also: Assembly Bill No. 81—An Act to amend Section 396 of the Penal Code of the State of California relating to the propelling of vehicles propelled by motor power or by animal power.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass, as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Your Committee on Revision and Printing returned to the Clerk of the Assembly on January 21st the following: Assembly Bills Nos. 452, 453, 498, 499, 501, and Assembly Bills Nos. 504 to 522, inclusive, in addition to those heretofore reported as returned on that day.

CLARK, WM. C., Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 22, 1913, Assembly Bills Nos. 569 to 639, inclusive. Also: Assembly Constitutional Amendments Nos. 14 to 15, inclusive. Also: Assembly Concurrent Resolution No. 7. Also: Assembly Joint Resolutions Nos. 9 to 10, inclusive—and returned the same day to the Clerk of the Assembly. Also: Assembly Bills Nos. 569 to 578, inclusive; Assembly Bills Nos. 579 to 599, inclusive; Assembly Bills Nos. 601 to 602, inclusive; Assembly Bills Nos. 604 to 605, inclusive; Assembly Bills Nos. 607 to 609, inclusive; Assembly Bills Nos. 611 to 639, inclusive. Also: Assembly Constitutional Amendments Nos. 14 to 15, inclusive. Also: Assembly Concurrent Resolution No. 7. Also: Assembly Joint Resolutions Nos. 9 to 10, inclusive.

CLARK, WM. C., Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 21, 1913, adopted the following: Senate Concurrent Resolution No. 7—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

Also: Senate Concurrent Resolution No. 6—Approving seven certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 7 read, and referred to Committee on Engrossment and Enrollment.

Senate Concurrent Resolution No. 6 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Bill No. 59—An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Also: Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 59 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 37 read first time, and referred to Committee on Ways and Means.

COMMUNICATION.

The following communication was read and ordered printed in the Journal:

To the Speaker and Members of the Assembly.

GENTLEMEN: The trip of inspection by the members of the California Legislature to the Stockton State Hospital will be made next Sunday morning, rain or shine. The special train will leave the Traction Company's depot, at corner of Eighth and K streets, at 9 o'clock sharp, arriving in Stockton about 11 a.m., where the legislators will be taken in charge of by the citizens' committee.

The committee requests the presence of the Speaker of the Assembly and will appreciate his efforts to make the trip with the legislative body. Each Assemblyman will be permitted to invite his wife to make the trip at the expense of the committee, as transportation will be furnished to the visitors.

Accredited members of the Press are cordially invited to go.

W. C. WALL.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Ferguson: Assembly Bill No. 640—An Act to amend Section 198 of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peairs (by request): Assembly Bill No. 641—An Act regulating annulment of marriage and divorce.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnstone: Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring, for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the

appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of State Forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the State Forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Board of Forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations or corporations; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this act; providing penalties for violating the provisions of this act; defining the word "forest;" appropriating money for the purpose of carrying out the provisions of this act; repealing Chapter 264 of the laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

Bill read first time, and referred to Committee on Conservation.

By Mr. Fitzgerald: Assembly Bill No. 644—An Act granting to the town of Emeryville the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the town of Emeryville, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Walsh: Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Johnson: Assembly Bill No. 646—An Act appropriating money to be used in establishing and maintaining an exhibit of the citrus industry and citrus products of this State at the fourth and fifth National Orange Shows to be held in the city of San Bernardino during the month of February in the years 1914 and 1915.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McDonald: Assembly Bill No. 647—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 648—An Act to amend the Code of Civil Procedure by adding thereto Title 5a, Part III, relating to the support of bastards, and proceedings therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Canepa: Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Stuckenbruck: Assembly Bill No. 650—An Act establishing a state normal school in the city of Lodi, county of San Joaquin, and making an appropriation for the maintenance of said school.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Smith: Assembly Bill No. 651—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year 1913.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Hayes: Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Alexander: Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 654—An Act to amend Section 588 of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 655—An Act to amend section one hundred and fifty-seven of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Libby: Assembly Bill No. 656—An Act to amend Section 4 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision, without Governor's approval, February 25, 1901.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 657—An Act to amend Section 883 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Finnegan: Assembly Bill No. 658—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bagby: Assembly Bill No. 659—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Ford: Assembly Bill No. 660—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Benedict: Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 662—An Act to add a new section to the Penal Code of the State of California to be known as Section 532½, declaring the use of false statements for the purpose of obtaining property or credit to be a crime and prescribing the punishment therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richardson: Assembly Bill No. 663—An Act to regulate the practice of steam engineering, the registering and licensing of persons to carry on such practice and insure the better education and promote competency and skill among steam engineers in the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dower: Assembly Bill No. 664—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 665—An Act making an appropriation for university extension work for the University of California.

Bill read first time, and referred to Committee on Universities.

By Mr. Roberts: Assembly Bill No. 666—An Act to amend Sections 1, 2, 3, 5, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19 and 22 of "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby," approved April 21, 1909; and to add to said Act certain sections to be numbered Sections 18½, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46, relating to proceedings to effect local improvements, and providing a system of improvement bonds to represent the assessments for the cost of such improvements, and for the payment and effect of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 667—An Act to amend sections one, two, six and sixteen, and repealing section seventeen of an Act entitled "An Act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, relating to the validity, effect and enforcement of local improvement bonds.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kuck: Assembly Bill No. 668—An Act to amend Section 1696 of the Political Code of the State of California, relating to the duties of teachers.

Bill read first time, and referred to Committee on Education.

By Mr. Bloodgood: Assembly Bill No. 669—An Act to provide for supplying county officers with information concerning bills pending before the Legislature.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 670—An Act to add a new section to the Political Code, to be known as Section 3650c.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 671—An Act to provide for supplying the County Auditor with a report of commitments to and discharges from public institutions.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 672—An Act to add a new section to the Political Code, to be known as Section 3650b.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 674—An Act to amend Section 6 of an Act entitled "An Act to provide for the levy and collection of taxes by and

for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporation," approved March 27, 1895.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 675—An Act to add a new section to the Political Code, to be known as Section 4291*a*.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 676—An Act to add a new section to the Political Code, to be known as Section 4326.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 677—An Act to add a new section to the Political Code, to be known as Section 3804*b*.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274*c*.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 679—An Act to add a new section to the Political Code, to be known as Section 3665*a*.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 680—An Act to add a new section to the Political Code, to be known as Section 3650*a*.

Bill read first time, and referred to Committee on County Government.

By Mr. Emmons (by request): Assembly Bill No. 681—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate districts and to the annexation of additional territory.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Beck: Assembly Bill No. 682—An Act to provide for the election of roadmasters, prescribing the time and manner of holding such election, the term of office, the duties of roadmasters and fixing their compensation.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 683—An Act to add a new section to the Political Code of the State of California, to be known and numbered 636.

Bill read first time, and referred to Committee on Insurance.

By Mr. Green: Assembly Bill No. 684—An Act to add a new section to the Political Code of the State of California, to be known and numbered as Section 1896*a*, relating to the duties of county clerks or reg-

istrars of voters in obtaining additional affidavits to be delivered to the assessor or tax collector for the purpose of enabling said officers to make up the military roll as required by law and providing for the payment therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Weisel: Assembly Bill No. 685—An Act to amend Section 626*d* of the Penal Code of the State of California, relating to the number of game birds that may be killed.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Brown: Assembly Bill No. 686—An Act to authorize suits against the State of California and the bringing and prosecution thereof, prescribing and directing in what manner and in what courts such suits against the State may be brought and prosecuted, and providing for the further prosecution of suits against the State now pending.

Bill read first time, and referred to the Committee on Judiciary.

By Mr. Judson: Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro Irrigation District.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Shartel: Assembly Bill No. 688—An Act to amend section seven hundred thirty-seven of the Political Code of the State of California, relating to the salaries of superior judges.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 689—An Act to amend section four thousand two hundred and eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 690—An Act to amend section four thousand two hundred and eighty-one of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bohnett: Assembly Bill No. 691—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 495*a*, relating to larceny.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No. 693—An Act to amend an Act entitled "An Act to provide for the organization of and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts; and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47 $\frac{1}{2}$ thereof, relating to the period of redemption and to certain proceedings respecting the validity of deeds to purchasers upon delinquent sales.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Finnegan: Assembly Bill No. 694—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their skill and labor."

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Bloodgood: Assembly Bill No. 695—An Act to add a new section to the Political Code, to be known as Section 1840a.

Bill read first time, and referred to Committee on Education.

By Mr. Bradford: Assembly Constitutional Amendment No. 16—Proposed amendment to Article XI, Section 16½, of the Constitution, relative to the deposit of public moneys.

Bill read first time, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Mr. Killingsworth:

Resolved, That the Assembly humbly recognizes its dependence upon Almighty God for strength and wisdom to conduct its business properly, and for the best interest of the people of this great State. That we recognize the propriety and importance of humbly invoking divine aid upon all our deliberations and to this end have placed upon the list of the officers of this Assembly the name of the Rev. F. K. Baker, Chaplain of this Assembly. That the said Chaplain, forgetful of his true office, has used it for the purpose of uttering partisan addresses to the Deity, and at the members of this Assembly who differ with him in opinion, and has thus indirectly violated the rules of this House in lobbying in the interest of certain proposed measures now before the Assembly. That we believe that the said form of lobbying is repugnant to our rules and not in the interest of harmony, and that they should be discontinued.

Mr. Killingsworth moved the adoption of the resolution.

Mr. Inman moved that the motion and resolution be laid upon the table.

Roll call demanded.

The roll was called, and the motion to lay upon table carried by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Fish, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Kuck, Libby, Moorhouse, Mouser, Peairs, Polsley, Roberts, Schmitt, Shartel, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—44.

NOES—Messrs. Alexander, Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Dower, Ferguson, Finnegan, Ford, Gelder, Griffin, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, McDonald, Morgenstern, Palmer, Ryan, Scott, Shannon, Shearer, Simpson, Stuckenbruck, Walsh, and Weldon—30.

RE-REFERENCE OF BILL.

On motion of Mr. Morgenstern, Assembly Bill No. 35 was recalled from the Committee on Drainage, Swamp and Overflowed Lands, and re-referred to Committee on Commerce and Navigation.

On motion of Mr. White, Assembly Bill No. 552 was recalled from the Committee on Municipal Corporations, and re-referred to Committee on Judiciary.

CONSIDERATION OF RULES.

The report of the Committee on Rules was taken up for consideration.

Mr. Brown moved the adoption of the report.

Motion duly seconded.

During the consideration of the report, the following amendments were submitted:

By Mr. Brown:

Amend printed report in Journal by inserting the words "Standing Committees" before Rule 27 of the report.

Also: Reprint committees in alphabetical order and properly renumbered.

Amendment adopted.

By Mr. Polsley:

After the word "present" in line 9, page 16 of printed report, insert the words, "but in no case by vote of less than 41 members."

Amendment adopted.

HOUR OF RECESS EXTENDED.

On motion of Mr. Schmitt, the hour of recess was extended, until the business before the House be disposed of.

CONSIDERATION OF RULES—(RESUMED).

The following amendments were submitted:

By Mr. Brown:

Amend printed report in Journal by inserting in line one of Rule 50, after the word "A," the words "motion to."

Amendment adopted.

CONSIDERATION POSTPONED.

On motion of Mr. Brown, the further consideration of the report of the Committee on Rules was postponed until the next legislative day.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 6—Approving seven certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December 1912—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

SCOTT, Chairman.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION.

By unanimous consent, Senate Concurrent Resolution No. 6 was taken up for consideration.

The roll was called, and Senate Concurrent Resolution No. 6 adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower,

Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—65.

NOES—None.

Senate concurrent resolution ordered transmitted to the Senate.

By unanimous consent, Assembly Concurrent Resolution No. 4 was taken up for consideration.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Crom, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

Assembly concurrent resolution ordered transmitted to the Senate.

ADJOURNMENT.

At one o'clock and twenty minutes p.m., on motion of Mr. McDonald, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Friday, January 24, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, January 24, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hayes, its further reading was dispensed with.

COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1913.

MR. SPEAKER: Pursuant to your instruction, the following named persons have signed the accompanying application and are recognized as the duly accredited representatives of the newspapers set opposite their names: Robt. E. Jones, Sacramento *Bee*; John L. Davis, Sacramento *Bee*; Harry S. Webster, Oakland *Tribune*; J. R. Nourse, San Francisco *Examiner*.

APPLICATION.

Representatives of the Press in the Assembly.

HON. C. C. YOUNG, *Speaker of the Assembly*:

I, -----, a duly accredited representative of the ----- hereby apply for recognition as, and the privilege of, a press representative in the Assembly, and I hereby declare that I am not engaged, and will not during the Legislative session of 1913, become engaged as a lobbyist for any person, copartnership, corporation, or interest; that I am not, and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, and that I am not employed in any executive, administrative or legislative department of the state government and will not accept such employment while enjoying the privilege and rights of a press representative assigned to legislative work during the legislative session of 1913.

Sacramento, Cal., January 24, 1913.

L. B. MALLORY, Chief Clerk.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and five minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. Johnston:

RESOLUTIONS ADOPTED BY NAPA GRANGE, JANUARY 7, 1913.

WHEREAS, The trend of events has rendered it very difficult to enforce criminal law, be it

Resolved by Napa Grange No. 307, Patrons of Husbandry in regular meeting assembled:

1. That we endorse the action of the California Bar Association and the Commonwealth Club of California in their efforts to secure simpler methods of procedure in the trial of criminal cases (a) as to the selection of jurors; (b) as to the number of jurors required to render a verdict; (c) as to the weight to be given the testimony of accomplices; (d) as to instructions to jurors.

2. That we believe the powers of grand juries should be so enlarged that (a) they be empowered to initiate needed legislation; (b) they be empowered to order a recall election against incompetent or unworthy officials; (c) they be empowered to initiate action under Section 772 of the Penal Code of California for the summary removal from office of officials guilty under that section.

3. That copies of these resolutions be sent to the Governor of the State and the Representatives of Napa County in the State Legislature requesting their co-operation in making them effective.

4. That copies be sent to each of the granges in the State with the request that immediate steps be taken to pass similar resolutions, calling a special session if necessary in order that action be taken by the 20th instant, and copies of these resolutions be sent at once to the Governor of the State and their representatives in the State Legislature by the various granges.

5. That copies of these resolutions be given to the local and San Francisco press.

[SEAL]

NELLIE W. HUNT, Secretary Napa Grange.

By Mr. Clark:

OAKLAND, CAL., January 22, 1913.

To the Senate and Assembly of the Legislature of California:

In 1895 the Legislature of this state enacted a law at the request of the barbers to close all barber shops on Sunday, but the Supreme Court declared it unconstitutional on the ground that it did not apply to all lines of business which public necessity did not require should be kept in daily operation. We now petition your honorable body to pass the Kehoe-Benedict Sunday Rest Bill, which the best attorneys assure us will meet the constitutional test. The barbers helped to draft this bill. The Barbers' Protective Union of California, the Master Barbers' Association, the California State Federation of Journeymen Barbers and the various barbers' local unions throughout the State are backing this bill. Sunday closing of all barber shops in the State is what we want, what we claim to be our natural and American right, what the barbers of nearly all the states of the Union are now enjoying, and what we shall keep fighting for till it is ours. A law which only provides for one day of rest in seven means that many shops will be open every day and a shift of our men and women must be at their chairs on Sunday after a long Saturday. For the promotion of the social life, the home life, and the religious life of the men and women engaged in our craft, we urge and beseech you to pass the Sunday Rest bill without amendment.

The above petition was endorsed by the undersigned union.

Attest: F. B. PERRY.

GEO. K. SMITH,

[SEAL] Secretary, Local No. 134. President, Local No. 134, Barbers' Union.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter—and report that the same has been correctly engrossed.

Also: Senate Concurrent Resolution No. 7—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

Also: Assembly Concurrent Resolution No. 5—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

Have compared the same, and found them to be identical.

MOORHOUSE, Chairman.

Senate Concurrent Resolution No. 7 ordered on file.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 8—Relative to the protection from fire of the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law, known as Chapter 186 of Volume 36, Part 1, U. S. Statutes at Large.

Also: Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system.

Also: Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above reported joint resolutions ordered on file.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Assembly Bill No. 2—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass; and further recommend that they be re-referred to Committee on Ways and Means.

STRINE, Chairman.

The above reported bills ordered on file for second reading.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1913.

MR. SPEAKER: Your Committee on Revision and Printing, received January 23, 1913, Assembly Bills Nos. 640 to 695, inclusive; also, Assembly Constitutional Amendment No. 16, and returned the same day to the Chief Clerk of the Assembly, Assembly Bills Nos. 600, 603, 606, 610; also, Assembly Bills Nos. 640 to 695, inclusive; also, Assembly Constitutional Amendment No. 16.

WM. C. CLARK, Chairman.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Weisel: Assembly Bill No. 696—An Act to amend section seventeen hundred twenty-three of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owner's death in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Smith: Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Bill read first time, and referred to Committee on Attachés and Employees.

Also: Assembly Bill No. 698—An Act to amend Section 268 of the Political Code of the State of California, relating to salaries of officers and employees of the Assembly and Senate.

Bill read first time, and referred to Committee on Attachés and Employees.

Also: Assembly Bill No. 699—An Act to amend section five hundred twenty-six of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

Bill read first time, and referred to Committee on Attachés and Employees.

By Mr. Stuckenbruck: Assembly Bill No. 700—An Act to amend the Political Code of the State of California, by adding thereto a new section, to be numbered 2185*d*, relating to the furnishing of narcotic drugs or stimulants to persons committed or paroled under the provisions of Section 2185*c* of the Political Code of the State of California.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 701—An Act to amend section two of an Act entitled "An Act to provide maintenance of county highways improved under bond issues in the counties of the State and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Fitzgerald: Assembly Bill No. 704—An Act to amend Section 3012 of the Political Code of the State of California, relating to the general powers of the Board of Health of the city and county of San Francisco.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Fish: Assembly Bill No. 705—An Act to amend Section 1247 of the Penal Code of the State of California, relating to appeals, and transcribing and filing reporters' notes to be used upon appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 706—An Act to amend the Code of Civil Procedure by adding a new article to be known as Article VII to Chapter III of Title III, Part IV, of the Code of Civil Procedure, relating to interrogatories to parties to actions and special proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 707—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending Section 2 thereof, relating to the proceedings for the calling of an election therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 708—An Act to amend Section 875 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees of cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 709—An Act to validate municipal bonds,

and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 710—An Act confirming and validating the organization of school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 711—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 712—An Act to amend Section 1597 of the Political Code, relating to the time that polls shall be open at elections in school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 713—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 714—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Strine: Assembly Bill No. 715—An Act to amend sections eighteen hundred thirty-seven and eighteen hundred forty of the Political Code, relating to district school tax.

Bill read first time, and referred to Committee on Education.

By Mr. Bohnett: Assembly Bill No. 716—An Act to establish a state school to train persons for practical service in governmental work of city, county and state and to make an appropriation therefor.

Bill read first time, and referred to Committee on Civil Service.

By Messrs. Slater and Libby: Assembly Bill No. 717—An Act to add a new section to the Penal Code, to be known as Section 402f, regulating the packing, preparing and shipping for sale within the State of California of any fruit or vegetables infected with insect pests or disease injurious to trees, shrubs, plants, fruits or vegetables; and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Dower: Assembly Bill No. 718—An Act to make an appropriation for the improvement of the grounds and the repair of the fences at the James Marshall monument at Coloma, El Dorado County, California.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Ford: Assembly Bill No. 719—An Act to add a new section to the Political Code of the State of California, to be numbered 4142d, relating to the attendance of the county recorder or a deputy county recorder at a state convention of county recorders.

Bill read first time, and referred to Committee on County Government.

By Mr. Bagby: Assembly Bill No. 720—An Act to amend Section 2681 of the Political Code of the State of California, relating to who may apply to alter, discontinue, or lay out roads.

Bill read first time, and referred to Committee on County Government.

By Mr. Guiberson: Assembly Bill No. 721—An Act to provide for the redemption and payment of certain funded debt bonds of the State of California together with interest thereon now owned by the State of California and held as an investment for the benefit of the State School Land Fund and University Fund, said bonds having been issued under an Act of the Legislature of the State of California, entitled "An Act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one million five hundred and twenty-six thousand five hundred dollars to the State School Land Fund and the sum of seven hundred and fifty-one thousand dollars to the University Fund, to carry out the provision of this Act, and repealing all Acts and parts of Acts in conflict herewith.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Moorhouse: Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Bill read first time, and referred to Committee on Corporations.

By Messrs. Ambrose and Moorhouse: Assembly Bill No. 723—An Act to provide for the appointment of a board of investigation, defining its duties, and providing for an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bloodgood: Assembly Bill No. 724—An Act to compensate the counties of the State for the cost of work performed in compiling the operative assessment rolls.

Bill read first time, and referred to Committee on County Government.

By Mr. Kingsley: Assembly Bill No. 725—An Act to create for the State of California a bureau of industrial investigation and to provide the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said bureau, its officers and employees, to make appropriation for the salaries and other expenses of said bureau.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 726—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics" by adding a new section to be known as Section 13, empowering the Commissioner of the Bureau of Labor Statistics to investigate and enforce safe and sanitary conditions in certain places and providing penalties for the violation hereof.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 727—An Act to amend section one hundred and ninety-eight of the Code of Civil Procedure, relating to whom are competent to act as jurors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston: Assembly Bill No. 728—An Act to amend section four thousand two hundred and forty-five of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Hinkle: Assembly Bill No. 729—An Act to provide for a state exhibit at the Panama-California Exposition to be held in San Diego, California, during the year 1915, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 730—An Act to provide for the building, equipping and furnishing of an armory to be used for the National Guard and National Guard purposes, in the city of San Diego, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Gates (by request): Assembly Bill No. 731—An Act for the regulation of the practice of medicine, surgery and obstetrics, naturopathy and osteopathy and other systems or modes of treating the sick or afflicted human beings in the State of California, fixing the standard of preliminary education of students before entering upon the study of medicine, surgery or obstetrics, naturopathy or osteopathy or other modes of treating the sick and afflicted human beings, the mode of examination of matriculants and by whom, the number of hours required in the attendance at college, schools or universities before receiving a diploma, standard of colleges, schools and universities teaching the same, and for the appointment of a board of medical examiners in the matter of said regulation.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Kuck (by request): Assembly Bill No. 732—An Act to amend section six of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907; amended March 19, 1909; amended May 1, 1911.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 733—An Act to amend Sections 3785, 3785a, 3897 and 3898 of the Political Code of the State of California, relating to the sale of lands for unpaid taxes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Griffin: Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

Bill read first time, and referred to Committee on Education.

By Mr. Palmer: Assembly Bill No. 735—An Act to amend Section 4288 of the Political Code, relating to the payment of salaries of county officers.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fiftieth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 737—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to the condemnation of private property for public use and the payment of money therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scott: Assembly Bill No. 738—An Act regulating the licensing of persons engaged in the business of installing any wires or electrical apparatus to convey electric current for light, heat and power, and to provide for a board of electrical examiners for said purpose, and to prevent the doing of such electrical work by persons other than those licensed in accordance with the provisions of this Act, and to provide a penalty for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McDonald: Assembly Bill No. 739—An Act to regulate repayment of employers' advances, and providing penalties for the violation of its provisions.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Slater: Assembly Bill No. 740—An Act to amend section seven hundred thirty-nine of the Political Code, relating to the salaries of officers connected with the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Walsh: Assembly Bill No. 741—An Act to amend Section 1188 of the Political Code, relative to independent candidates for office.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 742—An Act to amend Section 8 of the direct primary law, relative to filing nomination papers with Secretary of State, and providing for payment of fees received from candidates.

Bill read first time, and referred to Committee on Elections.

By Mr. Sutherland: Assembly Bill No. 743—An Act to amend an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending section fifteen thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend section thirty-seven thereof relating to free and reduced rate transportation for freight and pas-

sengers." approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provision of this Act," by amending section forty-seven thereof, so as to provide that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county, city and county, incorporated city or town, or municipal water district for the taking in eminent domain proceedings of any existing public utility or lands, property and rights of any character whatsoever connected with such existing public utility, or any part or portion thereof.

Bill read first time, and referred to Committee on Corporations.

By Mr. Farwell: Assembly Bill No. 744—An Act to create a commission to be known and designated as the commission on superannuation and pensions, for the purpose of investigating and reporting to the forty-first session of the Legislature, conditions and remedies in relation to superannuation, dependency due to old age or invalidity, retirement, pension and relief provisions, and kindred subjects; defining its powers and duties and making an appropriation for the expenses of such commission.

Bill read first time, and referred to Committee on Insurance.

Also (by request): Assembly Bill No. 745—An Act to establish a commission for the investigation of the matter of mothers' pension, widow's compensation, old age pensions and state insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Shartel: Assembly Bill No. 746—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Brown: Assembly Bill No. 748—An Act to amend the Political Code of the State of California, by adding eight new sections thereto, to be numbered 338, 338*a*, 338*b*, 339, 339*a*, 339*b*, 340, and 340*a*, under a new article to be numbered thirteen (13), to be added to chapter two (2), title one (1), part three (3) of said code, relating to the employment of legislative counsel and agents, prescribing and authorizing certain regulations governing said employment, and requiring statements of expenses incurred in connection with said employment to be filed with the Secretary of State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fish: Assembly Bill No. 749—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnstone: Assembly Bill No. 750—An Act to amend an Act entitled "An Act to define and regulate the business of banking in the State of California," approved March, 1909, as amended April 21, 1911, by amending Sections 3, 11, 19, 20, 21, 23, 25, 32, 33, 44, 47, 61, 67, 68, 83, 90, 96, 97, 98, 99, 101, 106, 124, 134, and 143 of said Act, and by repealing Section 65 of said Act, and by adding a new section to said

Act. to be designated as Section 31a, relating to the manner in which two or more banks may consolidate.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 751—An Act to amend Section 4041 of the Political Code of the State of California.

Bill read first time, and referred to Committee on County Government.

By Mr. Finnegan: Assembly Bill No. 752—An Act creating the office of inspector of mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the Attorney General and District Attorney in relation to suits instituted by the inspector of mines.

Bill read first time, and referred to Committee on Mining.

By Mr. Clarke: Assembly Bill No. 753—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Guiberson: Assembly Concurrent Resolution No. 8—Relative to recommending the Board of Control of the State of California and the Board of Regents of the State of California, to invest in the purchase of state highway bonds.

Read, and referred to Committee on Ways and Means.

By Mr. Bradford: Assembly Joint Resolution No. 11—Relative to the continuation by the United States of surveys for the construction of storage reservoir sites for the impounding of flood waters in the Sierra Nevada Mountains in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

Read, and referred to Committee on Federal Relations.

By Mr. Finnegan: Assembly Joint Resolution No. 12—Relative to requesting the Congress of the United States to appropriate money to construct an efficient and practical fishway in the Derby dam in the Truckee River, Nevada.

Read, and referred to Committee on Federal Relations.

By Mr. Kingsley: Assembly Constitutional Amendment No. 17—Proposed amendment to Article XIII, Section 14, of the Constitution, relative to property exempt from taxation.

Read, and referred to Committee on Constitutional Amendments.

SPEAKER IN CHAIR.

At ten o'clock and twenty-five minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

The following resolution was offered:

By Committee on Attachés and Employees:

Resolved, That the following named persons, heretofore employed for the positions and at the per diem set opposite their respective names, be stricken from the roll, to take effect Thursday, January 23, 1913.

E. C. Kramer, Committee Clerk	\$4 00
Arthur A. Wendering, Committee Clerk	4 00

and further,

Resolved, That the following named persons be and they are hereby employed for the positions and at the per diem set opposite their respective names, said per diem to begin and include this Friday, January 24th, and the Controller is hereby authorized and directed to draw his warrant upon the contingent expense fund of the Assembly for the said amounts, and the Treasurer is hereby directed to pay the same.

E. C. Kramer, Assistant to Committee on Revision and Printing	\$5 00
Arthur A. Wendering, Assistant to Committee on Revision and Printing	5 00
C. M. McDonald, Stenographer to Committee on Revenue and Taxation	5 00

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shamon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—65.

NOES—None.

MOTION.

Mr. Bohnett moved that the privileges of the floor of the Assembly for this day be extended to the principal and students of the San Jose State Normal School, and that their names be printed in the Journal.

Motion carried.

GUESTS—Morris H. Dailey, principal; Lulu Rowes, Mrs. Estelle Greathead, Marguerite Bozarth, Margaret Marshall, Russell Dill, Ernest Crook, Raymond Williams, Arthur Malloy, Paul Corbell, Renaldo Miano, Laverne Culbertson, E. F. Carmichael, W. L. Bachrodt, M. E. Darley, Caroline Bradley, Edna Clover, Bessie E. Exton, Helen Marshman, Nell O'Brien, Sadie B. Salstrom, Orpha M. Heimbach, Alma E. Swain, Hildegard Owen, Ella Willson, Ada Thornburg, Viola Burrough, Anna Kleemeyer, Marion Stockton, Kenneth Slater, Will Baker, Ida Mills, Ann Sheehy, and Susie Clemons.

RE-REFERENCE OF BILLS.

On motion of Mr. Weisel, Assembly Bills Nos. 305 and 315 were recalled from the Committee on Judiciary and re-referred to Committee on Revision of Criminal Procedure.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

Also: Assembly Joint Resolution No. 8—Relative to the protection from fire of the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law, known as Chapter 186 of Volume 36, Part 1. U. S. Statutes at Large.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON RULES.

The report of the Committee on Rules was taken up for further consideration.

During the consideration of the report, the following amendments were submitted:

By Mr. Brown:

Substitute for Rule 50 as amended, the following:

"A motion to substitute shall be deemed and held to be a motion to amend, and be treated in all respects as such."

Substitute adopted.

By Mr. Scott:

Amend Rule 69 so as to read as follows:

"No smoking shall be allowed within the Assembly Chamber during the sessions of the House except by motion of a member duly made and carried by a majority vote of the members present."

Mr. Sutherland moved, as a substitute to the above amendment, the following:

No smoking shall be allowed within the Assembly Chamber during the session of the House; *provided*, that during night sessions, this rule may be suspended by a vote of the majority of the members present, without notice or reference to committee.

Mr. Inman moved the following amendment to the substitute motion:

Strike out all the words after the word "provided."

POINT OF ORDER.

Mr. Brown made the following point of order: That a substitute motion can not be amended.

POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

Substitute offered by Mr. Sutherland adopted.

By Mr. Bohnett:

Amend Rule 10 by striking out, in lines 3 and 4, as printed in the Journal, the following: "their adoption," and insert in lieu thereof the following: "the adoption of concurrent resolutions."

Also: Amend Rule 10 by inserting after the word "demanded," in line 4, as printed in the Journal, the following: "or required by statute or the Constitution."

Amendment adopted.

By Mr. Schmitt:

Amend Rule 75, paragraph 2, so as to read as follows: The committee shall report upon each bill so referred to it not later than the next legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

Amendment lost.

HOUR OF RECESS EXTENDED.

On motion of Mr. Schmitt, the hour of recess was extended until the business before the House was disposed of.

By Mr. Scott:

Amend Rule 78 by striking out the word "in" at the end of the second line and insert the following: "within the railing of."

Mr. Clark moved the following as a substitute for the above amendment:

After the word "session," insert the following: "unless seated beside a member upon his invitation."

Substitute adopted.

Mr. Brown moved the adoption of the report as amended.

The roll was called, and the report as amended was adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Poisley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—69.

NOES—None.

STANDING RULES OF THE ASSEMBLY.

HOOR OF MEETING.

1. The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes a.m. After the constitutional recess, a recess shall be taken daily at the hour of twelve o'clock noon until the hour of one o'clock and thirty minutes p.m., unless otherwise ordered by a vote of the House.

ORDER OF BUSINESS.

2. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File.
14. Business on General File and Third Reading of Bills.
15. Announcements of Committee Meetings.

REPORTS OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

3. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

MESSAGES FROM THE GOVERNOR AND SENATE.

4. Messages from the Governor and from the Senate may be considered at any time by vote of the House.

MESSENGERS MAY BE INTRODUCED.

5. Messengers may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a member is addressing the House.

PETITIONS TO BE PRESENTED WITH A BRIEF STATEMENT OF CONTENTS.

6. Whenever petitions, memorials, or other papers addressed to the House are presented by a member, a brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

INTRODUCTION AND READING OF BILLS.

7. Any member desiring to introduce a bill shall rise in place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it is the first, second or third reading. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

INTRODUCTION OF BILLS BY COMMITTEE.

8. Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, read, ordered printed, and placed upon the Assembly file for further action.

DISPOSITION OF SENATE BILLS.

9. When a Senate bill has been received by the House with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received the provisions of which are stated by a member to be identical with those of an Assembly bill which has already been considered and reported by a committee of the Assembly, such Senate bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report on the next legislature day whether or not said bill is identical with the Assembly bill; and if reported identical, shall be read the second time, be substituted for the Assembly bill (the latter being considered withdrawn), shall take the latter's place on the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

JOINT AND CONCURRENT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS.

10. Joint and concurrent resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that, after they have been reported by a committee; *and provided, further*, that the ayes and noes shall not be called upon the adoption of concurrent resolution, unless regularly demanded, or required by statute or the constitution. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they have been reported by a committee.

PROCEEDINGS TOUCHING APPROPRIATIONS OF MONEY TO BE CONSIDERED IN COMMITTEE OF THE WHOLE.

11. All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

REFERENCE OF BILLS.

12. No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

REFERRING WITH SPECIAL INSTRUCTIONS.

13. A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

ORDER OF MAKING FILE.

14. Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 6. When reported back they shall be placed upon the General File, to be kept by the Clerk, as follows: All bills when reported to the House by the committees shall be placed at the foot of the second reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third reading file and second reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the House. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of two thirds of the members present; *provided*, that if a bill is passed on file for any reason, other than the absence of the author by leave of the Assembly, note of the fact shall be made in the general file and when passed on file a second time, the bill shall be ordered to the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file, shall be omitted from the general file. The Clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the general file, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

ORDER MAKING SPECIAL FILE.

15. The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the state government and state institutions, revenue, election laws and constitutional

amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

TAKING UP BILLS OUT OF ORDER.

16. When a member shall ask leave to have a bill taken up out of its regular order, he shall in making the motion give the number and title of the bill and its position on the file.

ENGROSSMENT AND ENROLLING BILLS.

17. The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to bills or preparation of bills before this House. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly.

BILLS TO BE REPORTED BACK WITHIN TEN DAYS.

18. All bills referred to any committee shall be, by such committee, reported back to the House with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

SPEAKER TO CALL HOUSE TO ORDER.

19. The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and the Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

SPEAKER TO PRESERVE ORDER; TO DECIDE POINTS OF ORDER; AND MAY SPEAK TO SAME.

20. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

SPEAKER TO HAVE DIRECTION OF THE HALL; MAY CALL ANY MEMBER TO THE CHAIR.

21. He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

SPEAKER TO SIGN RESOLUTIONS, ETC., ATTESTED BY THE CLERK.

22. All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

SPEAKER MAY ORDER THE GALLERIES AND LOBBY CLEARED.

23. In case of any disturbance or disorderly conduct in the galleries or lobby, or whenever he shall deem it necessary, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

DUTIES OF THE SERGEANT-AT-ARMS.

24. The Sergeant-at-Arms shall attend the House during its sittings, execute the commands of the Speaker of the House, and serve all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision over the Assistant Sergeants-at-Arms, gate keepers, watchmen and porters, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such attaché under him for dereliction of duty, and shall report to the Committee on Attachés such suspension and the causes thereof. Said suspended attaché shall not receive any pay during the time of such suspension. The Committee on Attachés shall have the power to relieve the attaché of his suspension, and shall have the power, subject to the approval of the House, to remove any attaché for incompetency or for wilful neglect of duty.

EXPENSES OF SERGEANT-AT-ARMS.

25. The Sergeant-at-Arms shall receive his actual traveling expenses for himself or a special messenger when executing any process issued by the House or by any officer or committee thereof.

ASSISTANT SERGEANT-AT-ARMS TO BE DOORKEEPER.

26. The Assistant Sergeant-at-Arms designated by the Speaker shall be the door-keeper and shall be sworn to keep the secrets of the House.

STANDING COMMITTEES.

27. The standing committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of eleven members.
2. A Committee on Attachés, to consist of seven members.
3. A Committee on Banking, to consist of nine members.
4. A Committee on Building and Loan Associations, to consist of nine members.
5. A Committee on Civil Service, to consist of nine members.
6. A Committee on Claims, to consist of seven members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members.
9. A Committee on Constitutional Amendments, to consist of nine members.
10. A Committee on Contingent Expenses, to consist of five members.
11. A Committee on Contested Elections, to consist of seven members.
12. A Committee on Corporations, to consist of eleven members.
13. A Committee on County Government, to consist of thirteen members.
14. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
15. A Committee on Education, to consist of eleven members.
16. A Committee on Elections, to consist of fifteen members.
17. A Committee on Engrossment and Enrollment, to consist of seven members.
18. A Committee on Federal Relations, to consist of seven members.
19. A Committee on Fish and Game, to consist of fifteen members.
20. A Committee on Hospitals and Asylums, to consist of eleven members.
21. A Committee on Insurance, to consist of eleven members.
22. A Committee on Irrigation, to consist of eleven members.
23. A Committee on Judiciary, to consist of twenty-one members.
24. A Committee on Labor and Capital, to consist of eleven members.
25. A Committee on Libraries, to consist of seven members.
26. A Committee on Live Stock and Dairies, to consist of nine members.
27. A Committee on Manufactures, to consist of seven members.
28. A Committee on Medical and Dental Laws, to consist of nine members.
29. A Committee on Mileage, to consist of five members.
30. A Committee on Military Affairs, to consist of nine members.
31. A Committee on Mines and Mining, to consist of nine members.
32. A Committee on Municipal Corporations, to consist of eleven members.
33. A Committee on Normal Schools, to consist of nine members.
34. A Committee on Oil Industries, to consist of nine members.
35. A Committee on Prisons and Reformatories, to consist of eleven members.
36. A Committee on Public Charities and Corrections, to consist of nine members.
37. A Committee on Public Health and Quarantine, to consist of nine members.
38. A Committee on Public Morals, to consist of nine members.
39. A Committee on Revenue and Taxation, to consist of seventeen members.
40. A Committee on Revision of Criminal Procedure, to consist of eleven members.
41. A Committee on Roads and Highways, to consist of thirteen members.
42. A Committee on Rules, to consist of seven members.
43. A Committee on State Grounds and Parks, to consist of nine members.
44. A Committee on Universities, to consist of nine members.
45. A Committee on Ways and Means, to consist of twenty-one members.

COMMITTEES TO BE APPOINTED BY SPEAKER.

28. All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

COMMITTEE ON CONTESTED ELECTIONS.

29. It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of such members returned to serve in this House as may have their seats contested, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question, and be referred to them by the House, or the Speaker thereof.

COMMITTEE ON WAYS AND MEANS.

30. It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the state officers and state boards or state commissions and all propositions relative to the revenue of the State, as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider and report thereon the amount of appropriation required, but such bill shall retain its place on file pending its consideration by said Committee on Ways and Means. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

31. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by this House with the engrossed copies thereof; and, before they pass out of the possession of this House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

COMMITTEE EXPENDITURES.

32. No member of any committee shall be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House by a two-thirds vote of the members thereof.

COMMITTEE OF THE WHOLE HOUSE.

33. In forming a Committee of the Whole House, the Speaker as Chairman or a Chairman to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the Chairman. After being reported to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

RULES IN COMMITTEE OF THE WHOLE.

34. The rules of the Assembly shall be observed in Committees of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes need not be taken unless demanded.

MOTION TO RISE DECIDED WITHOUT DEBATE.

35. A motion that the committee rise shall always be in order, and shall be decided without debate.

REFERENCE OF BILLS.

36. When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

CALLING MEMBERS TO ORDER WHEN TRANSGRESSING RULES.

37. If any member, in speaking or otherwise, transgresses the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

SPEAKER TO DECIDE WHO IS ENTITLED TO THE FLOOR.

38. When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

ORDER IN SPEAKING TO QUESTIONS.

39. Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall have the right to close the debate. No member shall be allowed to speak more than fifteen minutes upon any question except by leave of the House, and except further, the author shall be allowed fifteen minutes to open and fifteen minutes to close.

CALLED TO ORDER FOR OFFENSIVE WORDS IN DEBATE.

40. If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

PERSONAL EXPLANATION.

41. Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

MOTIONS TO BE STATED BY SPEAKER, AND IF DESIRED SHALL BE REDUCED TO WRITING, OR MAY BE WITHDRAWN.

42. No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

MOTION TO ADJOURN.

43. A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made and adjournment taken.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case occupy more than two minutes.

Concurrent resolutions for adjournment sine die shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and tax levy.

PRECEDENCE OF MOTIONS DURING DEBATE.

44. When a question is under debate, or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

PREVIOUS QUESTION.

45. The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

QUESTIONS OF ORDER AFTER PREVIOUS QUESTION IS ORDERED.

46. All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

PREVIOUS QUESTION DEMANDED.

47. The previous question shall be put only when demanded by three members.

QUESTION INDEFINITELY POSTPONED.

48. When a question is postponed indefinitely, the same shall not again be introduced during the session.

DIVISION OF QUESTIONS.

49. Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

SUBSTITUTE.

50. A motion to substitute shall be deemed and held to be a motion to amend, and be treated in all respects as such.

SUBJECTS DIFFERENT FROM THE ONE UNDER CONSIDERATION.

51. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

PRINTING OF BILLS.

52. One thousand copies of all bills and as many additional copies as the House shall order, shall be printed. The Sergeant-at-Arms shall be required to certify to the receipt by the House of all such printed matter, and the quantity thereof.

PRINTING EXTRA NUMBER OF BILLS, ETC.

53. A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

PRINTING OF MAPS.

54. Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

FILLING BLANKS.

55. In filling up blanks the least sum and shortest time shall be put first.

PRIORITY OF BUSINESS.

56. All questions relating to the priority of business shall be decided without debate.

READING OF PAPERS.

57. When the reading of a paper is called for, except petitions, and the same is objected to by a member, such reading shall be determined by a vote of the House, without debate.

NOTICE OF RECONSIDERATION.

58. On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, a notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

ELECTION BY HOUSE.

59. In all cases of election by the House, the vote shall be taken *viva voce*.

CALLING AYES AND NOES.

60. The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

MEMBERS AT CLERK'S DESK.

61. No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

VOTING ON QUESTION WHEN INTERESTED.

62. No person shall vote on any question in the result of which he is personally interested or involved.

DIVISION AND COUNT OF HOUSE.

63. Upon a division and count of the House on any question, no person without the bar shall be counted.

EXPLAINING OR CHANGING VOTE.

64. No member shall be allowed to explain his vote or discuss the question while the ayes or noes are being called, and no member shall be allowed to change his vote after the vote is announced by the chair.

CALL OF THE HOUSE.

65. Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

SUSPENDING AND CHANGING RULES.

66. No standing rule or order of the House shall be rescinded or changed without a vote of two thirds of the members of the Assembly, and one day's notice being given of the motion therefor; *provided*, that the Committee on Rules may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the state government, its revenue, its various departments or commissions, or appropriations therefor.

2. Bills affecting county and township governments, or roads and highways.

3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.

4. Bills amending election or primary election laws.

5. Constitutional amendments.

6. Bills amending or repealing the Codes, or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendments by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules.

The Committee on Rules may also, at any time, report a temporary rule or regulation. When such temporary rule or regulation shall have been adopted by a two-thirds vote of the House it shall have the effect, for the time being, of a standing rule, and if such temporary rule shall be in conflict with a standing rule it shall supersede said standing rule for the time being, and shall be enforced by the Speaker.

MEMBERS ABSENTING THEMSELVES.

67. No member shall absent himself from attendance at a session of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House, or by unanimous consent.

PERSONS ADMITTED TO THE FLOOR.

68. No person except Senators, state officers, governors and ex-governors of states, members of Congress, judges of the Supreme, Appellate and Superior courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their

respective journals, ladies when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House cleared of any or all such persons. The Speaker is charged with the enforcement of this rule; *provided, however*, any other guest of any member may be admitted to the floor of the House by written permission of said member, such permission being good for the sessions of the day on which it is given, the names of such members and guests to be entered in the Journal when requested by such members.

SMOKING IN HALL.

69. No smoking shall be allowed within the Assembly Chamber during the session of the House; *provided*, that during night sessions, this rule may be suspended by a vote of the majority of the members present, without notice or reference to committee.

PARLIAMENTARY RULES.

70. The rules of parliamentary practice contained in Robert's Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and Assembly.

USE OF HALL.

71. The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

FEES FOR WITNESSES.

72. Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

PROTESTS OF MEMBERS.

73. It shall be in order for any member or members to protest against the action of the House, and have such protest entered in the Journal.

ASSIGNMENT OF ATTACHÉS.

74. The Committee on Attachés shall assign the committee clerks and the official stenographers of the House to the various committees and, on recommendation of the Chief Clerk, shall have authority to reassign any clerk or attaché under him to special duties or other committees when the necessity arises.

The Committee on Attachés, in co-operation with the Chief Clerk and Sergeant-at-Arms, shall exercise general supervision over and shall systematize the work of all attachés.

All assignments of committee clerks and stenographers made by the Committee on Attachés under this rule shall be reported to the House and entered in the Journal.

INTRODUCTION OF BILLS AFTER CONSTITUTIONAL RECESS.

75. Immediately upon convening after the constitutional recess the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and the Committee on Introduction of Bills may have the same time for reply.

FORM FOR PRINTED AMENDED BILLS.

76. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted; the new matter added by any amendments to be printed in italics and any matter proposed to be omitted by such amendments to be included in brackets.

DUTIES OF CHIEF CLERK.

77. The Chief Clerk shall have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. He shall have the supervision of all the clerks and assistants at the desk (except the minute clerk and his assistants and the journal clerk), of all bill clerks, bill filers, stenographers, and of all committee attachés, and all pages, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such clerk or attaché under him for dereliction of duty, and shall report to the Committee on Attachés such suspension and the cause thereof. Said suspended clerk or attaché shall not receive any pay during the time of such suspension. The Committee on Attachés shall have the power to relieve the attaché or clerk of his suspension, and shall have the power, subject to the approval of the House, to remove any clerk or attaché for incompetency or for wilful neglect of duty.

LOBBYING.

78. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule.

This rule cannot be suspended except by a two-thirds vote of the entire Assembly.

RESOLUTION.

The following resolution was offered:

By Mr. Brown:

Resolved, That the Chief Clerk have five hundred copies of the Standing Rules of the Assembly, this day adopted, printed in pamphlet form for use of the members.

Resolution read, and on motion adopted.

LEAVES OF ABSENCE.

On motion of Mr. Bohnett, leave of absence for the day was granted Mr. Chandler.

On motion of Mr. Ryan, leave of absence for the day was granted Mr. Nolan.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system—and report that the same has been correctly engrossed.

MOORHOUSE. Chairman.

ADJOURNMENT.

At one o'clock p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Saturday, January 25, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, January 25, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Shannon, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Killingsworth, leave of absence for the day was granted Mr. Beck.

On motion of Mr. Ryan, leave of absence for the day was granted Messrs. Nolan and Canepa.

On motion of Mr. Benedict, leave of absence for the day was granted Mr. Polsley.

On motion of Mr. Ryan, leave of absence for the day was granted Mr. Richardson.

PETITIONS.

Petitions from various public bodies relative to the Panama-Pacific Exposition were filed by Messrs. Killingsworth, Guill, Tulloch, Simpson, Slater, Libby, Guiberson, Griffin, Dower, Walsh, and Murray.

By Mr. Guiberson:

MERCHANTS' ASSOCIATION OF HANFORD.

HANFORD, CAL., January 18, 1913.

Hon. J. W. Guiberson, Assemblyman, Sacramento, Cal.

DEAR SIR: At a meeting of the Board of Directors of the Merchants' Association of this city held January 16th, a resolution was adopted instructing the president and secretary to address a communication to you protesting against the proposed legislation limiting the hours of women and girls in the handling of green fruits in the canneries and cutting sheds to eight hours per day.

In the opinion of this board such a law at this time would work a great hardship on the women and girls it is proposed to protect and will be against the best interests of the fruit growers of this State; therefore we urge you to resist the passage of such a measure with all the powers at your command.

Thanking you in advance for your efforts in this behalf we are,

Yours respectfully,

MERCHANTS' ASSOCIATION OF HANFORD.

S. C. KIMBALL, President.

F. E. NEWTON, Secretary.

By Mr. Scott:

PARK-RICHMOND IMPROVEMENT CLUB.

SAN FRANCISCO, CAL., January 23, 1913.

To the Members of the Assembly of the State of California.

GENTLEMEN: The Park-Richmond Improvement Club urges that the measure now before you looking toward an investigation of the affairs of the Franciscan Maternity Hospital and Babies' Aid (doing business in the Richmond district in this city and county) be given favorable consideration.

Rumor is current that this institution is not being conducted upon lines similar to that of other like institutions, and moreover, it has been reported that a judgment under the so-called McEnerney Act was obtained by said society, quieting the title in fee against the city of San Francisco; the conveyance from the city of San Francisco some years ago to the San Francisco Lying-in Hospital, included only a conditional estate, and was not an absolute grant.

We appeal to you to see that the interests of the city are protected, and believe that an investigation will do no harm.

Yours truly,

PARK-RICHMOND IMPROVEMENT CLUB.

S. W. MOLKENBUHN, President.

GEO. R. MEYERDERKS, Secretary.

By Mr. Walsh:

SAN FRANCISCO, January 23, 1913.

To the Senate and Assembly of the California Legislature:

This is to certify that the Grocery Clerks' Union, No. 648, of San Francisco, has endorsed the Sunday rest bill, introduced by Senator Kehoe and Assemblyman Benedict, and we urge its passage without amendment.

Our organization has been appealing to the churches to assist us in getting Sunday rest for all the grocery clerks of San Francisco, but we realize it can only be accomplished by a state law.

Many of our clerks claim the right to attend church on Sunday in this land of religious liberty, but whether they attend church or not, we believe that six days a week of business is an American, humane and modern way of conducting any mercantile business.

A bill now pending before you to provide for one day of rest in seven, fails to protect this highest right of American citizens.

The enactment of that bill into a law would leave the grocery store of the State open for seven days of the week.

Many nonunion stores kept by Greeks and others devoid of the American spirit are open on Sundays.

Within a few months, when the Panama canal opens, multitudes of foreigners will flood our city and open their seven-day stores on every street, and our American customs and our American Sabbath as a day of public rest will be overthrown without this protection which you alone can give.

We appeal to you for our American right to Sunday rest.

(Signed):

GROCERY CLERKS' UNION NO. 648.

W. R. CAMMACK, President.

A. H. BIERMAN, Secretary.

[SEAL]

By Mr. Griffin:

Resolved by the Board of Supervisors of Madera County, That in the opinion of said board Section 4273 of the Political Code and Subdivision 2 thereof should be amended by striking therefrom and eliminating therefrom the last clause of said Subdivision 2, which is as follows: "and fifteen cents for each meal for feeding prisoners confined in the county jail;" it appearing to the board that under present conditions the sum of fifteen cents is insufficient to meet the cost of each meal of prison fare delivered at the jail; and it further appearing to this board that Section 4290 of the Political Code provides: "The board of supervisors shall allow the sheriff his necessary expenses for pursuing criminals, or transacting any criminal business, and for boarding prisoners in the county jail; *provided*, that the board of supervisors shall fix a reasonable price at which such prisoners shall be boarded if not otherwise provided for in this title."

With the elimination of the limitation of fifteen cents per meal, provided for in Section 4273, the existing law quoted above and contained in Section 4290 appears to us to be all that is necessary and proper in the matter.

Resolved, further, That the clerk of this board be and he is hereby instructed to forward by mail to Hon. John B. Curtin, State Senator from this district, and to Hon. J. J. Griffin, Assemblyman from this district, certified copies of this resolution.

Passed and adopted by the board of supervisors of Madera County this 8th day of January, 1913.

[SEAL]

Attest: W. R. CURTIN, Clerk.

W. A. ELLIS,
Chairman of the Board of Supervisors.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Shartel, Mr. M. C. Kern, Judge H. D. Burroughs, and Miss Edith Gill were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Strine, Mr. Harry Riley, city clerk of Long Beach, was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shannon, Mr. Fred H. St. Goar was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ambrose, Mr. R. H. Norton was granted the privilege of the floor of the Assembly for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 24, 1913, Assembly Bills Nos. 693 to 753, inclusive; also, Assembly Constitutional Amendment No. 17; also, Assembly Concurrent Resolution No. 8; also, Assembly Joint Resolutions Nos. 11 to 12, inclusive; and returned the same day to the Clerk of the Assembly, Assembly Bills Nos. 693 to 753, inclusive; also, Assembly Constitutional Amendment No. 17; also Assembly Concurrent Resolution No. 8; also Assembly Joint Resolutions Nos. 11 to 12, inclusive.

WM. C. CLARK, Chairman.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: Your Committee on Universities, to whom was referred Assembly Bill No. 289—An Act providing for a continuous appropriation for the support and maintenance of the University of California, to be an item of the general appropriation bill, etc.—have had the same under consideration, and respectfully report the same back and recommend that it do pass, and that it be re-referred to the Committee on Ways and Means.

GATES, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: Your Committee on Universities, to whom was referred Assembly Bill No. 5—An Act making an appropriation for university extension work at the University of California.

Also: Assembly Bill No. 12—An Act providing for the construction and equipment of a residence, barns, and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Assembly Bill No. 41—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles Department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Assembly Bill No. 72—An Act providing for the support, maintenance and equipment of the Los Angeles Department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Assembly Bill No. 73—An Act providing for the construction and equip-

ment of two dormitories at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 97—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mt. Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Also: Assembly Bill No. 198—An Act providing for the support, maintenance and equipment of the Department of Agriculture of the University of California, including the station at Berkeley, and the various substations throughout the State, and making an appropriation therefor.

Also: Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 269—An Act appropriating money for a sea wall and sedimentation tank at the Scripps Institution for Biological Research at La Jolla.

Also: Assembly Bill No. 271—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and the Treasurer of the State in relation thereto.

Also: Assembly Bill No. 288—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Also: Assembly Bill No. 385—An Act providing for the purchase for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and that they be re-referred to the Committee on Ways and Means.

GATES, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 88—An Act to amend section one of an Act entitled "An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this State," approved March 23d, 1901, relating to the employment of citizens of the United States.

Also: Assembly Bill No. 374—An Act to amend section one of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and April 14, 1911.

Also: Assembly Bill No. 75—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass as amended.

McDONALD, Chairman.

The above reported bills ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Assembly Bill No. 214—An Act to amend Section 3247a of the Political Code, relating to the purchase of supplies for the State by boards, committees, and other persons—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUSH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Assembly Concurrent Resolution No. 3—Relative to the purchase and use by counties, cities and counties, cities and other political subdivisions of the State of California, of goods, wares, merchandise, manufactures, produce, and other articles, which are grown, prepared, manufactured or produced within the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BUSH, Chairman.

The above Assembly constitutional amendment ordered on file.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Morgenstern: Assembly Bill No. 754—An Act to amend section fourteen of an Act entitled "An Act to create a firemen's relief, health, life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 20, 1905.

Bill read first time, and referred to Committee on Insurance.

By Mr. Peairs: Assembly Bill No. 755—An Act to amend section two hundred of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shearer: Assembly Bill No. 756—An Act to amend section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Scott: Assembly Bill No. 757—An Act to amend Section 59 of the Civil Code, relating to marriage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Murray: Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Bloodgood: Assembly Bill No. 759—An Act to amend Section 279 of the Code of Civil Procedure, relative to the admission and license of attorneys and counselors at law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Libby: Assembly Bill No. 760—An Act to amend Section 514 of the Penal Code, relating to the prosecution and punishment of embezzlement.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shannon: Assembly Bill No. 761—An Act to amend section three hundred eight of the Penal Code of California.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 762—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be numbered section three hundred eight a.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 763—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be numbered section three hundred eight c.

Bill read first, and referred to Committee on Public Morals.

Also: Assembly Bill No. 764—An Act to amend section three hundred ninety-seven b of the Penal Code of California.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Ford (by request): Assembly Bill No. 765—An Act to amend Section 1191 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Green: Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 767—An Act to amend Section 995 of the Penal Code of the State of California, relating to motions to set aside indictments and informations.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 768—An Act to amend Section 988 of the Penal Code of the State of California, relating to arraignment of defendant on indictment or information.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 769—An Act to amend Section 925 of the Penal Code of the State of California, relating to proceedings before the grand jury, the persons who may be present at the sessions of such grand jury, and the records of testimony taken at such sessions.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnstone: Assembly Bill No. 771—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 772—An Act to amend Sections 2, 4 and 6 of an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909, relating to the issuance of licenses to hunt wild birds and animals, and providing for the disposition of the moneys collected therefrom.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Alexander: Assembly Bill No. 773—An Act to amend section one of an Act entitled "An Act to authorize the deposit of state moneys

in the banks in this State, and to repeal all Acts or parts of Acts in conflict with this Act," approved February 28, 1907.

Bill read first time, and referred to Committee on Banking.

By Mr. Chandler: Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 775—An Act appropriating money to pay the claim of John M. Williamson against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer, and defining its use and the liability therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark and Henery Construction Company against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 781—An Act to appropriate money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 785—An Act appropriating money to pay

the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes of 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Bill read first time, and referred to Committee on Was and Means.

Also: Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes of 1907, for searching for beneficial insects.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Dower: Assembly Bill No. 789—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industr.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Slater: Assembly Bill No. 795—An Act to amend Section 270 of the Penal Code, and creating a new section, to be known as Section 196a of the Civil Code, relating to the duty of a parent to support his child, whether legitimate or illegitimate, and providing for the enforcement of such obligation.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 796—An Act to amend Section 1070 of the Penal Code, relating to the number of peremptory challenges to which the State and defendant shall be entitled.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

By Mr. Farwell: Assembly Bill No. 797—An Act to provide for the establishment of a state hospital for the insane, and providing for commitment thereto and management thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 798—An Act to amend Section 626*f* of the Penal Code of the State of California, relating to the protection and preservation of male deer.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 799—An Act to amend Section 626*g* of the Penal Code of the State of California, relating to the protection and preservation of tree squirrels.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Brown: Assembly Bill No. 800—An Act to amend Section 737 of the Political Code, relating to the salary of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 801—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers, and prescribing a penalty for the violations of this Act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Ryan: Assembly Bill No. 802—An Act to regulate the occupation of barbering, to create a state board of examiners for the licensing of persons to carry on such practice; to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases, thereby insuring the general public cleaner and better service; and providing penalties for violations thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Strine: Assembly Concurrent Resolution No. 9—Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

Resolution read, and referred to Committee on Municipal Corporations.

By Mr. Benedict: Assembly Concurrent Resolution No. 10. Relative to the reassembling of the Legislature after the constitutional recess, and setting the date for reassembling.

Resolution read, and referred to Committee on Rules.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés and Employees.

WHEREAS, There is a constantly increasing demand for bills, resolutions, etc., of the Assembly; and

WHEREAS, There has been much waste in their distribution owing to the promiscuous giving out of same:

Resolved, That the bill clerks be instructed to deliver no printed matter except upon the written order either of the Chief Clerk or some member of the Assembly, and the Chief Clerk is instructed to have proper slips printed for the use of the members.

Resolution read, and on motion adopted.

By Mr. Finnegan:

Resolution relative to the appointment of a committee to investigate the high cost of living, the actions of trusts and the cause of monopolies and maintenance of high prices in the State of California.

WHEREAS, The cost of living has for many years been gradually on the increase, augmenting more rapidly than the incomes of the people, especially those forced to labor daily for the support of themselves and their families; and

WHEREAS, In the State of California trusts and monopolies, under various names and systems, have been formed for the purpose of controlling the product and increasing the price of supplies of all kinds, including food, clothing, building material and other commodities with the result that it is becoming daily more difficult for those of limited or small means to enjoy the comforts and necessities of life; and

WHEREAS, It appears that this increased cost of articles of all kinds is largely artificial and due to the unlawful and unjust manipulation of those controlling the markets of the State, and those who by unlawful agreements and combinations are depressing the price of produce to the farmers, orchardists, and stockmen, even going to the extent of destroying great quantities of foodstuffs and staples in order that said artificial high price may the more easily be maintained; therefore, be it

Resolved, That a special committee of five Assemblymen be appointed by the Speaker of the Assembly to investigate the conditions which permit of such inequalities in the cost of production and the price of products to the consumer in the State of California, and also to inquire into the status of combinations and agreements and monopolies operating against the laws of the State, and to recommend to the Legislature at its next regular or special session such statutes as may tend to ameliorate the present conditions; and be it further

Resolved, That the said committee shall have power to send for persons and papers, to issue subpoenas whenever necessary and to enforce attendance, and to employ for that purpose and the purpose of the aforesaid investigation such clerical and other help as may be necessary; and there is hereby appropriated out of the contingent fund of the Assembly such sum or sums as may be necessary to defray the traveling and contingent expenses connected with said investigation.

Resolution read, and referred to Committee on Rules.

THIRD-READING FILE.

Assembly Bill No. 68—An Act to amend an Act entitled “An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records,” approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1914, but not thereafter.

Bill read third time.

The question being on the adoption of the emergency clause.

The roll was called, and the emergency clause adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitz-

gerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—70.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 68 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnet, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Charndler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following: Assembly Concurrent Resolution No. 3—Relative to the purchase and use by counties, cities and counties, cities and other political subdivisions of the State of California, of goods, wares, merchandise, manufactures, produce, and other articles, which are grown, prepared, manufactured or produced within the State of California—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

The question being on the adoption of the joint resolution.

The roll was called, and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Assembly joint resolution ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 2.

Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

WHEREAS, Under the Act of Congress now in force, which establishes a postal savings system throughout the United States, there is no authority by which the board of trustees of said postal savings system is permitted to loan the funds of said system to the various school districts throughout the nation; and

WHEREAS, It appears that, if such authority existed, the school districts of this State, and every state would be able thereby to obtain money directly from the

funds of said postal savings system with more facility and at lower rates of interest; and

WHEREAS, It appears that, by their ability to borrow money more easily and under better conditions, the school districts of this State and of every state will receive great benefits of economy, saving and financial prosperity which will consequently afford the rising generation of our nation better education and development: be it, therefore,

Resolved, That the Senate and Assembly of the State of California hereby join in requesting the Congress of the United States to amend the Act establishing the postal savings system in such manner as will authorize and direct the board of trustees of said postal savings system to loan the funds of said system directly to the various school districts of the nation, and that our representatives in the Senate and the House of Representatives of Congress do their utmost to further such legislation as will effect the above result; and be it further

Resolved, That copies of these resolutions be forthwith transmitted by the Clerk of the Assembly to the President of the Senate of the United States and the Speaker of the House of Representatives of the United States and a copy hereof to each member of Congress, and to each newly elected member of Congress.

Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system.

The question being on the adoption of the joint resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Roberts, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Assembly joint resolution ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 3.

Relative to the establishment of a postal telegraph system.

WHEREAS, The establishment of a postal telegraph system would be a profitable and economic extension of our postal business; and

WHEREAS, Because of the more extensive organization maintained by the postal service, and the freedom from taxation and other charges to which a private corporation is subject, the Federal Government undoubtedly will be able to afford greater telegraphic facilities at lower rates to the people than the companies now conducting this business; therefore, be it

Resolved, That the Senate and Assembly of the State of California hereby join in requesting the Congress of the United States to enact appropriate legislation providing for the establishment of a postal telegraph system to be operated in conjunction with the mail service; be it further

Resolved, That our representatives in the Senate and House of Representatives at Washington be instructed to do their utmost to forward such legislation; and be it further

Resolved, That a copy of these resolutions be forthwith transmitted by the Secretary of the Senate to the President of the Senate of the United States and the Speaker of the House of Representatives of the United States, and a copy hereof sent to each member of Congress from the State of California.

Assembly Joint Resolution No. 8—Relative to the protection from fire of the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law, known as Chapter 186 of Volume 36, Part 1, U. S. Statutes at Large.

The question being on the adoption of the joint resolution.

The roll was called, and Assembly Joint Resolution No. 8 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnston,

T. D. Johnstone, W. A. Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Assembly Joint Resolution No. 8 transmitted to Senate.

ASSEMBLY JOINT RESOLUTION NO. 8.

Relative to the protection from fire of the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law, known as Chapter 186 of Volume 36, Part 1, U. S. Statutes at Large.

WHEREAS, The sixty-first Congress recognized the duty of the Federal Government to protect from fire the forested watersheds of navigable streams, through promoting forest protection by the states and private owners, in the passage of the Weeks law, known as Chapter 186 of Vol. 36, Part 1, U. S. Statutes at Large; and

WHEREAS, Under the provisions of Section 2 of the said law, the State must have provided by law for a system of forest fire protection; and the Federal expenditure in any state must not exceed in any Federal fiscal year the amount appropriated by the State for the same purpose; and

WHEREAS, It appears that the appropriation made for such co-operation is practically exhausted; now, therefore, be it

Resolved by the Assembly of the State of California, and the Senate, jointly. That the California congressional delegation be and they hereby are requested to use their best efforts to obtain an additional appropriation to be expended by the Secretary of Agriculture under the terms of the Weeks law in the protection of forested watersheds of navigable streams; be it further

Resolved. That a copy of this joint resolution be sent to the Secretary of Agriculture of the United States.

Senate Concurrent Resolution No. 7—Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

The question being on the adoption of the concurrent resolution.

The roll was called, and Senate Concurrent Resolution No. 7 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bowman, Bradford, Byrnes, Cary, Clarke, George A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Babbert, Gates, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—48.

NOES—None.

SENATE CONCURRENT RESOLUTION NO. 7.

Approving three (3) certain amendments to the charter of the city of Berkeley, county of Alameda, State of California, voted for and ratified by a majority of the qualified electors of the said city of Berkeley at a special municipal election held therein on the 27th day of April, 1912.

WHEREAS, The city of Berkeley, in the county of Alameda, State of California, contains a population of over forty thousand (40,000) inhabitants, and has been ever since the year 1909, and is now, organized and acting under a freeholders' charter, adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election duly called and held for that purpose on the 30th day of January, 1909, and ratified and approved by the Legislature of the State of California on the 4th day of March, 1909 (Stats. 1909, p. 1208); and

WHEREAS, The said charter of the said city of Berkeley, ratified and approved as aforesaid, has now been in force for more than two (2) years since its said adoption and approval, and has not been amended during said time, or during the two (2) years prior to the special election held as hereinafter set forth, and no charter amendments have been submitted to the qualified electors of said city at any general or special municipal election, or at all, during said time; and

WHEREAS, More than fifteen (15) per centum of the qualified electors of the said city of Berkeley, computed from the total number of votes cast therein for all candidates for governor at the last preceding general election at which a governor was elected, petitioned the council of said city to submit a proposed amendment

to said charter of said city to the qualified electors thereof, which said amendment was set forth in full in said petition and which said amendment is hereinafter designated and numbered Charter Amendment No. 1; and

WHEREAS, The council of said city of Berkeley, being the legislative authority thereof, also submitted three (3) other amendments to the said charter of the said city of Berkeley to the qualified electors thereof at a special election held as hereinafter set forth, which said amendments are hereinafter designated and numbered Charter Amendment No. 2, Charter Amendment No. 3 and Charter Amendment No. 4, making in all four (4) amendments to the charter of the said city of Berkeley; and

WHEREAS, The legislative authority of the said city of Berkeley did by Ordinance No. 173—N. S., of the ordinances of said city, finally adopted by the council of said city April 12, 1912, and entitled "Ordinance No. 173—N. S., providing for a special municipal election to be held on the 27th day of April, 1912, for the purpose of submitting to the electors of the city of Berkeley certain charter amendments, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California," and pursuant to Section 8 of Article XI of the Constitution of the State of California duly submitted to the qualified electors of said city of Berkeley said four (4) amendments to the charter of said city of Berkeley; and

WHEREAS, Said four (4) proposed amendments to said charter were, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, published for ten (10) times in the official newspaper of the city of Berkeley, to wit, the *Berkeley Independent*, a daily newspaper of general circulation printed, published and circulated in said city, and which publication of said amendments was completed not less than twenty (20) days, nor more than forty (40) days prior to the said election; and

WHEREAS, The said council of the said city of Berkeley did by Ordinance No. 173—N. S. call a special election to be held in said city of Berkeley on the 27th day of April, 1912, for the purpose of submitting to the qualified electors of the said city of Berkeley said four (4) proposed amendments to said charter; and

WHEREAS, Said election was held in the said city of Berkeley on the said 27th day of April, 1912, which day was not less than twenty (20), and not more than forty (40) days after the completion of the publication of said proposed amendments in the said official newspaper of said city of Berkeley; and

WHEREAS, On the second day of May, 1912, at a regular meeting of the council of the said city of Berkeley, held in accordance with law and the charter of said city of Berkeley, the said council duly and regularly canvassed the returns of said special election and duly declared the results thereof, and did duly declare and determine that three (3) of said proposed amendments, designated herein and in said Ordinance No. 173—N. S. as Charter Amendment No. 2, Charter Amendment No. 3 and Charter Amendment No. 4, had, and each of them had, been ratified by a majority of the electors voting thereon, and that said proposed amendment, herein and in said Ordinance No. 173—N. S. designated as Charter Amendment No. 1, had not been ratified by a majority of the electors voting thereon; and

WHEREAS, At said special election, so held on the said 27th day of April, 1912, three (3) of the said four (4) proposed amendments to the said charter of the city of Berkeley and designated as and being Charter Amendment No. 2, Charter Amendment No. 3 and Charter Amendment No. 4, as hereinafter set forth, were duly ratified by more than a majority of the electors voting thereon; and one (1) of said proposed amendments to said charter, designated as and being Charter Amendment No. 1, as hereinafter set forth, was not ratified by a majority of the electors voting thereon, and said proposed Charter Amendment No. 1 was not ratified at said election; and

WHEREAS, The said three (3) charter amendments, and each of them, so ratified by the electors of the city of Berkeley at said special election, are now submitted to the Legislature of the State of California, being the next regular session of said Legislature after said election, for approval or rejection as a whole, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California, and are in the words and figures following, to wit:

CHARTER AMENDMENT NO. 2.

Section 19 of Article V of the charter of the city of Berkeley shall be amended to read as follows:

Salaries.—Section 19. The mayor shall receive an annual salary of \$2,400, payable in equal monthly installments. The auditor shall receive an annual salary of \$1,800, payable in equal monthly installments. Each councilman shall receive an annual salary of \$1,800, payable in equal monthly installments. Each school director shall receive five dollars for each regular meeting of the board of education which he shall attend: *provided*, that no school director shall receive more than fifteen dollars in any one month; and *provided, further*, that the salary received by the commissioner of finance and revenue, as councilman, shall be full compensation for all services performed by him as councilman and as school director. All salaries provided for in this section shall be paid out of the general fund of the city.

CHARTER AMENDMENT NO. 3.

Subdivision 44 of Section 49 of Article IX of the charter of the city of Berkeley shall be amended to read as follows:

Street Opening.—(44) To order the opening, extending, widening, straightening or closing of any street, lane, alley, court or public place within the city or over tide lands and lands covered by the waters of San Francisco bay within the city, and to condemn and acquire any and all property necessary or convenient for that purpose. Whenever, in the judgment of the council or of the people, the cost and expense of any of the foregoing improvements is to be paid by special assessment on private property, the general laws of the State of California in force at the time of the improvement shall govern and control, and all proceedings shall be in conformity thereto, except that all the duties of the commissioners shall be performed by the commissioner of public works, and all clerical work shall be performed by the superintendent of streets, who shall receive no compensation therefor other than the salaries of their respective offices.

CHARTER AMENDMENT NO. 4.

Section 57 of Article X of the charter of the city of Berkeley shall be amended to read as follows:

Limit of Tax Levy.—Section 57. The tax levy authorized by the council to meet the municipal expenses for each fiscal year shall not exceed, except as herein provided, the rate of one dollar on each one hundred dollars of the assessed value of all real and personal property within the city. The council, if requested by the board of education, shall in addition to the tax for municipal purposes levy a tax for the adequate support of the public schools, such levy not to exceed thirty-five cents on each one hundred dollars of the assessed value of all real and personal property within the city.

STATE OF CALIFORNIA, }
COUNTY OF ALAMEDA. } ss.

This is to certify that we, J. Stitt Wilson, mayor of the city of Berkeley, and W. J. Seaborn, city clerk of said city and ex officio clerk of the council of said city, have compared the foregoing proposed and ratified amendments to the charter of said city of Berkeley with the original ordinance No. 173—N. S. proposing said amendments, respectively, and submitting them to the qualified electors of said city of Berkeley at a special municipal election held April 27th, 1912, and with the proceedings of the council of said city on file in the office of the said city clerk relating to the adoption of charter amendments, and find and hereby certify that the foregoing contains and is a full, exact, true and correct copy of said charter amendments to the charter of said city of Berkeley, and of each of them; and we further certify that the facts set forth in the preamble in this certificate preceding said amendments to said charter are, and each of them is, true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the official seal of said city of Berkeley this 16th day of January, 1913.

[SEAL]

J. STITT WILSON,
Mayor of the City of Berkeley.

W. J. SEABORN,
City Clerk of the City of Berkeley and ex officio Clerk
of the Council of the City of Berkeley.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for and concurring therein). That said amendments to the charter of the city of Berkeley, as proposed to and adopted and ratified by the electors of said city of Berkeley, and as hereinbefore fully set forth, be, and the same are, and each of them is, hereby approved as a whole, without amendment of alteration, for and as amendments to, and as a part of the charter of the city of Berkeley.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 199—An Act to amend section one hundred and ninety-seven of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

During second reading of bill, the following amendments were submitted by the committee.

AMENDMENT NO. 1.

On page 1, line 4, of the title, strike out the words "earnings and management of the property of," and insert in lieu thereof the following: "and earnings of."

Amendment adopted.

AMENDMENT No. 2.

On page 1, section 1, line 4, insert a period after the word "earnings."

Amendment adopted.

AMENDMENT No. 3.

On page 1, section 1 line 5, strike out the words "and to the management of its property."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 283—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 295—An Act to amend section six of an Act of the Legislature of the State of California entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 76—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1490, line 7, insert between the words "the" and "court" the following words: "judge or."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1490, line 11, strike out the period after the word "notice," and insert after the word "notice" and before the word "such" the following: "provided, that said residence or place of business shall be in the county in which said proceeding is had."

Amendment adopted.

AMENDMENT No. 3.

In line 4, strike out the word "section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 81—An Act to amend section three hundred ninety-six of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

During second reading of bill, the following amendment was submitted by the committee:

On page 1 strike out everything following the words "An Act," in the title, and insert in lieu thereof the following:

"to amend the Penal Code of the State of California by adding a new section thereto to be known as Section 396a, relating to the driving of vehicles propelled by motor power or by animal power.

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the Penal Code of the State of California, to be known as 396a, to read as follows:

396a. Every person who drives or causes to be driven, any conveyance or

vehicle drawn by a horse, or horses or other animals, and every person who propels or causes to be propelled by means of motor, mechanical apparatus or other device, any vehicle or conveyance in a reckless manner or in a manner that is dangerous to the lives of others is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 3—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Bill read second time, and ordered to engrossment and third reading.

MOTION.

Mr. Fitzgerald moved that when the Assembly adjourns this day it adjourn until Monday, January 27, 1913, at eleven o'clock and thirty minutes a.m.

Motion carried.

COMMUNICATION.

The following communication was filed:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1913.

MR. SPEAKER: Having been assigned eight committees, together with the chairmanship of a committee which will keep me very busy, I ask to be relieved from the committees on Banks and Banking and Contingent Expenses.

G. W. WYLLIE.

ANNOUNCEMENT.

The Speaker announced the following additional appointments to standing committees:

Banks and Banking, Canepa; Contingent Expenses, White.

COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: Pursuant to your instruction, the following named persons have signed the accompanying application and are recognized as the duly accredited representatives of the newspapers set opposite their names: Gilbert H. Parker, *Sacramento Union*; Edward Insley, *Sacramento Union*; Frederick R. Hinkle, *Sacramento Union*; A. S. Petterson, *San Francisco Evening Post*.

APPLICATION.

Representatives of the Press in the Assembly.

Hon. C. C. Young, Speaker of the Assembly:

I, _____, a duly accredited representative of the _____, hereby apply for recognition as, and the privilege of, a press representative in the

Assembly, and I hereby declare that I am not engaged, and will not during the legislative session of 1913, become engaged as a lobbyist for any person, copartnership, corporation, or interest; that I am not, and will not become, the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, and that I am not employed in any executive, administrative or legislative department of the State government and will not accept such employment while enjoying the privilege and rights of a press representative assigned to Legislative work during the legislative session of 1913.

SACRAMENTO, CAL., January 25, 1913.

L. B. MALLORY, Chief Clerk.

ADJOURNMENT.

At eleven o'clock and forty minutes a.m., on motion of Mr. McDonald, the Speaker declared the Assembly adjourned until eleven o'clock and thirty minutes a.m., of Monday, January 27, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, January 27, 1913.

At eleven o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finneegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kueck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ryan, its further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, January 6; Tuesday, January 7; Wednesday, January 8; Thursday, January 9; Friday, January 10; Monday, January 13; Tuesday, January 14; Wednesday, January 15; Thursday, January 16; Friday, January 17; Monday, January 20; Tuesday, January 21; Wednesday, January 22; Thursday, January 23; Friday, January 24, and Saturday, January 25, 1913, were approved as corrected by the Minute Clerk.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. McDonald (by request) :

SAN FRANCISCO, CAL., January 25, 1913.

To the Honorable Legislature of California:

The undersigned bakers' union petitions the Legislature to pass the Kehoe-Benedict Sunday rest law, which a representative from our union assisted to draft. It was in 1880 that your body enacted a Sunday closing law applying only to bake shops. But the Supreme Court declared it unconstitutional because it was not general in its application, not applying to all unnecessary Sunday business and labor. The bill now before you has been favorably passed upon by some of the best constitutional lawyers of the State. After 33 years without any State law to protect us from Sunday labor, the bakers of the State, who provide you the staff of life, again appeal to you for help. While the organized bakers among the German-Americans have been holding out for a six-day week, many of the Latin bakers know no rest day. As soon as the canal opens this class will rapidly increase, and the law of competition must be counteracted by the law of the State. We claim the right to sit down on Sunday with our families and neighbors and eat the bread and cake we bake for you on Saturday. And some of our craft would gladly partake of the bread of life in the house of worship if they could have a full Sabbath day off duty. We petition for the passage of our bill without amendment.

Signed in behalf of Bakers' Local Union, No. 24, representing the organized bakers of San Francisco City and County.

THEO. LINDQUIST, Secretary-Treasurer.

By Mr. Canepa:

SAN FRANCISCO, CAL., January 24, 1913.

To the Legislature of California:

This is to certify to you that the Butchers' Union Local No. 115 of San Francisco, have endorsed the Kehoe-Benedict Sunday rest bill. The butchers of this city will depend upon your honorable body to protect them in their American right to enjoy with their families and their friends the American Sunday rest day without having the nonunion shops stealing away their trade. Upon the opening of the Panama canal these un-American competitors will be greatly multiplied. You alone can protect our rights. The butchers of the metropolis of the State will not be satisfied with anything less than the Sunday closing of all shops belonging to our trade. This is the common law among the states of the Union, and it works no injustice to any one. "One day of rest in seven" will allow the shops to remain open every day of the week and some one will have to be on duty. We respectfully request the passage of the Sunday rest bill without amendment.

Respectfully yours,

J. J. KRETZMER, Corresponding Secretary.

P. S.—Kindly have the clerk read this communication and order it printed in the Daily Journal, and please mail us a copy of the Journal so that we can refer same to the membership of our union.

By Mr. Johnston:

RICHMOND, CAL., January 18, 1913.

To the Hon. T. D. Johnston, the State House, Sacramento, Cal.:

Be it resolved by Contra Costa County Building Trades Council in and for the city of Richmond, California, and in regular meeting assembled, that:

WHEREAS, The interests of labor and the demands of an enlightened civilization require the curbing of the power of judges in issuing injunctions in cases of industrial disputes; trial by jury in contempt cases arising from such dispute; the elimination of property qualifications for petty and grand jurors; the abolition of the poll tax system; a state employment bureau and the curbing of the activities of employment agents; state inspection of mines and scientific sanitation of all places of employment in the State; cash payments for wage, and the regulation of wage payments for seasonal labor; better protection of employees of public utility companies; an humane enlargement and a stricter enforcement of child labor laws; an expansion of the woman's eight hour law; a system of pensions for mothers; and a popular system of university extension work; and

WHEREAS, A pernicious attempt is being made to emasculate the present law, providing for the recall of elective officers, and also to defeat the measure requiring one day's rest in seven on the part of employees with the State; and

WHEREAS, The foundation of the republic lies in happy homes, and from the nature of the existing system of industry, the larger number of homes must be the homes of the working people; now, therefore, be it

Resolved. That we commend the above mentioned measures to your immediate and earnest attention: that we expect you, as the representative of this community in the Legislature of the State of California, to do all in your power to secure the passage of humane and progressive laws along the lines above suggested; and be it further

Resolved. That we especially condemn the attempt to emasculate and defeat the two measures last above mentioned; that we will watch with interest your course in regard to these measures, and that we hereby assure you of our interest in you and our good will toward you; and be it further

Resolved. That a copy of these resolutions be placed on file in our local union and a copy be sent by mail to the Honorable T. D. Johnston at Sacramento, Cal.

(Signed) W. W. THOMPSON, President.
J. O. DAHL, Secretary.

[SEAL]

By Mr. Stuckenbruck:

We, the undersigned citizens of California and residents of the county of San Joaquin, hereby respectfully petition and request the California Board of Fish and Game Commissioners and members of the committees of the great Fish and Game Protective Association of California that in the presenting of their recommendations to the State Legislature of changes desired in the fish and game laws of this state they recommend the repeal of Section 626, entitled "Wild Ducks; Shooting from Power Boat Prohibited."

Our reasons for desiring its repeal we believe to be good and sound, as follow:

The shooting grounds for ducks and aquatic fowl are, with scarce an exception, owned by private individuals or leased by gun clubs whose membership is restricted, and the rank and file of the common people are absolutely ineligible and not permitted to become members.

Any hunter knows that it is practically impossible to obtain a shot at these fowls in the rivers and streams without the use of a power boat.

Therefore, as long as Section 626 remains on the statute books the actual effect is to deprive nineteen out of twenty of the holders of hunting licenses from a possible opportunity to legally secure for himself, by his own efforts, a mess of ducks.

We firmly believe that your body intend to favor legislation which shall not savor of class legislation, but be fair to the larger majority.

Relying in that belief, we ask your influence in favor of the nineteen.

HENRY D. PELLE (and others).

By Mr. Guiberson:

HANFORD, CAL., January 24, 1913.

Hon. J. W. Guiberson, Assemblyman, Sacramento, Cal.

DEAR SIR: At a meeting of the Chamber of Commerce of Kings County, held on January 18th, which was attended by a large number of the representative farmers and other gentlemen, the subject of the bill now on the statute of this State known as the Employers' Liability Act and the proposed amendment whereby the farmers are to be exempt, was taken up and was discussed at considerable length. It was the unanimous opinion that the present bill and the proposed amendment were bad, working an unnecessary hardship on all classes, being both unfair and unjust.

A motion was made and unanimously passed that a committee of three be appointed to confer with as many of our citizens as possible and find out what the opinion of our people was in regard to the matter.

The undersigned were appointed and after interviewing a large number of our farmers and business men we are thoroughly satisfied that our farmers are not only opposed to this amendment, but they, as well as our business and manufacturing interests, believe that the present Employers' Liability Act should be repealed.

We believe that the best interests of the State at large would be better conserved by such repeal rather than by any amendment thereto, and we earnestly urge yourself and Senator E. O. Larkins to use your best efforts to that end.

Very respectfully,

B. L. BARNEY,
E. F. PICKERILL,
L. H. HITCHCOCK,
Committee.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: Your Committee on Rules begs leave to recommend for adoption the following temporary rule providing for the consideration of Assembly Bill No. 197, on this legislative day, to wit:

Immediately upon presentation of the report of the Committee on Revenue and

Taxation of its action on Assembly Bill No. 197, said bill shall be taken up and read a second time for the purpose of considering the committee amendments thereto.

Respectfully submitted.

BROWN, Chairman.

Mr. Brown moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gahbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Will, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—73.

NOES—None.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills.

Assembly Bill No. 283—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employes.

Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Assembly Bill No. 295—An Act to amend Section 6 of an Act of the Legislature of the State of California, entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Assembly Bill No. 3—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal, and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 25, 1913, the following: Assembly Bills Nos. 754 to 802, inclusive; also Assembly Concurrent Resolutions Nos. 9 to 10, inclusive, and returned the same day to the Clerk of the Assembly the following: Assembly Bills Nos. 754 to 802, inclusive; also Assembly Concurrent Resolutions Nos. 9 to 10, inclusive.

CLARK, WM. C., Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 10—Relative to Irish home rule—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

JOHNSON, Chairman.

The above Assembly joint resolution ordered on file.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 197—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution

of the State of California as said Constitution was amended November 8, 1910, for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

SUTHERLAND, Chairman.

SECOND READING OF BILL.

Assembly Bill No. 197—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 9, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five and by adding a new section thereto to be numbered thirty-six, all relating to revenue and taxation.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line five of the title after the comma following the figures "1910" strike out all of the remainder of the title, and insert in lieu thereof the following:

"Providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four and thirty-five.

Amendment adopted.

SPECIAL ORDER SET.

On motion of Mr. Morgenstern the further consideration of Assembly Bill No. 197 was made a special order for two o'clock p.m. of this day.

REPORT OF STANDING COMMITTEE:

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following: Assembly Joint Resolution No. 10—Relative to Irish home rule—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

The above Assembly joint resolution ordered on file.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 4—Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 251—An Act to appropriate money to pay the expense of distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 251 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 24, 1913, adopted the following:

Senate Joint Resolution No. 2—Relative to national forests situated within the State of California and requesting the War Department of the United States to station and maintain federal troops in such national forests during certain months.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 22, 1913, adopted the following:

Senate Concurrent Resolution No. 5—Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Read, and referred to Committee on County Government.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Smith: Assembly Bill No. 803—An Act to authorize and encourage the establishment of kindergartens in connection with the public schools of California, and providing the manner in which funds for the support of public kindergartens shall be raised.

Bill read first time, and referred to Committee on Education.

By Mr. Bohnett: Assembly Bill No. 804—An Act to add a new section to the Code of Civil Procedure, the said section to be designated eleven hundred and seventy *a* (1170*a*), relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Inman: Assembly Bill No. 805—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 806—An Act appropriating money for the installation of new lights at Sutter's Fort.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 807—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street between Twenty-sixth and

Twenty-seventh streets in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 808—An Act appropriating money for repairing and improving Sutter's Fort.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Scott: Assembly Bill 809—An Act to amend the Penal Code of the State of California by adding a new section, to be known as 626g, relating to the protection and preservation of game birds.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill 810—An Act to repeal Section 626k of the Penal Code of California, relative to the sale of certain game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill 811—An Act to repeal Section 627 of the Penal Code of California, relative to trespass upon inclosed or cultivated grounds.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 812—An Act to add a new section to the Political Code of the State of California to be numbered Section 635, relating to the expenditure of money by the State Fish and Game Commissioners.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 813—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 814—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 596a, providing for deposits by companies engaged in liability insurance or workman's compensation insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Walsh: Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled "An Act creating a state commission on voting or balloting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting or balloting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the result at such elections; and providing for the punishment of all violations of this Act," approved March 20, 1903, as subsequently amended.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 816—An Act to amend Section 1094 of the Political Code of the State of California, relating to the registration of voters.

Bill read first time, and referred to Committee on Elections.

By Mr. Dower: Assembly Bill No. 817—An Act providing for the commemoration, as "Gold Discovery Day," in all departments of the public school system of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California by James W. Marshall.

Bill read first time, and referred to Committee on Education.

By Mr. Kuck: Assembly Bill No. 818—An Act to amend sections two, twelve and fifty-five of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvements and adding a new section thereto to be numbered Section 3a, relating to the payment by the city of a portion of the cost of the improvement.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 819—An Act to amend section eight hundred forty-nine of the Code of Civil Procedure, relating to the service and return of summons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts (by request): Assembly Bill No. 820—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by an Act approved March 19, 1909, as amended by an Act approved May 1, 1911, by adding a new section to said Act, which section shall be numbered 13b, relating to what person or persons shall be deemed to be practicing medicine.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also (by request): Assembly Bill No. 821—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as amended by an Act approved March 19, 1909, and as amended by an Act approved May 1, 1911, by amending section six thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also (by request): Assembly Bill No. 822—An Act entitled "An Act to amend Section 1615 of the Political Code of the State of California, relating to the election of school trustees in newly formed districts, by changing the date of the beginning of their terms from July to May."

Bill read first time, and referred to Committee on Education.

Also (by request): Assembly Bill No. 823—An Act to amend Section 1597 of the Political Code of the State of California, which provides the time of opening and closing polls at a school election by changing from 500 children to an average daily attendance of 350.

Bill read first time, and referred to Committee on Education.

By Mr. Gates (by request): Assembly Bill No. 824—An Act regulating the location and maintenance of saloons and training quarters, and providing penalties for a violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 825—An Act to add three new sections to the Code of Civil Procedure to be numbered Sections 1235, 1236 and 1236a, relating to the dissolution of corporations in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 826—An Act to amend section six hundred one of the Code of Civil Procedure, relating to peremptory challenges of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 827—An Act to amend sections one hundred seventy-two and fourteen hundred and one of the Civil Code, to repeal section fourteen hundred and two of said code, and to add a new section to the Civil Code to be numbered section one hundred seventy-two *a*, relating to the disposition of community property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ellis: Assembly Bill No. 828—An Act to amend section one of an Act entitled "An Act to promote the apicultural interests of the State of California by providing county inspectors of apiaries and defining their duties, and providing for their compensation, and repealing the Act entitled 'An Act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and to provide for their compensation and defining their duties, and for the further protection of bee culture,' approved March 13, 1883," approved February 20, 1901.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 829—An Act to amend Section 2322 of the Political Code of the State of California, relating to horticultural commissions.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 830—An Act to amend Section 4041*a* of the Political Code of the State of California by adding a subsection thereto, to be numbered Subsection 20*a*.

Bill read first time, and referred to Committee on County Government.

By Mr. Nelson: Assembly Bill No. 831—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices in purchasing or securing commodities unlawful, defining the duties of the Attorney General in regard thereto, providing for actions to enjoin unfair competition and discrimination, and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 832—An Act making an appropriation to pay the claim of the California Highway Construction Company for money expended and labor performed in and upon the construction and completion of state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read first time, and referred to Committee on Claims.

By Mr. Judson: Assembly Bill No. 833—An Act appropriating money for the purchase of furniture and equipment for the State Normal School of San Diego.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Green: Assembly Bill No. 834—An Act to amend sections six hundred thirty-three, six hundred thirty-four, six hundred thirty-five, six hundred thirty-six, six hundred thirty-seven, six hundred thirty-eight, six hundred thirty-nine, six hundred forty, six hundred forty-one,

six hundred forty-two, six hundred forty-three, six hundred forty-four, six hundred forty-five, six hundred forty-six, six hundred forty-seven, six hundred forty-eight, of the Civil Code of the State of California, and repealing section six hundred forty-eight *a* of the Civil Code of the State of California, all relating to land and building corporations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Wyllie: Assembly Bill No. 835—An Act to protect trade and commerce against unlawful restraint and monopolies.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520, 1521 and 1522 of the Political Code of the State of California, relating to the State Board of Education.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 837—An Act to provide for locating, surveying and maintaining a state highway from Whitaker Grove, Tulare County, to connect with the Visalia Millwood Road near General Grant Park, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cram: Assembly Bill No. 838—An Act to amend Section 25 of an Act entitled "An Act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Johnston: Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Bagby (by request): Assembly Bill No. 840—An Act to regulate the practice of steam engineering.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 841—An Act to amend Section 2641 of the Political Code, relating to road districts, road commissioners and road engineer.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Simpson: Assembly Bill No. 842—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Shearer: Assembly Bill No. 843—An Act to amend section four thousand and forty-one of the Political Code of California, relating to the general, permanent powers of the board of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 844—An Act to amend Section 2643 of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

Bill read first time, and referred to Committee on County Government.

By Mr. Ryan: Assembly Bill No. 845—An Act to amend Section 1393 of the Political Code of the State of California, relating to fees and rates of tuition in the University of California.

Bill read first time, and referred to Committee on Universities.

By Mr. Fish: Assembly Bill No. 846—An Act relating to franchises and licenses and to the granting, exercising and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Benedict: Assembly Bill No. 847—An Act defining the term "quasi-public uses," as applied to grants, leases, or approval of leases heretofore made by the State, of tide or submerged lands.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 848—An Act to establish a standard of weights and measures in the State of California: to regulate weights and measures and weighing and measuring instruments and devices; and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, wares, commodities, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provision of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a state superintendent of weights and measures and his deputies; sealers of weights and measures and their deputies; defining the duties and powers of such officers; and making an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess tidal lands, or title thereto, of any harbor or other navigable waters therein, to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 850—An Act to amend section six of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Bill read first time, and referred to Committee on Corporations.

By Mr. Beck: Assembly Bill No. 851—An Act to amend section four thousand three hundred and sixteen of the Political Code of the State of California, relating to certain officers, and the limitation and prohibition of the practice of the law by certain officers, their assistants, deputies and employees.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 852—An Act to amend section eleven hundred and fifteen of the Political Code of the State of California, relating to the index to registrations.

Bill read first time, and referred to Committee on Elections.

By Mr. Clark: Assembly Bill No. 853—An Act to amend and subdivide Section 1187 of the Code of Civil Procedure, relating to mechanics' liens, proceedings to perfect the same, the completion of building contracts, buildings and improvements, the equivalents of completion for certain purposes, and notices of completion and cessation from labor.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 854—An Act to amend Section 1498 of the Code of Civil Procedure, relating to the rejection of claims against estates of deceased persons, notice thereof, and actions and proceedings on rejected claims.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 855—An Act to amend the Code of Civil Procedure by repealing Sections 749, 750 and 751, and adding to Title 10 of Part 2 thereof a new chapter, to be known as Chapter 3a, to consist of Sections 750a, 750b, 150c, 750d, 750e, 750f, 750g, 750h, 750i, 750j, 750k and 750l, providing a simplified method for ascertaining and establishing title to real property and determining all adverse claims thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 856—An Act to amend the Code of Civil Procedure by repealing Sections 841, 845, 846, 849, 850, 854, 856, 857, 858, 872 and 886, amending Sections 844, 847, 851, 852, 853, 855, 859, 860, 871, 873, 879 and 890, and adding Sections 844a, 847a, 855a, 865a, 874a and 874b, relating to proceedings in justices' courts, simplifying and revising the rules of pleading and practice therein, eliminating technicalities and delays, and providing for the prompt appearance of parties, framing, and trial of issues, and rendition of judgment in actions in such courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Killingsworth: Assembly Bill No. 857—An Act to amend section one of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved April 21, 1911, and relating to age of school children.

Bill read first time, and referred to Committee on Education.

By Mr. McDonald: Assembly Bill No. 858—An Act to regulate the hours of employment and safeguard the health of females employed in any mill, factory, manufacturing or mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Farwell: Assembly Bill No. 859—An Act to provide for the partial support of poor women whose husbands are dead, or convicts, or for any other reason incapacitated, when such women are mothers of children under the age of fifteen (15) years, and reside in counties, or cities and counties of the first, second, third, fourth, fifth and sixth classes, to be known as the "Mothers' Compensation Act;" creating a mothers' compensation board; defining its powers and duties, and prescribing the number and qualifications of the members thereof.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 860—An Act to amend an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and amended April 5, 1911.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Johnstone: Assembly Bill No. 861—An Act to provide a reader for blind students in certain educational institutions and to make an appropriation therefor.

Bill read first time, and referred to Committee on Education.

By Mr. Clarke: Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Peairs (by request): Assembly Bill No. 863—An Act concerning actions for divorce and annulment of marriage and the trial and costs thereof; providing for the investigation and contest of such actions by the State; imposing upon the district attorney the duty of appearing in behalf of the State in such actions; providing for the appointment of divorce examiners and deputy divorce examiners, and prescribing their qualifications, duties, powers, terms of office and compensation, and providing for the powers of courts and judges with

respect to the appointment of divorce examiners and deputy divorce examiners and removal of same.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shearer: Assembly Bill No. 864—An Act to amend an Act entitled “An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled ‘An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator.’ approved March 24, 1909, approved April 7, 1911; amended December 24, 1911, as to Sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24; amendment constitutes Chapter 17 of statutes of special session of 1911 (amended sections here incorporated),” by amending sections five, six, twenty-four and thirty-two.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 865—An Act to amend an Act entitled “An Act to provide for the expression by the qualified electors of the several political parties of their choice for nomination by their party for President of the United States, and to provide for the election of the delegates of said political parties to their respective national conventions, and to call an election in conformity with the provisions of this Act (approved December 24, 1911), by amending sections two and four.

Bill read first time, and referred to Committee on Elections.

By Mr. Weisel: Assembly Bill No. 866—An Act to amend Section 1111 of the Penal Code and Section 2061 of the Code of Civil Procedure, relating to the testimony of accomplices; instructions by the court, and right of jury to judge evidence.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 867—An Act to amend Section 1280 of the Penal Code, relating to the justification of bail and the affidavit required therefor.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 868—An Act to amend Section 476a of the Penal Code, relating to bank checks and drafts, not genuine or true, or drawn by a person without funds to meet the same.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 869—An Act to add a new section to the Penal Code, to be known as Section 1132, relating to an internal revenue license as evidence that the person having the same is engaged in the business of selling alcoholic liquors.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 870—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as Section 1127a, relating to instructions to juries.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 871—An Act to repeal Sections 1108 and

1111 of the Penal Code of the State of California, relating to the corroboration of the testimony of persons upon whom or with whom certain crimes have been committed, and corroboration of the testimony of an accomplice.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 872—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 873—An Act to amend the Penal Code of the State of California, by adding a new section thereto to be numbered 1075a, relating to examining, challenging and excusing jurors.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

By Mr. Palmer: Assembly Bill No. 874—An Act to amend Section 408 of the Code of Civil Procedure, relating to the issuance of an alias summons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 875—An Act to amend Section 288 of the Penal Code, relating to lewd and lascivious acts against children.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 876—An Act to amend Section 487 of the Penal Code, relating to grand larceny.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 877—An Act to amend Section 1669 of the Code of Civil Procedure, relating to the distribution and assessment of property belonging to estates.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 878—An Act making an appropriation to pay the claim of Charles W. Hicks, for three years' service in Company C, Second Cavalry, Second Regiment, California Volunteers, and providing for the payment therefor.

Bill read first time, and referred to Committee on Claims.

By Mr. Brown: Assembly Bill No. 879—An Act to add three new sections to the Penal Code, to be designated as Sections 373b, 373c, and 273d, relating to public nuisances and their abatement, and conferring certain powers upon the State Board of Health.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 880—An Act to amend Sections 412, 413 and 414 of the Penal Code of the State of California, and to add two new sections to said code, to be designated as Sections 412a and 413a, relating to prize fights, prohibiting the same, defining the duties of certain officers in connection therewith, and fixing the penalties for engaging in such fights, and for aiding or abetting the same.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 881—An Act to amend Sections 1917, 1918, 1919 and 1920 of the Civil Code, and to add a new section to said code,

to be designated as Section 1921, relating to the loan of money and the rate of interest to be allowed and charged therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 882—An Act to add a new section to the Penal Code, to be designated as Section 378a, relating to the transportation of offal, swill, garbage, the carcasses of dead animals, and other refuse from one county or city and county into another county, and providing regulations governing the same.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Inman: Assembly Concurrent Resolution No. 11—Relative to the appointment of committee to ascertain the advisability of submitting to the people the question of issuing bonds.

Read, and referred to Committee on Ways and Means.

By Mr. Morgenstern: Assembly Joint Resolution No. 13—Relative to asking the Congress of the United States to enact the Hamill bill (H. R. 9245) known as "The Straight Pension" bill, for the pensioning of civil service employees of the United States Post Office Department.

Read, and referred to Committee on Federal Relations.

By Mr. Libby: Assembly Constitutional Amendment No. 18—Relative to an amendment to the Constitution of the State of California, by amending section seventeen of article six thereof and relating to the salaries of justices of the Supreme Court and District Court of Appeals and judges of the Superior Court.

Read, and referred to Committee on Constitutional Amendments.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés:

Resolved, That the name of A. T. Bassford, heretofore employed as Committee Clerk at a per diem of \$4, be stricken from the roll, to date from and include Sunday, January 26; further

Resolved, That the following named person be and he is hereby employed as Committee Clerk at the per diem provided by law, and the Controller is hereby authorized and directed to draw his warrant upon the Contingent Expense Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

H. B. Naylor, Committee Clerk, at \$4.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Clark, Wm. C. Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H. Johnston, T. D. Johnstone, W. A. Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—70.

NOES—None.

Also:

Resolved, That the action of L. B. Mallory, Chief Clerk, in employing the following named person for the position and at the per diem as provided by law after the organization of the Assembly, be approved by said body, and the Controller is hereby authorized and directed to draw his warrant upon the Contingent Expense Fund of the Assembly for the said amount and the Treasurer is hereby directed to pay the same.

C. M. McDonnell, Stenographer, from January 11 to January 23, thirteen days at \$5, \$65.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—72.

NOES—None.

By Mr. Guiberson.

Resolved, That when a member of this house whose station is in the front part of the Assembly chamber addresses the Speaker he shall immediately thereafter turn and face the members of the Assembly and address them in an audible tone of voice that can be distinctly heard by the members in the rear seats of the Assembly Chamber.

Resolution read, and referred to Committee on Rules.

RE-REFERENCE OF BILLS.

On motion of Mr. Palmer, Assembly Bills Nos. 138 and 139 were recalled from the Committee on Ways and Means and referred to Committee on Hospitals and Asylums.

SPECIAL ORDER RESET.

On motion of Mr. Bohnett, the special order heretofore set for two p.m. was continued until two o'clock and thirty minutes p.m. of this day.

RECESS.

At one o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

LEAVES OF ABSENCE.

On motion of Mr. Hayes, Mr. Inman was granted leave of absence until Tuesday, January 28, 1913.

On motion of Mr. Nelson, Mr. Byrnes was granted leave of absence until Tuesday, January 28, 1913.

SPECIAL ORDER.

The hour of two o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

The question being the consideration of the amendments to Assembly Bill No. 197.

The following amendment to the proposed amendments was submitted by Mr. Finnegan:

Amend by striking out of Section 2, lines 22 and 23, page 2, the words "four and three fourths," and inserting in lieu thereof the word "five;" by striking out of the same section and page in line 28 the words "four and two tenths," and inserting in

lieu thereof the words "four and four tenths;" by striking out of the same section and page, line 30, the words "four and six tenths," and inserting in lieu thereof the word "six."

Roll call regularly demanded.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Alexander, Beck, Bradford, Brown, Dower, Finnegan, Polsley, Shartel, Tulloch, and Weisel—10.

NOES—Messrs. Bagby, Benedict, Bloodgood, Bowman, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—62.

AMENDMENT No. 2.

On page 2, line 26, strike out the dash following the word "railways" and insert in lieu thereof the following: "four and three fourths."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 29, strike out the dash following the words "car companies" and insert in lieu thereof the word "four."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 31, strike out the dash following the word "line" and insert in lieu thereof the word "two."

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 32, strike out the dash following the first word "companies" and insert in lieu thereof the following: "four and two tenths."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 33, strike out the dash following the word "electricity" and insert in lieu thereof the following: "four and six tenths."

Amendment adopted.

AMENDMENT No. 7.

On page 3, strike out the dash at beginning of line 7 and insert in lieu thereof the following: "one and three fourths."

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 13, strike out the dash after the word "said" and insert in lieu thereof the following: "one and three fourths."

Amendment adopted.

AMENDMENT No. 9.

On page 4, line 4, strike out the dash following the word "of" and insert in lieu thereof the word "one."

Amendment adopted.

AMENDMENT No. 10.

On page 6, line 1, strike out the dash following the word "of" and insert in lieu thereof the word "one."

Amendment adopted.

AMENDMENT No. 11.

On page 7, strike out all of line 7 following the word "and"; also all of line 8 and the word "published" in line 9 and in lieu thereof insert the following: "immediately thereafter a copy of said proclamation shall be published in the manner provided by law."

Amendment adopted.

AMENDMENT No. 12.

On page 9 strike out all of line 24 following the word "the"; also all of lines 25 to 28, both inclusive, and insert in lieu thereof the following: "intent and purpose of the legislature, two thirds of all the members elected to each of the two houses voting in favor thereof, by virtue of the authority conferred upon the legislature by subdivision f of section fourteen of Article XIII of the constitution to change the rates of taxation heretofore fixed and imposed by said section of the constitution and enumerated and specified in the act of which this act is amendatory to the rates fixed, determined, established and set forth by and in this act."

Amendment adopted.

AMENDMENT No. 13.

On page 9 strike out all of line 29 after the period following the figure "7" and all of lines 30 to 33 inclusive and insert in lieu thereof the following: "This act, inasmuch as it provides for a tax levy, shall, under the provisions of section one of article IV of the constitution, take effect immediately."

Amendment adopted.

Bill read second time, and ordered to re-print, engrossment, and third reading.

RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Mr. Johnston:

Resolved, That whereas the Citizens' Committee of the city of Stockton did on the 26th day of January, 1913, entertain the members of the Legislature of the State of California, and representatives of the press, in their beautiful city; and, whereas, we the members of the California Assembly realize the great benefit we have derived from our visit to the State Hospital at Stockton, by witnessing the material conditions and receiving direct information and the knowledge we have acquired as to the wonderful growth and development of the county of San Joaquin and particularly the city of Stockton; therefore be it

Resolved, That we extend our thanks to the city of Stockton for its splendid entertainment and particularly to the Citizens' Committee having charge of the same, and that this resolution be printed in our Journal, and the Chief Clerk be instructed to forward copies to the Honorable Paul T. Williamson, chairman of said committee, and to the Stockton *Daily Independent, Mail and Record*, with request to publish the same.

Resolution read, and on motion adopted.

By Mr. Johnstone:

Resolved, That the liberty of the floor be extended to Hon. F. E. Dunlap and Hon. Stephen H. Olmsted, former members of this Assembly.

Resolution read, and on motion adopted.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 214—An Act to amend Section 3247a of the Political Code relating to the purchase of supplies for the State by boards, committees and other persons.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 75—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page two, Section 5, after line 17, add "Except, however, in case of corporations, the imprisonment when imposed, shall be imposed upon the officers or agents thereof committing such offense, or causing, suffering or permitting the same to be committed."

Amendment adopted.

AMENDMENT No. 2.

On page two, Section 3, lines 3 and 4, strike out the words "This section (No. 3) not to take effect until six months after passage."

Amendment adopted.

AMENDMENT No. 3.

On page two, after Section 6, add the following: SEC. 7. This Act shall take effect November 1, 1913.

Amendment adopted.

AMENDMENT No. 4.

On page one, section three, line 13, strike out the word "the," and insert in lieu thereof the following: "this."

Amendment adopted.

AMENDMENT No. 5.

On page one, section 3, line 14, strike out the words "or imported from any other state or foreign country."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 88—An Act to amend section one of an Act entitled "An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this State," approved March 23, 1901, relating to the employment of citizens of the United States.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, section 1, line 9, after the word "county" insert the following: "school district."

Amendment adopted.

AMENDMENT No. 2.

On page 1, section 1, line 12, after the word "county" insert the following: "school district."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 374—An Act to amend section one of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and April 14, 1911.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, in the last line of the title after the word "and," insert the following: "amended."

Amendment adopted.

AMENDMENT No. 2.

On page 1, in the last line of the title after the word "and," insert the following: "amended."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

GUESTS ADMITTED TO THE FLOOR OF THE ASSEMBLY.

Through the courtesy of Mr. Ferguson, Messrs. Bristom and Sellir were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Libby, Mrs. Libby was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bagby, Mrs. Bagby was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. Chas. F. Edson and Mr. Willis I. Morrison were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shartel, Miss Edith Gill was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Smith, Mrs. R. R. Smith, of San Francisco, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shearer, Dr. Timeay was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Miss Alice Martin of Marion, Kansas, and Mr. F. B. MacKinder, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Capt. Randall was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wyllie, W. C. Walker was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Messrs. E. G. Anderson, R. H. Bishop and Miss E. A. Meister were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gabbert, Mr. D. J. Reece was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mrs. E. M. Applegarth was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnson, the Mesdames Johnson and Bovyer were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Walsh, Mr. Zemansky was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Strine, Mr. Riley was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Messrs. T. L. and T. H. Ragsdale, Miss Ida Ragsdale, Mrs. G. Hollingsworth and Mr. John H. Trayves were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gates, Miss Blanche Morse was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. Freeman was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shannon, Mr. Frank B. Anderson was granted the privilege of the floor of the Assembly for this day.

COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: Pursuant to your instruction, the following named person has signed the accompanying application and is recognized as the duly accredited representative of the newspaper set opposite his name: A. V. Buel, Sacramento *Bee*.

APPLICATION.

Representative of the Press in the Assembly.

HON. C. C. YOUNG, *Speaker of the Assembly*:

I, _____, a duly accredited representative of the _____, hereby apply for recognition as, and the privilege of, a press representative in the Assembly, and I hereby declare that I am not engaged, and will not during the legislative session of 1913, become engaged as a lobbyist for any person, copartnership, corporation, or interest; that I am not, and will not become, the agent or representative of any person, copartnership, organization, or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, and that I am not employed in any executive, administrative or legislative department of the state government and will not accept such employment while enjoying the privilege and rights of a press representative assigned to legislative work during the legislative session of 1913.

Sacramento, Cal., January 27, 1913.

L. B. MALLORY, Chief Clerk.

ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Mr. McDonald, the Speaker declared the Assembly adjourned until ten o'clock a.m., of Tuesday, January 28, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, January 28, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Fitzgerald, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Walsh, Mr. McCarthy was granted leave of absence until Thursday, January 30, 1913.

On motion of Mr. Benedict, Mr. Ambrose was granted leave of absence for the day.

PETITION.

The following petition was presented and ordered printed in the Journal:

Hon. W. S. Killingsworth, Assemblyman Tenth District.

DEAR SIR: We, the undersigned citizens and business men of Rio Vista, Cal., respectfully petition you to use your influence toward the introduction of a measure to open Cache Slough to the commercial fishermen. We believe that an injustice has been done the fishermen of our district by the closing of Cache Slough. The many steamers and launches plying to and fro on the Sacramento River has made fishing almost impossible at this point.

J. T. BROWN & CO. (and others).

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 214—An Act to amend Section 321a of the Political Code, relating to the purchase of supplies for the State by boards, committees, and other persons.

Assembly Bill No. 199—An Act to amend section one hundred and ninety-seven of the Civil Code of the State of California, relating to the custody, services, and earnings of legitimate unmarried minor children.

Assembly Bill No. 76—To amend section one thousand four hundred and ninety of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 396 a, relating to the driving of vehicles propelled by motor power or by animal power.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 509—An Act making an appropriation for printing for the State Board of Forestry for the balance of the sixty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the fortieth Legislature of the State of California, during the sixty-fourth fiscal year.

Also: Senate Bill No. 59—An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Also: Senate Bill No. 251—An Act to appropriate money to pay the expense of distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading:

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 6—Relative to the printing of the report of the State Controller, provided for by Section 243 of the Political Code—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

CHANDLER, Chairman.

The above Assembly concurrent resolution ordered on file.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 24, 1913, adopted the following:

Senate Joint Resolution No. 11—Relative to requesting our Senators in Congress to support "A bill H. R. No. 22871," pending in the Senate of the United States.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 25, 1913, adopted the following:

Senate Joint Resolution No. 12—Relative to action by Congress in directing an investigation through the Department of Agriculture of measures for protection of fruit from frost damage.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Read, and referred to Committee on Federal Relations.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Smith: Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

Also (by request): Assembly Bill No. 884—An Act to amend Section 1552 of the Political Code of the State of California relating to the traveling expenses of the county superintendent of schools.

Bill read first time, and referred to Committee on County Government.

By Mr. Sutherland: Assembly Bill No. 885—An Act to amend Section 791 of the Political Code, relating to the appointment of notaries public.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 886—An Act to amend Section 1054 of the

Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 888—An Act to amend Sections 658, 659 and 660 of the Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 889—An Act to amend Section 631 of the Code of Civil Procedure, relating to waiver of jury trial.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 890—An Act to amend an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by amending section one of said Act so as to make said Act applicable to all jails and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure to be designated Sections 950, 951 and 952, relating to records on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 893—An Act to add a new section to the Penal Code to be designated as Section 1506, allowing the people to appeal from an order or judgment discharging a person from custody on proceedings of habeas corpus.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953, 953a, 953b, and 953c of the Code of Civil Procedure, relating to papers on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure, relating to costs on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 897—An Act to amend Section 1408 of the Penal Code, relating to the disposition of stolen or embezzled property taken on search-warrant proceedings.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 898—An Act to amend Section 666 of the Penal Code, relating to punishment for a second offense after conviction of petit larceny.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 899—An Act to amend Section 954 of the Penal Code, relating to the charging of different offenses or different statements of the same offense under separate counts in one indictment or information.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 900—An Act to amend Sections 1096 and 1097 of the Penal Code and to add new sections thereto to be designated as 1097*a*, 1097*b* and 1097*c*, relating to the presumption of innocence, the doctrine of reasonable doubt, and instructions to be given by the court.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 901—An Act to amend Section 1070 of the Penal Code, relating to the number of peremptory challenges to which the prosecution and defendant shall be entitled.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 902—An Act to amend Section 476*a* of the Penal Code, relating to the making, drawing, uttering or delivery of a bank check or draft for the payment of money by a person without funds or credit to meet the same upon presentation.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 903—An Act to amend Section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty, and the suspension of the imposition or execution of sentence during the term of probation, and the disposition of such execution after full compliance with the terms of probation.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 904—An Act to add a new section to the Penal Code of the State of California to be known as Section 1168, providing for indeterminate sentences of persons convicted of criminal offenses for the first time, and to provide for the release of such persons within the time for which they are sentenced to imprisonment.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 905—An Act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 906—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, near Stockton, California, and to provide for the government and management thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 907—An Act to amend sections one, four, six, seven, eight, eight *a*, and eight *b*, of, and to add a new section to be known as section eight *c* to an Act entitled “An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof,” approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 908—An Act to amend Section 2185*c* of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Messrs. Stuckenbruck and Wall: Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read first time, and referred to Committee on County Government.

By Mr. Stuckenbruck: Assembly Bill No. 910—An Act to amend Sections 6 and 9 of an Act entitled “An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands.”

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Bradford: Assembly Bill No. 911—An Act to amend Section 4300*c* of the Political Code, relating to the fees of recorders.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 912—An Act to amend Section 4142*a* of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Killingsworth (by request): Assembly Bill No. 913—An Act to amend an Act entitled “An Act to prohibit the use of nets, seines, traps, or weirs for the catching of fish in Cache Slough and its tributaries in the counties of Solano and Yolo,” approved February 20, 1911.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Woodley: Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns, said section to be numbered 1281*a*.

Bill read first time, and referred to Committee on Elections.

Also (by request): Assembly Bill No. 915—An Act to amend an Act entitled “An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the

salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts." approved March 8, 1909; approved April 5, 1911, by adding a new section thereto to be numbered 29½.

Bill read first time, and referred to Committee on Charities and Corrections.

By Messrs. Woodley and Ellis: Assembly Bill No. 916—An Act creating the office of public defender in each of the counties of the State of California, providing for the appointment and election of some suitable person to fill such office, fixing his duties and compensation and providing him with assistants and with suitable office and supplies to properly carry out the duties of his office.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woodley: Assembly Bill No. 917—An Act declaring that the tide lands and submerged lands within the boundaries of the city of Los Angeles are required for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for quieting the title to, and for the recovery of the possession of, said lands.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Peairs (by request): Assembly Bill No. 918—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Senoma State Home, of convicts in the state prisons, and of idiots and fools, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Roberts: Assembly Bill No. 919—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporations to the United States.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 920—An Act to amend section five of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 921—An Act to amend an Act entitled "An Act concerning trespassing of animals upon private lands, and the recovery of damages resulting therefrom," approved March 23, 1907, by amending section one thereof making it unlawful for the owner

or possessor of any animal to permit the same to break into or enter lands of another.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 922—An Act to amend an Act entitled "An Act concerning trespassing of animals upon private lands, and the recovery of damages resulting therefrom," approved March 23, 1907, by amending section one thereof making it unlawful for the owner or possessor of any animal to permit the same to break into or enter lands of another.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Emmons: Assembly Bill No. 923—An Act repealing an Act entitled "An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 924—An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof, and the repeal of certain other Acts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kingsley: Assembly Bill No. 925—An Act to amend an Act entitled "An Act relating to the liability of employers for injuries or death sustained by their employees, providing for compensation for the accidental injury of employees, establishing an industrial accident board, making an appropriation therefor, defining its powers and providing for a review of its awards," approved April 8, 1911.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 926—An Act regulating contracts of suretyship between common carriers and their employees, and sureties upon such contracts, and for other purposes.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 927—An Act to amend sections two and four of an Act which became a law February 25, 1901, entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," as amended by an Act approved March 19, 1907.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 928—An Act to amend Section 925 of the Penal Code of the State of California, relating to when and from whom the grand jury may ask advice, who may be present during their sessions and the reporting of testimony.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Guiberson: Assembly Bill No. 929—An Act repealing "An Act to amend an Act entitled 'An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act

entitled "An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation," approved February ninth, nineteen hundred, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled "An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April first, eighteen hundred and ninety-seven; also repealing an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purpose aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March seventeenth, eighteen hundred ninety-seven, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled "An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March twenty-fourth, eighteen hundred and ninety-three, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled "An Act to create the office of Lake Tahoe wagon road commissioner, providing the terms of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act," approved April first, eighteen hundred ninety-seven, and all Acts or parts of Acts amendatory thereof; approved March eleventh, nineteen hundred and seven, and all Acts or parts of Acts amendatory thereof, by amending Sections 1, 1½, 2, 3, 7, 9, 11, 17 and 19 thereof and by adding a new section thereto to be numbered Section 6a, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries," approved April eighth, nineteen hundred eleven, and amending Sections 1, 1½, 2, 17, of an Act known as Chapter 183 of the Statutes of 1907 of the State of California.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Chandler: Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation, approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled "An Act to create a department of high-

ways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April 1, 1897; also repealing an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897, and all Acts or parts amendatory thereof; also repealing an Act entitled "An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled "An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act," approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17, and 19 thereof, and by adding three new sections to be numbered Sections 9a, 9b, and 9c relating to the powers and duties of the Department of Engineering and making certain acts a misdemeanor, and repealing Section 1½ of said Act.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Slater: Assembly Bill No. 931—An Act to amend Section 196 of the Civil Code, relating to the obligation of parents to support and educate their children.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ryan: Assembly Bill No. 932—An Act to regulate the practice of mechanotherapy in the State of California, and to provide for a state board of mechanotherapeutic examiners, and to punish persons violating the provisions of this Act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Canepa: Assembly Bill No. 933—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State and making an appropriation of two thousand dollars for such purposes.

Bill read first time, and referred to Committee on Education.

By Mr. Bloodgood: Assembly Bill No. 934—An Act to amend Sections 368, 699, and 2501 of the Political Code, relating to the appoint-

ment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 935—An Act to amend Section 368 of the Political Code, relating to the appointment of certain executive officers.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Fish: Assembly Bill No. 936—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpoena.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gates: Assembly Bill No. 937—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. White: Assembly Bill No. 938—An Act entitled "An Act to amend Section 1532 of the Political Code of the State of California defining the duties of the State Superintendent of Public Instruction."

Bill read first time, and referred to Committee on Education.

By Mr. Benedict: Assembly Bill No. 939—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 940—An Act to amend section twelve hundred and forty-one of the Code of Civil Procedure of the State of California, relating to the taking of private property for public use.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 941—An Act to amend Sections 953a, 953b, and 953c of the Code of Civil Procedure, and providing for an alternative method for the trial and appeal of cases in equity and those tried by the court without a jury.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Alexander (by request): Assembly Bill No. 942—An Act providing that in case of sale by the State, prior to March 24th, 1909, of any land claimed by it as lieu land or land taken in satisfaction of the grant to it for school purposes of sixteenth and thirty-sixth sections and lost to the State by reason of previous appropriation under Act of Congress, on the failure of its selection of such land from any cause, the Surveyor General shall, on application of the purchaser, designate other base, and re-select said land in order that the selection of the

land sold may be approved and the same listed to the State, and title made to the purchaser.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Polsley: Assembly Bill No. 943—An Act to amend section six hundred and thirty-two of the Penal Code, relating to the protection of trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Wall: Assembly Bill No. 944—An Act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same, for the holding of agricultural fairs, exhibitions and displays, creating a commission to select the location or site for such fairs, exhibitions or expositions, appropriating money to pay the expenses of such commission, and repealing all Acts and parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Cram: Assembly Bill No. 945—An Act appropriating money for constructing, equipping and furnishing three patients' cottages at Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also (by request): Assembly Bill No. 946—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by repealing section three of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered 13b, relating to the practice of medicine and surgery in the State of California by members of the medical department of the United States army or navy, regular or volunteers.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Nelson: Assembly Bill No. 947—An Act to amend Section 632½ of the Penal Code of the State of California relating to the protection of steelhead trout.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 948—An Act to amend section 634 of the Penal Code of the State of California relating to the protection of salmon.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 949—An Act to amend Section 468 of the Civil Code of the State of California, relating to the construction and operation of railroad corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Bohnett: Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county

recorder prior to the first day of January nineteen hundred and thirteen.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 951—An Act to amend Section 1552 of the Code of Civil Procedure of the State of California, relating to the confirmation of a sale of real property made by an executor or an administrator, and the ordering of a new sale.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 952—An Act to amend Section 792 of the Political Code of the State of California, relating to the qualifications of appointees to the office of notary public.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 953—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known and designated as Section 792a, relating to the examination of applicants for appointment to the position of notary public and the issuing of certificates thereto.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Griffin: Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter, any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district and providing for the payment thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter, any street in any incorporated city or town, lying adjacent to or upon the property of any such county and providing for the payment thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will not exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Weldon: Assembly Bill No. 957—An Act to amend Section 435 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Johnson: Assembly Bill No. 958—An Act to amend Section 367c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Schmitt: Assembly Bill No. 959—An Act to amend Section 1365 of the Code of Civil Procedure, relating to the order of persons entitled to administer upon estates.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peairs: Assembly Bill No. 960—An Act making it a misdemeanor for any railway company or street railway company to demand or collect fare when, from any cause, they are unable or unwilling to furnish each passenger with a comfortable seat, and fixing the punishment therefor.

Bill read first time, and referred to Committee on Corporations.

By Mr. Bloodgood (by request): Assembly Bill No. 961—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending section seven of said Act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Brown: Assembly Bill No. 962—An Act to amend section one thousand four hundred and ninety-four of the Code of Civil Procedure of the State of California, relating to claims against the estates of decedents, and interest thereon.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 963—An Act to amend sections eleven and eighteen of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property upon dissolution of district.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 964—An Act to add a new section to the Political Code of the State of California, to be designated as Section 3084, relating to the issuance of burial permits.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 965—An Act to regulate the transportation of passengers by common carriers, and railway companies, and to compel such common carriers and railway companies to provide seats for all passengers carried, and fixing a penalty for failure to so provide seats.

Bill read first time, and referred to Committee on Corporations.

By Mr. Sutherland: Assembly Bill No. 966—An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Shannon: Assembly Bill No. 967—An Act to amend the Political Code by amending Section 1032 thereof, relating to records open to public inspection; exceptions in attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Byrnes: Assembly Concurrent Resolution No. 12—Relative to approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

Read, and referred to Committee on Municipal Corporations.

By Mr. Ferguson: Assembly Joint Resolution No. 14—Relative to the retirement of employees in the civil service.

Read, and referred to Committee on Federal Relations.

By Mr. Bradford: Assembly Joint Resolution No. 15—Relative to the re-establishment of the fourth revenue collection district of the State of California with headquarters in Sacramento.

Read, and referred to Committee on Federal Relations.

By Messrs. Finnegan and Wall: Assembly Joint Resolution No. 16—Relative to the indorsement of Newlands regulation bill as introduced in the sixty-first Congress, third session, and as amended April 30, 1912.

Read, and referred to Committee on Federal Relations.

By Mr. Shannon: Assembly Joint Resolution No. 17—Relating to requesting the United States Congress to amend the Federal Bankruptcy Act so as to exclude building and loan associations from the provisions thereof.

Read, and referred to Committee on Federal Relations.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Wall:

WHEREAS, The Honorable John J. DeHaven did on the 26th day of January, in the year of our Lord nineteen hundred and thirteen, depart this life after many years of able and efficient service as a Federal Judge of this nation; therefore, be it

Resolved, That we, the Assembly of the State of California, recognizing the value and worth of the said John J. DeHaven as a citizen and as a man, and appreciating his capability and efficiency as an official of our nation, extend to his bereaved wife and children our heartfelt sympathy in this the hour of their sorrow; and be it

Resolved, That a copy of this resolution be printed in the Journal and a copy be forwarded to Mrs. J. J. DeHaven, widow of deceased.

Resolution read, and on motion unanimously adopted.

By Mr. Inman:

Resolved, That the State Engineer be and he is hereby authorized and directed to secure the services of an expert on acoustics for the purpose of ascertaining the practicability of securing better acoustic properties for the Assembly Chamber of the State of California. And said State Engineer is hereby authorized to incur expense not exceeding the sum of two hundred and fifty dollars for such purpose.

Resolution read, and on motion adopted.

By Mr. Schmitt:

Resolved, That the Superintendent of the Capitol Building be, and he is hereby requested to prepare the committee rooms on the fourth floor of this building which have heretofore been used as committee rooms of the Assembly for the use of the committees of this Assembly; and that such rooms shall be ready for the use and occupation of Assembly committees immediately following the constitutional recess; and, be it further

Resolved, That said Superintendent of the State Capitol be and he is requested to remove any and all persons who may be in the occupation and possession of said rooms at such time as may be necessary to comply with the request herein given.

Resolution lost.

By Mr. Mouser:

WHEREAS, The Honorable Sylvester C. Smith did on the 27th day of January, in the year of our Lord nineteen hundred and thirteen, depart this life after many years of able and efficient service as a representative in Congress from the Eighth District of California, and a Senator from the Thirty-second District, in the thirty-first, thirty-second, thirty-third and thirty-fourth sessions of the Legislature; therefore, be it

Resolved, That we, the Assembly of the State of California, recognizing the value and worth of the said Sylvester C. Smith as a citizen and as a man, and appreciating his capability and efficiency as an official of our nation, extend to his bereaved family our heartfelt sympathy, in this, their hour of sorrow; and be it further

Resolved, That a copy of this resolution be printed in the Journal and a copy be forwarded to Mrs. Sylvester C. Smith, widow of the deceased.

Resolution read, and on motion unanimously adopted.

SPECIAL ORDER SET.

On motion of Mr. Sutherland, the consideration of Assembly Bill No. 197 and Assembly Concurrent Resolution No. 9 was made a special order for this afternoon at two o'clock.

MOTION.

Mr. Mouser moved that when the Assembly adjourn this day it adjourn out of respect to the memory of the late Judge DeHaven and Congressman Smith.

Motion adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 326—An Act to repeal Sections 768, 711, 866 and 869 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 328—An Act to amend Section 876 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 329—An Act to amend Sections 757 and 857 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 482—An Act to amend sections three and five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

Have had the same under consideration, and respectfully report the same back and recommend they do pass as amended.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 148—An Act to amend section eight hundred and seventy-four of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 327—An Act to repeal Section 812 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 255—An Act to amend Section 1584 of the Political Code, relating to the government of school districts by municipal charter.

Also: Assembly Bills Nos. 108 and 563.

Also: Assembly Concurrent Resolution No. 9—Relative to approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Banking, to whom was referred Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

ROBERTS, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 218—An Act to authorize the payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Also: Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Also: Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E. Smith of Modoc County against the State of California, exempting this Act from the provisions of section six hundred seventy-two of the Political Code and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading and re-referred to Committee on Ways and Means.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 27, 1913, the following:

Assembly Bills Nos. 803 to 882, inclusive.

Also: Assembly Concurrent Resolution No. 11.

Also: Assembly Joint Resolution No. 13.

Also: Assembly Constitutional Amendment No. 18.

And returned the above listed Assembly bills, Assembly concurrent resolution, Assembly joint resolution and Assembly constitutional amendment to the Clerk of the Assembly the same day.

CLARK, WM. C., Chairman.

THIRD-READING FILE.

Assembly Joint Resolution No. 10—Relative to Irish home rule.

The question being on the adoption of the Assembly joint resolution.

The roll was called, and Assembly Joint Resolution No. 10 adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—68.

NOES—None.

Assembly joint resolution ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 10.

Relative to Irish Home Rule.

WHEREAS, After years of adversity, work and hope, but never of despair, on the part of the Irish nation, the British House of Commons recently passed the Irish Home Rule Bill, thereby recognizing the eternal truth that an intelligent people should be sovereign in governmental affairs which concern themselves; and

WHEREAS, It is meet that on the great occasion of the granting of Irish home rule that the fairest of all free states, California, should extend its hearty congratulations to the Irish people, and to the British House of Commons which granted the same; therefore, be it

Resolved by the Assembly of the State of California and the Senate, jointly, constituting the Legislature of the State of California, That we hereby extend, on behalf of the State, our hearty congratulations to the Irish people on their increased assumption of powers and responsibilities, and to the British nation for the act of frank justice rendered.

Resolved, That the Governor of California be and he is hereby requested to transmit a certified copy of these resolutions to the Hon. John E. Redmond, leader of the Irish party, and to Premier Asquith of the British Parliament.

RECESS.

At twelve o'clock and twenty-five minutes p.m., on motion by Mr. Bohnett, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m. the Assembly reconvened.
Speaker Young in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 9—Relative to approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

SPECIAL ORDER.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Concurrent Resolution No. 9—Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach, at a special municipal election held therein on the 13th day of January, 1913.

The question being on the adoption of the Assembly concurrent resolution.

The roll was called, and Assembly Concurrent Resolution No. 9 adopted by the following vote:

AYES—MESSRS. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston,

T. D. Johnstone, W. A. Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartei, Simpson, Slater, Smith, Strine, Stuckenberg, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—67.

NOES—None.

Assembly Concurrent Resolution No. 9 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 9.

Relative to approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

WHEREAS, The mayor and city clerk of the city of Long Beach did, on the 23d day of January, 1913, duly certify to the submission to the electors of said city of Long Beach of twenty-six proposed amendments to the charter of the city of Long Beach and to the ratification of said twenty-six amendments and did further certify to a copy of said proposed amendments, authenticated by the seal of said city of Long Beach, which said certificate is in words and figures following, to wit:

STATE OF CALIFORNIA,	}	SS.
COUNTY OF LOS ANGELES,		
CITY OF LONG BEACH,		

CERTIFICATE OF RATIFICATION OF CERTAIN PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF LONG BEACH.

We, the undersigned, Ira S. Hatch, mayor of the city of Long Beach, State of California, and Harry B. Riley, city clerk of said city, do hereby certify as follows, to wit:

That the city of Long Beach, in the county of Los Angeles, State of California, contains a population of over 10,000 inhabitants and has been ever since the year 1907, and is now, organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI, of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 1st day of October, 1906, and approved by the Legislature of the State of California on the 26th day of February, 1907; that the city council of said city did, by ordinance No. 642 (new series), adopted on the 11th day of December, 1912, and approved by the mayor on the 11th day of December, 1912, order the holding of a special municipal election in the city of Long Beach on the 13th day of January, 1913, which said ordinance, among other matters, set forth thirty proposed amendments to the charter of the city of Long Beach and provided for their submission to the qualified electors of said city for their ratification at said special election, and gave notice of the holding of said election and provided for the publishing of said ordinance and the said thirty amendments for ten consecutive times in the *Daily Telegram*, a daily newspaper printed and published in said city, such publication to begin on the next day after the adoption of said ordinance, and that said ordinance be published once in said *Daily Telegram* on or immediately before the tenth day before the holding of said election, and provided for the posting of copies of said ordinance in at least three public places in said city and at the polling places for at least ten days prior to the day of said election.

That said thirty proposed amendments were, and each of them was, published for ten times in a daily newspaper of general circulation, printed, published and circulated in said city, said publication for the ten consecutive times ending on the 21st day of December, 1912, which said last mentioned date was the date of completion of the publication of said proposed amendments.

That said ordinance No. 642 (new series), containing said amendments and calling and giving notice of said special election, was duly published and posted as required by said ordinance and by law.

That thereafter said special election, provided for in said ordinance, was held on the 13th day of January, 1913, in said city of Long Beach, which said last mentioned date was at least twenty days after the publication of said proposed amendments for ten times in said *Daily Telegram*, a newspaper of general circulation, printed and published in said city of Long Beach; that at said special election a majority of the qualified electors voting thereon voted in favor of the ratification of, and did ratify, twenty-six of said proposed amendments, to wit: Proposed amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 28, 29, and 30 thereof, and did not ratify proposed amendments Nos. 9, 25, 26, and 27 thereof.

That the city council of said city of Long Beach, at a regular meeting thereof, held within ten days after said election, duly canvassed the returns of said election and duly found, determined and declared that a majority of such qualified electors

voting thereon had voted for and ratified twenty-six of said proposed amendments and rejected three of said proposed amendments, and that said twenty-six amendments to said charter, so ratified by a majority of the qualified electors of said city voting at said special municipal election, are, in words and figures, as follows, to wit:

PROPOSED CHARTER AMENDMENT No. 1.

That Section 1, Article I, be amended to read as follows:

Section 1. The municipal corporation now existing, known as the city of Long Beach, shall continue to be a body corporate and politic under the name of the city of Long Beach and with the following boundaries, to wit:

DESCRIPTION OF THE BOUNDARY OF THE CITY OF LONG BEACH.

Beginning at the southwest corner of block 10, East San Pedro, as shown on map recorded in book 52, pages 13 *et seq.* of miscellaneous records of Los Angeles county; thence to the northwest corner of said block 10; thence northeasterly along the northerly boundary lines of blocks 10, 11, 12 and 13, and across all intervening streets to the northwest corner of block 14, all said blocks and streets as shown on said map of East San Pedro; thence northwesterly to the southwest corner of lot 3, Terminal Island, as said lot 3 is shown on filed map No. 133, records of Los Angeles County; thence northwesterly along the westerly line of said lot 3 to the most northerly corner of lot 2, said Terminal Island; thence in a direct line northeasterly to the intersection of the westerly boundary line of Long Beach township with the southerly line of Wilmington and Anaheim road, as said road is shown on said map of Terminal Island; thence northwesterly along the boundary line of the city of Wilmington as incorporated December 26, 1905, to a point, said point being south 85 deg. west from the intersection of the west prolongation of the north line of State street with the "compromise line" between rancho San Pedro and rancho Los Cerritos as said "compromise line" is shown in licensed surveyor's map book 6, pages 15 and 16, said Los Angeles County; thence northeasterly in a direct line to a point in the westerly boundary of the Wilmington colony tract, recorded in book 4, pages 406 and 407, miscellaneous records of said county, said point being 1,300 feet south of the north line of lot 7 of said Wilmington colony tract; thence east to the east line of lot 11, said Wilmington colony tract; thence north 10 feet; thence east to a point 32 feet west of the west line of American avenue, as said avenue is shown on aforementioned map of American colony tract; thence south to a point 100 feet north of the north line of Hill street, as shown on said map of American colony tract; thence east to the east line of American avenue, as shown on map of Elm avenue tract, recorded in map book 4, page 86, records of Los Angeles County; thence north to a point 80 feet north of the north line of Willow street, as said Willow street is shown on aforementioned map of American colony tract; thence east to the east line of Pasadena avenue, as said avenue is shown on map of Signal tract, recorded in map book 7, page 76, records of Los Angeles County; thence south 30 feet; thence east to a point one hundred and forty-three (143) feet west of the west line of Atlantic avenue; thence north to the north line of farm lot 52, aforementioned American colony tract; thence west along said north line of farm lot 52, to the east line of American avenue, as shown on aforementioned map of American colony tract; thence north to the north line of Spring street; thence east along the north line of Spring street to a point 143 feet west of the west line of Atlantic avenue; thence north to the north line of aforementioned American colony tract; thence east to the easterly boundary of Los Angeles County; thence southerly along said boundary to a point 100 feet south of the prolonged north line of American colony tract; thence west to a point 100 feet east of the aforementioned Atlantic avenue; thence south to the south line of aforementioned Willow street; thence east to a point 300 feet west of the west line of California avenue, as said avenue is shown on aforementioned map of American colony tract; thence south to a point in the southerly line of the Pacific Electric railway right of way as shown on map of Gadwell and Lyster tract, recorded in map book 7, page 163, records of Los Angeles County; thence southeasterly along said southerly line of right of way prolonged to the east line of California avenue, as shown on map of aforementioned American colony tract; thence south to a point 160 feet north of the north line of Anaheim street; thence east to the west line of Orange avenue, as said Orange avenue is shown on map of the Alamitos tract, recorded in book 36, pages 37-44, miscellaneous records of Los Angeles County; thence south 860 feet; thence east to the east line of Temple avenue; thence north to the south line of State street; thence east to the east line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south to the north line of Seventh street; thence east to the southwesterly line of right of way of the Pacific Electric railway; thence southeasterly along said southwesterly line to the east line of Santa Fe avenue; thence south to the north line of lot 194; thence east along said north line of lot 194 to the west line of Nieto avenue, as said Temple avenue, State street, Loma avenue, Anaheim street, Ximeno avenue, Seventh street, right of way, Santa Fe avenue, lot 194 and Nieto avenue are shown on aforementioned map of the Alamitos tract; thence south to the

northeasterly line of block A, West Naples, as shown on map recorded in map book 7, pages 164 and 165, records of Los Angeles County; thence in a direct line to the most northerly corner of lot 17, said block A; thence southwesterly along the prolonged northwesterly line of said lot 17 to its intersection with the northeasterly line of block B, said West Naples; thence southeasterly along the northeasterly line of said block B to the most northerly corner of lot 18, said block B; thence southwesterly along the prolonged northwesterly line of said lot 18 to its intersection with the northeasterly line of lots 35 and 36, said block B; thence southeasterly along said northeasterly line of lots 35 and 36 to the most northerly corner of lot 37, said block B; thence southwesterly along the prolonged northwesterly line of said lot 37 to the northeasterly line of block C, said West Naples; thence southeasterly along the northeasterly line of said block C to its intersection with the northwesterly line of lot 16, said block C; thence southwesterly along the prolonged northwesterly line of said lot 16 to the northeasterly line of lots 44 and 43 of said block C; thence southeasterly along the northeasterly line of said lots 44 and 43 to the most easterly corner of lot 44, said block C; thence southwesterly along the prolonged southeasterly line of lot 44 to its intersection with the northeasterly line of block D, said West Naples; thence southeasterly along the northeasterly line of said block D to the northwesterly line of lot 17, said block D; thence southwesterly along the prolonged northwesterly line of said lot 17 to the northeasterly line of block 48, Alamitos Bay townsite, recorded in map book 4, pages 75 and 76, records of Los Angeles County; thence southeasterly along the northeasterly line of said block 48 to the northwesterly line of lot 10, said block 48; thence southwesterly along the prolonged northwesterly line of said lot 10 to a point three (3) miles distant from the shore of the Pacific Ocean; thence westerly and parallel with the shore of the Pacific Ocean and three (3) miles distant therefrom to a point in the prolonged westerly line of aforementioned block 10, East San Pedro; thence in a direct line to point of beginning.

PROPOSED CHARTER AMENDMENT NO. 2.

That Paragraph 8, of Article I, Section 3, be amended to read as follows:

Eight—To provide for supplying the city and its inhabitants with water and gas, electricity or either, or with other means of heat, illumination or power; and to acquire, repair, remodel, or construct and to lease, or operate, and to regulate the construction or operation of conduits or of railroads, or other means of transit or transportation, and of plants and equipment for the production or transmission of gas, electricity, heat, refrigeration or power in any of their forms, by pipes, wires or other means, either in or out of the city; and to incur a bonded indebtedness for any of such purposes; *provided*, the question of the issue of bonds therefor shall first be submitted to the qualified electors of the city at a special or general election and that two thirds of the vote cast on the question of the said issue of bonds shall have been cast in favor thereof.

PROPOSED CHARTER AMENDMENT NO. 3.

That Paragraph 11 of Article I, Section 3, be amended to read as follows:

Eleventh—To build, own, alter, improve, keep in repair and control the water front of said city; to build, own, alter, improve and keep in repair wharves, piers, chutes, and to fix the rate of wharfage and transit; to provide for the regulation of berths, landing, stationing and removing of steamboats, sailing vessels, rafts and other crafts and to fix the rate of speed at which steamboats and other crafts may run along the water front of the city, and to incur a bonded indebtedness for any such purposes; *provided*, the question of the issue of bonds therefor shall first be submitted to the qualified electors of the city at a special or general election, and that two thirds of the vote cast on the question of the said issue of bonds shall have been cast in favor thereof.

PROPOSED CHARTER AMENDMENT NO. 4.

That Paragraph 15, of Article I, Section 3, be amended to read as follows:

Fifteenth—To license and regulate places of amusement and the carrying on of any and all professions, trades, callings, occupations, and kinds of business carried on within the limits of said city, and to fix the amount of license tax thereon to be paid by all persons engaged in carrying on such places of amusement and such professions, trades and callings, occupations and kinds of business in said city and to provide for the manner of enforcing the payment of such license tax; and to regulate, restrain, suppress, prohibit hawking, peddling and the carrying on of any laundry, livery and sale stable, cattle or horse corral, feed yard, horse clipping establishment, bill boards, planing mills, rolling mills, oil wells, furnaces, chimneys and smoke stacks, tanks or refineries, foundries, brick yards, slaughter houses or butcher shops, and the keeping of bees, cattle, poultry or pigeons within the limits or within any designated portion of said city; and to regulate, prohibit and suppress the sale or giving away of intoxicating liquors and the keeping of any place where spirituous, vinous, malt or other intoxicating liquors are sold or given away and to prohibit and suppress all faro banks, games of chance, gambling houses or bawdy houses and any and all obnoxious, offensive, immoral, indecent, or disreputable places or practices within the said city.

PROPOSED CHARTER AMENDMENT No. 5.

That Paragraph 20, of Article I, Section 3, be amended to read as follows:

Twentieth—To contract for all necessary printing and in that behalf either to make contracts for city printing, or to acquire, own and operate, municipal printing presses and all the necessary paraphernalia therefor, and to publish and issue a municipal newspaper.

PROPOSED CHARTER AMENDMENT No. 6.

That Paragraph 29, Section 3, of Article I, of the charter, be amended to read as follows:

Twenty-ninth—Plenary control over all uses of its streets and other public places is vested in the city. Franchises may be granted to persons, firms or corporations upon such terms, conditions, restrictions or limitations as may be prescribed by the city council by ordinance, but no franchise shall be granted without reserving to the city adequate compensation for the privilege conferred, nor shall any franchise be granted for a longer period than thirty-five (35) years, unless there be reserved to the city the right to take over at any time the works, plants and property constructed under the grant at their physical valuation and without compensation for franchise or good will, but no franchise shall be granted for a longer term than fifty (50) years. The city council may, by ordinance adopted by unanimous vote of all its members, provide a method whereby franchises may be granted and from time to time, in like manner, change the method so provided. Until such provision is made the method provided by the general laws of the State shall apply.

PROPOSED CHARTER AMENDMENT No. 7.

That Section 3, of Article I, be amended by adding a new paragraph thereto to be known as Paragraph 30 and to read as follows:

Thirtieth—To compel the owner, or occupant, of buildings or grounds, or the owner of vacant lots to remove dirt, rubbish, and weeds from the vacant lots and from the lots occupied by buildings and from the sidewalk opposite thereto and in default to authorize the removal or destruction thereof by some officer of the city at the expense of such owner or occupant and to make such expense a lien upon such lots, buildings or grounds.

PROPOSED CHARTER AMENDMENT No. 8.

That Article II be amended to read as follows:

Section 1. The officers of the city shall be:

A mayor.

Seven members of the city council.

A clerk.

Attorney.

Treasurer.

Police judge.

Auditor.

Assessor.

Tax and license collector.

Board of public works.

Civil service commission.

Police commission.

Fire commission.

Board of health.

Library commission.

Board of education.

Section 2. Every officer provided for in this charter shall, within ten days after receiving his certificate of election or appointment, qualify by giving the bond required by this charter, or by the ordinances of this city and by taking the following oath: "I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States, and the Constitution and laws of the State of California, and the charter of the city of Long Beach and I will faithfully discharge the duties of the office according to the best of my ability."

PROPOSED CHARTER AMENDMENT No. 10.

That Section 4, of Article IV, be amended to read as follows:

Section 4. The following named officers shall execute official bonds to the city with sureties in the following sums, viz:

The mayor, in the sum of ten thousand dollars.

The treasurer, in the sum of fifty thousand dollars.

The clerk, in the sum of ten thousand dollars.

The auditor, in the sum of ten thousand dollars.

The assessor, in the sum of ten thousand dollars.

The tax and license collector, in the sum of fifty thousand dollars.

The police judge, in the sum of five thousand dollars.

Such other additional bonds may be required from time to time as the city council may deem proper.

PROPOSED CHARTER AMENDMENT No. 11.

That Section 7, of Article V, be amended to read as follows:

Section 7. The city clerk shall be a citizen and elector of the State and shall have been a resident of the city for the two years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for two years and until his successor has been elected and has qualified. The city clerk shall have the custody of and be responsible for the corporate seal, all books, papers, records and archives belonging to the city, not in actual use by other officers, or elsewhere by special provision committed to their custody. He shall be present at each meeting of the council and of the board of equalization, and keep a record of its proceedings. He shall keep separate books in which respectively he shall record all ordinances, contracts and all other documents of permanent public value. He shall keep all books properly indexed and open to public inspection when not in actual use. He shall make out, sign and deliver to the city auditor all licenses and perform such other duties as are or shall be imposed by this charter or by ordinance. He shall have power to take affidavits and administer oaths in all matters relating to the business of the city and shall make no charge therefor. He shall devote his entire time to the duties of his office. He shall be the custodian of the city hall, and of all personal property, the custody of which has not been otherwise provided for.

PROPOSED CHARTER AMENDMENT No. 12.

That Section 8, of Article V, be amended to read as follows:

Section 8. The city assessor shall be a citizen and elector of the State and shall have been a resident of the city for the two years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for two years and until his successor has been elected and has qualified. He shall perform all the duties prescribed by this charter or by law for assessing property in the city for purposes of taxation, and shall collect such taxes upon personal property as by this charter are required to be collected by him.

PROPOSED CHARTER AMENDMENT No. 13.

That Section 2, of Article VI, be amended to read as follows:

Section 2. The qualified electors in the city shall nominate and elect seven members of the city council. Each member of the city council shall be a citizen and elector of the State. They shall have been residents of the city for the two years next preceding the day of their election. They shall hold office for two years and until their successors have been elected and qualified.

PROPOSED CHARTER AMENDMENT No. 14.

That Section 8, of Article VI, be amended to read as follows:

Section 8. All ordinances adopted under this charter shall be published in the English language at least once in a bona fide newspaper that has been published or has been in general circulation, in the city of Long Beach, for at least one year prior to the time of being granted the contract for city printing, or at the option of the city council, be posted in three public places in the city of Long Beach.

PROPOSED CHARTER AMENDMENT No 15.

That Section 3, of the department of civil service, be amended to read as follows:

Section 3. Said commission shall classify all the offices and places of employment mentioned in section 11 of this subdivision with reference to examination herein provided for. The offices and places so classified by the commission shall constitute the classified civil service of the city; and no appointment to any such offices or places shall be made except under and according to the rules hereinafter mentioned; *provided, however*, in case a position requires special qualification or expert knowledge, the civil service commission may suspend rules by resolution and recommend appointments outside of the classified civil service lists.

PROPOSED CHARTER AMENDMENT No. 16.

That Section 6, of Article IX, be amended to read as follows:

Section 6. All contracts for official advertising shall be let annually, to go into effect on the first Monday in July in every year, in a like manner, to the lowest responsible bidder, publishing or circulating a daily newspaper of general circulation in the city of Long Beach; *provided*, that the said newspaper shall have been in existence at the time of the award of said contract, at least one year.

PROPOSED CHARTER AMENDMENT No. 17.

That Section 21, of Article XI, be amended to read as follows:

Section 21. Whenever the council shall determine that the public interest requires the construction, acquisition, completion or repair of any public improvement or utility the cost of which, in addition to the other expenditures of the city,

will exceed the income and revenue provided for in any one year, they may, by ordinance, submit a proposition to incur a bonded indebtedness for such purpose and proceed therein as provided in Section 18, of Article XI, of the Constitution of this State and general law, or laws, thereof: *provided*, that such indebtedness shall not bear more than five (5%) per cent interest per annum and no bond issue therefor shall be sold for less than par value and to the highest bidder, after advertising for sealed proposals therefor; *and provided*, that several propositions for the issue of bonds may be submitted at one special or general election and that two thirds of the vote cast on each question of the said issue of bonds shall have been cast in favor thereof.

PROPOSED CHARTER AMENDMENT No. 18.

That Section 24, of Article XI, be amended to read as follows:

Section 24. The said sale shall be made by him in the manner provided in sections thirty-seven hundred and ninety-one, thirty-seven hundred and ninety-two, thirty-seven hundred and ninety-three, thirty-seven hundred and ninety-four, thirty-seven hundred and ninety-five and thirty-seven hundred and ninety-six of the Political Code of the State of California; *provided*, that the newspaper referred to in section thirty-seven hundred and ninety-two shall be a newspaper having a general circulation in the city of Long Beach.

PROPOSED CHARTER AMENDMENT No. 19.

That Section 11, of Article XV, be amended to read as follows:

Section 11. No person shall be eligible to any municipal office under this charter who, at the time of his election, or appointment, is not a qualified elector of this city.

PROPOSED CHARTER AMENDMENT No. 20.

That Sections 1, 2, 3, 4 and 5, of Article XV, be amended to read as follows:

ARTICLE XV.

Section 1. Elections to be held in this city are of three kinds:

1. General municipal elections.
2. Second municipal elections.
3. Special municipal elections.

Section 2. A general municipal election shall be held in said city, on the second Tuesday in November, 1913, and on the second Tuesday in November, every two years thereafter, for the election of

- A mayor.
- Seven members of the city council.
- A clerk.
- An attorney.
- A treasurer.
- A police judge.
- An auditor.
- An assessor.
- A tax and license collector.

Section 3. Candidates for said offices shall be nominated as follows:

1. The name of the candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

2. The petition of nomination shall contain not less than twenty-five or more than thirty-five individual certificates which shall read substantially as follows:

PETITION OF NOMINATION—INDIVIDUAL CERTIFICATE.

STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES, } SS.
CITY OF LONG BEACH. }

Precinct No. _____

I, the undersigned, certify that I do hereby join in a petition for the nomination of _____, whose residence is at No. _____ street, Long Beach, for the office of _____ to be voted for at the municipal election to be held in the city of Long Beach on the _____ day of _____, 19____, and I further certify that I am a qualified elector and am not at this time a signer of any other petition nominating any other candidate for the above named office, or in case there are several places to be filled in the above named office, that I have not signed more petitions than there are places to be filled in the above named office; that my residence is at No. _____ street, Long Beach, and that my occupation is _____.

(Signed) _____

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES, }
CITY OF LONG BEACH. } ss.

-----, being duly sworn, deposes and says that he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) -----

Subscribed and sworn to before me this ----- day of -----, 19-----.

(Notary Public or Verification Deputy.)

The petition of nomination, of which this certificate forms a part, shall, if found insufficient, be returned to ----- at No. ----- street, Long Beach, Cal.

3. It shall be the duty of the city clerk to furnish upon application a reasonable number of official forms of individual certificates of the above character.

4. Each certificate must be a separate paper. Each certificate must contain the name of one candidate and no more, and one signer thereto and no more. Each signer must be a qualified elector and must not at the time of signing have signed his name to the certificate of any other candidate for the same office. Each signer must verify his signature and make oath that the same is true before a notary public or a verification deputy, as provided for in this section.

5. Verification deputies under this section must be qualified electors of the city and shall be appointed by the city clerk upon application in writing, signed by not less than five qualified electors of the city. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal offices at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given, appointed as verification deputies, who shall upon appointment be authorized and empowered to take the oath of verification of the signers of petitions of nomination. Their appointments shall continue only until all petitions of nomination under this section shall have been filed with the city clerk. All verification deputies must, before their appointment, make and file with the city clerk an oath as to their ages, place of residence, occupation and whether or not they are qualified electors of the city of Long Beach, California.

6. A petition of nomination may be presented to the city clerk not earlier than forty-five days nor later than thirty days before the election. The clerk shall endorse thereon the date upon which the petition was presented to him.

7. When a petition of nomination is presented to the city clerk for filing he shall forthwith examine the same and see if it conforms to the provision of this section. If found not to conform thereto he shall then and there in writing designate on said petition the defect or omission or reason why such petition cannot be filed and shall return the petition at once. The petition may then be amended and presented to the clerk as in the first instance.

8. Any signer to any petition of nomination may withdraw his name from same by filing with the city clerk a verified revocation of his signature before the filing of the petition by the clerk and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

9. Any person whose name has been presented under this section as a candidate may, not later than twenty-five days before the date of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot.

10. If either the original or the amended petition of nomination be found sufficiently signed as hereinbefore provided, the clerk shall file the same twenty-five days before the date of the election. When a petition of nomination shall have been filed by the clerk it shall not be withdrawn or added to and no signature shall be revoked thereafter.

11. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates belonging thereto filed under this section.

12. Immediately after such petitions are filed, the clerk shall enter the names of the candidates in a list with the offices to be filled and shall, not later than twenty days before the election, certify such list as being the list of candidates nominated as required by the city of Long Beach, and the council shall cause said certified list of names and the offices to be filled, designating whether for a full term or unexpired term, to be published in the proclamation calling the election, at least ten successive days before the election, in not more than two daily newspapers of general circulation published in the city of Long Beach. Said proclamation shall conform in all respects to the general state law governing the conduct of municipal elections, now or hereafter in force, except as herein required.

13. The city clerk shall cause the ballots to be printed and bound and numbered as provided for by state law, except as otherwise required in this charter. The

ballots shall contain the list of names and the respective offices, as published in the proclamation and shall be in substantially the following form:

GENERAL MUNICIPAL ELECTION, SECOND MUNICIPAL ELECTION, OR SPECIAL
MUNICIPAL ELECTION, CITY OF LONG BEACH, (INSERT DATE THEREOF.)

Instructions to Voters: To vote, stamp or write a cross (X) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the inspector of election, and obtain another.

14. All ballots printed shall be precisely of the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another; and the names of all the candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right hand side for charter amendments or other questions to be voted upon at the municipal elections, as provided for under the charter. The names of the candidates for each office shall be arranged by lot by city clerk, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

15. The name of no candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided, shall be omitted from the ballot.

16. The offices to be filled shall be arranged in separate columns in the following order:

- For mayor, vote for one.
- For councilman, vote for seven.
- For clerk, vote for one.
- For attorney, vote for one.
- For treasurer, vote for one.
- For police judge, vote for one.
- For auditor, vote for one.
- For assessor, vote for one.
- For tax and license collector, vote for one.

17. Half inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

18. Half inch squares shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

19. The clerk shall cause to be printed sample ballots identical with the ballot to be used at the election and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three whole days before said election.

20. In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for all the candidates for that office shall be declared elected; in case there are two or more persons to be elected to an office, as that of councilman, then those candidates equal in number to the number to be elected, who receive the highest number of votes for such an office shall be declared elected; *provided, however,* that no person shall be declared elected to any office at such first election unless the number of votes received by him shall be greater than one half the number of ballots cast at such election.

21. If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates, and a second election shall be held to fill said office. The candidates not elected at such first election, equal in number to twice the number to be elected to any given office, or less if so there be, who receive the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election; *provided,* that if there be any person who, under the provisions of this subdivision, would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidates equal in number to the persons to be elected who shall receive the highest number of votes at such second election shall be declared elected to such office.

22. The second election, if necessary to be held, shall be held three weeks after the first election.

23. All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second election, except that notice of election need be published twice only; and *provided, also,* that the same precincts and polling places shall, if possible, be used.

24. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as hereinafter provided.

25. No informalities in conducting municipal elections shall invalidate the same, if they have been conducted fairly and in substantial conformity to the requirements of this charter.

Section 4. The provisions of the state law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections; *provided*, that the council shall meet as a canvassing board and duly canvass the election returns within seven days after any municipal election.

Section 5. All officers provided to be elected by this charter shall take office on the first Monday after the first day of January next after their election. In the case of a special election to fill a vacancy, the person elected shall, after qualifying, as herein provided, enter at once upon the discharge of the duties of the office to which he has been elected and shall serve for the remainder of the term and until his successor shall have been elected and qualified.

Section 6. In the event of a vacancy in the city council, a special election for the purpose of filling the same shall be ordered and held without delay. In the event of a vacancy in any other elective office the council shall fill such vacancy for the unexpired term.

Section 7. The council shall have power to submit to the electors of said city at any election any question required to be so submitted by the Constitution, the law, this charter, or by ordinance; *provided*, that in case such question is required by said Constitution, law, charter or ordinance to be submitted at special or other particular kind of election, it shall be so submitted, and not otherwise.

PROPOSED CHARTER AMENDMENT No 21.

That Article XV be amended by adding a new section immediately after Section 6c, the same to be numbered 6d.

Section 6d. The petitions provided for in Sections 6a, 6b, and 6c shall not be circulated among the electors for signatures, but may be placed at as many different places within the corporate limits of the city of Long Beach as there shall be county precincts within said limits at the time of using said petitions and the same may be signed by the electors at such places; and the city council shall, by ordinance, with proper penalties, make it unlawful and a misdemeanor for any person to circulate said petitions, or any of them, and shall make it unlawful for any person to receive any compensation or remuneration of any character whatsoever for procuring signatures to such petitions.

PROPOSED CHARTER AMENDMENT No. 22.

That Section 7, of the miscellaneous provisions, be amended to read as follows:

Section 7. All ordinances and resolutions of the city and all regulations or rules prescribed by, or for, the government of its departments, officers or employees which are in force at the time of the taking effect of this charter and of the amendments thereto, and which are not inconsistent with this charter, as amended, shall continue in force until altered, amended or repealed; and all ordinances adopted by the city council or by a vote of the people, prior to the taking effect of amendments to this charter, are hereby preserved and declared to be valid and shall continue to be valid and the same shall be enforced, in all respects, as though adopted under this charter, as amended.

PROPOSED CHARTER AMENDMENT No. 23.

That the charter of the city of Long Beach be amended by adding a new article thereto, to be known as Article No. 16 and to read as follows:

ARTICLE XVI.

Section 1. There is hereby created and established in and for the city of Long Beach an industrial district.

Section 2. Said industrial district is hereby defined to be that portion of the city of Long Beach within which factories may or shall be erected and maintained; and within which buildings for the use and occupation of such factories may or shall be erected; and such avocations and industries may or shall be maintained as are prohibited in all the remaining portions of the city of Long Beach.

Section 3. That said industrial district in the city of Long Beach is hereby limited, bounded and described as follows, to wit: All that portion of the city of Long Beach lying west and north of a line extending from Seaside boulevard on the south to the northerly boundary of the city limits, described as follows, to wit: beginning at the intersection of Seaside boulevard and Alpine avenue; thence north and easterly on Alpine avenue to its intersection with Mendocino avenue; thence north on Mendocino avenue to Ocean avenue; thence east on Ocean avenue to the junction of Ocean avenue and Ocean Park avenue; thence westerly, northerly and easterly along Ocean Park avenue to its intersection with Shanock street; thence northerly on Shanock street to its intersection with the Southern Pacific railroad right of way; thence along said railroad right of way to a point opposite the center of Riverside drive,

where said Riverside drive intersects said railroad right of way; thence northerly across said railroad right of way and Wilmington boulevard to the junction of Wilmington boulevard and Fairbanks avenue; thence westerly and northerly along said Fairbanks avenue to the Cerritos Slough; thence along the said Cerritos Slough with its meanderings to the southwest corner of property of the Soft Water Laundry Company, as said property is shown on map filed with the city clerk of the city of Long Beach for assessment purposes, March, 1911, by the Los Angeles Dock and Terminal Company; thence south 60 degrees 18 minutes 40 seconds east along the southerly boundary of said property of the Soft Water Laundry Company, 52.05 feet; thence north 37 degrees 8 minutes east, along the easterly boundary of said property, 246.12 feet; thence north 208.9 feet to a point in the center line of Anaheim street; thence east on Anaheim street to Daisy avenue; thence north on Daisy avenue to the city limits. Also, all that portion of the city of Long Beach, described as follows, to wit: beginning at a point in the east line of Temple avenue, as said Temple avenue is shown on the map of the Alamitos tract, recorded in book 36, page 27 *et seq.*, miscellaneous records of Los Angeles County, said point being six hundred sixty (660) feet south of the center line of Anaheim street; thence north thirteen hundred twenty (1320) feet; thence east to the west line of Loma avenue; thence south to the south line of Anaheim street; thence east to east line of Ximeno avenue; thence south six hundred twenty (620) feet; thence west to the point of beginning.

PROPOSED CHARTER AMENDMENT No. 24.

ALTERNATIVE PROPOSITION No. 1.

That Article XIII be amended to read as follows:

Section 1. Any person, firm or corporation that, within the city of Long Beach, establishes, keeps, opens, maintains or carries on a place where spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks are sold, kept for sale, offered for sale, furnished, distributed, divided, delivered or given away, or that, within said city, either as owner, employee, agent, clerk or otherwise, sells, keeps for sale, offers for sale, furnishes, distributes, divides, delivers or gives away any spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks, shall be deemed guilty of a misdemeanor.

Section 2. Every person who shall, directly or indirectly, keep or maintain, by himself, or by associating or combining with others, or who shall in any manner aid, assist or abet in keeping or maintaining any clubroom or other place, within the city of Long Beach, in which any intoxicating liquor is received or kept for the purpose of use, gift, barter or sale, or for distribution or division among the members of any club or association, by any means whatever, and every person who shall use, barter, sell or give away, or assist or abet another in bartering, selling or giving away intoxicating liquors, so received or kept, shall be deemed guilty of a misdemeanor.

Section 3. Every person having in his possession, within the city of Long Beach, any spirituous, vinous, malt or mixed liquors, or any alcoholic or intoxicating drinks, or bottles, barrels, vessels or other articles with the intent to use the same in violation of this article shall be deemed guilty of a misdemeanor; and all such liquors, bottles, barrels, vessels or other articles in the possession of such person shall be and are hereby declared to be nuisances, and the chief of police shall have the right, and it shall be his duty, to abate such nuisances by seizing the same, and upon the conviction of such person for violating this article, all such liquors shall be destroyed.

Section 4. Every person who lets or leases any building, tenement or place, owned by him or under his control, within the city of Long Beach, to be used, or permits the same to be used, in violation of this article, shall be deemed guilty of a misdemeanor.

Section 5. The provisions of this article shall not be deemed to apply to the keeping, furnishing or giving away, of intoxicating liquors in a private residence in a reasonable amount as a means of entertainment or act of hospitality and without compensation.

Section 6. Every person, or any officer, agent, or employee of a railroad company, express company or other common carrier, who shall, within the city of Long Beach, receive, carry or deliver any spirituous, vinous, malt or mixed liquors, or any alcoholic or intoxicating drinks, or vessels for containing the same, to or for any persons, and every person who shall advertise, solicit or take orders, within the said city of Long Beach, for any spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks, shall be deemed guilty of a misdemeanor; *provided, however,* that the provisions of this section shall not be deemed to apply to a person receiving or carrying liquors to his private residence for his own private use, nor to the receiving, carrying or delivering liquors to regularly licensed druggists.

Section 7. It shall be the duty of the chief of police and all police officers of the city of Long Beach, to put persons suspected of violating this article under police surveillance, and to use all legal means in detecting and convicting persons violating this article, including the exercise of the right of search given by the state

law, and Chapter 3 of Part 2 of Title 12 of the Penal Code of the State of California is hereby, so far as the same may be applicable, made to apply and be in force in the city of Long Beach.

Section 8. Any registered pharmacist, under the laws of this State, holding a druggist's permit obtained from the city council of the city of Long Beach, in the manner herein specified, may sell intoxicating liquors for bona fide medical purposes in accordance herewith upon the written prescription of a practicing physician entitled to practice medicine under the laws of the State of California; *provided, however,* that said prescription shall be written, signed and dated by the physician within twenty-four hours of the date of the sale; that the name of the person applying personally for the prescription, and the name of the person for whose personal use the prescription is made, shall be inserted therein by the physician issuing the same at the time the prescription is made or given; that the prescription shall be presented to and be filed by the druggist before any sale or furnishing is made thereon; that all prescriptions shall be numbered and kept in regular succession by the druggist filing the same, on a separate file, convenient for and open and subject, during all business hours, to the inspection of the chief of police or any police officer, and to any person who may be designated by the city council of the said city; that only one sale shall be made on one prescription; that the prescription shall be given or written only, when, in the opinion of the physician, such liquor is actually necessary as a medicine for the person named therein, and such prescription shall specify the kind and quantity of liquor to be furnished thereon, and any physician who shall give to, or write for, any well person, or persons not in actual need of said liquor as a medicine, any prescription for intoxicating liquors, either separately or compounded with other ingredients, or who shall violate or assist in violating or evading any of the provisions of this article, shall be deemed guilty of a misdemeanor, and upon conviction thereof in addition to the penalty therefor herein specified, no intoxicating liquors shall thereafter be supplied, furnished, sold or delivered to any person, by any holder of a druggist's permit, upon the prescription of such physician.

Section 9. Any registered pharmacist under the laws of this State holding a druggist's permit obtained from the city council of the city of Long Beach, in the manner herein specified, may sell alcohol for mechanical or scientific uses; *provided, however,* that it shall be unlawful to sell, deliver or give away any alcohol for any of such uses without making or causing to be made an entry in a book kept and used for that purpose exclusively, stating the date of the sale, the name and address of the purchaser, the quantity of alcohol sold or given away, the purpose for which it is stated by the purchaser to be required, and the name of the dispenser, and causing the purchaser to sign his name to such entry; said book always to be open for inspection and subject during all business hours to the inspection of the chief of police or any police officer and to the city council of said city and to any one designated by them, and to be preserved for at least five years.

Section 10. In order to obtain a druggist's permit under this article the application shall be filed with the city clerk of said city, signed and duly verified by the applicant, setting forth: The particular place, including street and number, where such business is to be conducted, and that the applicant is a person of good moral character, and that he is a registered pharmacist, under the laws of this State, and is lawfully and in good faith engaged, or is about to become engaged personally in the business of a druggist in said city, as the proprietor or manager thereof, at the place designated in his petition, and that he will not violate or evade, nor allow any of his clerks, servants, agents or employees to violate or evade this article or any ordinance of said city relating to intoxicating liquors.

Said applicant shall accompany his application with a good and sufficient joint and several bond, to the city of Long Beach, in the penal sum of one thousand (\$1,000.00) dollars, executed by himself as principal, and two sureties, with a justification of each surety attached thereto, that he is a resident and freeholder in said city, and worth the amount of said bond, over and above all his debts and liabilities in unincumbered real property situated within the county of Los Angeles, exclusive of property exempt from execution and forced sale; and said bond shall be conditioned that said applicant, and every one in his employ, will well and truly observe and obey this article and all ordinances now, or hereafter, in force in relation to intoxicating liquors in said city, during the time for which the said permit is granted; and on violation of any of the provisions of said bond the same shall thereby become forfeited and the amount thereof shall become due and payable to the city of Long Beach, and may be recovered in a civil action brought in a court of competent jurisdiction in the name of the said city of Long Beach against the persons liable thereon.

Section 11. Said city council shall, if satisfied with the sufficiency of the sureties on said bond, approve the same, and thereupon, unless said applicant or some person in his employ has been convicted of violating the charter, laws or ordinances of said city relating to intoxicating liquors, shall issue to said applicant, upon payment by him of a fee of \$25.00 therefor to the city clerk, a druggist's permit, signed by the mayor and attested by the city clerk under the seal of the said city of Long Beach, which permit shall authorize said registered pharmacist, or assistant pharmacist, under the laws of this State, to sell intoxicating liquors for bona fide medical purposes only, in accordance with this article, upon the written prescription of a physician, as in this article provided; and it shall be unlawful for the holder of any such druggist's

permit to allow the drinking, on his premises, or upon any premises occupied or controlled by him, of any intoxicating liquors, or to permit any violation of this article in or upon any premises owned, occupied or controlled by him. And said permit shall continue in force for the period of one year from the date of its issuance, unless sooner cancelled or revoked in the manner herein provided.

Section 12. Whenever any person, either as owner, agent, employee or otherwise, shall have been convicted of violating any of the provisions of this article or any ordinance of the city of Long Beach, relating to intoxicating liquors, any druggist's permit held by the owner or proprietor or manager of any drug store where such violation was committed must thereupon be immediately revoked and canceled by said city council, and no other or further permit shall be issued to such owner or proprietor, or any other person by whom, or for any place where he may be employed.

Section 13. Whenever the father, mother, brother, sister, wife, husband or guardian or any relative of any person, shall notify any holder of a druggist's permit that such person, naming him, uses intoxicating liquors as a beverage, and shall forbid said druggist from selling, bartering or giving to such person any intoxicating liquors, it shall be unlawful for any such holder of a druggist's permit, after such notice, to let such person have any intoxicating liquors upon prescription, or otherwise.

Section 14. Every act in violation of this article shall separately, or for each day of its continuance, be deemed a separate offense, and any person who shall in any manner encourage, aid, abet or assist in the violation of this article, shall be deemed guilty of a misdemeanor, and any clerk, servant, agent or person committing any act in violation of this article shall be deemed guilty as principal.

Section 15. Any violation of this article, or any of the provisions thereof, shall constitute a misdemeanor, and every person found guilty of violating any of the provisions of this article shall, upon conviction thereof, be punished by a fine of not more than five hundred (\$500.00) dollars and not less than one hundred (\$100.00) dollars, or by imprisonment in the city jail of the city of Long Beach for not more than six months, or be punished by both such fine and imprisonment in the discretion of the court in which conviction is had.

Section 16. The council may, by ordinance, provide additional penalties not inconsistent with law for the violation of the provision of this article and may adopt such further restrictions as will make the said provisions effective, and shall have power to adopt ordinances further regulating, restraining and prohibiting the liquor traffic, not inconsistent with this article.

PROPOSED CHARTER AMENDMENT No. 28.

That Section 11 of Article V of the "charter for the city of Long Beach," relating to the qualification and duties of the city attorney, be amended to read as follows:

ATTORNEY.

Section 11. The city attorney shall be a citizen and qualified elector of the State, and shall have been a resident of the city of Long Beach for the two years next preceding the day of his election, and shall be elected by the qualified electors of the city, and shall hold office for two (2) years, and until his successor has been elected, and has qualified. The city attorney must be qualified to practice in all the courts of this State, and he must have been so qualified for at least five (5) years next preceding his election, and he must devote his entire time to the duties of his office; and is not permitted to practice law other than the city business, or to have a partner engaged in the practice of law. The city attorney shall prosecute in behalf of the people all criminal cases arising from violation of the ordinances of the city, and shall attend to all suits, matters and proceedings in which the city may be legally interested; *provided*, that the city council shall have control of all litigation of the city and may employ other attorneys to assist the city attorney therein. The city attorney shall be in attendance at every regular meeting of the council and shall give his advice or opinion in writing whenever requested so to do by the city council or any of the boards, commissions or officers of the city. The city attorney shall approve the forms of all bonds given to the city, and all contracts before the same are entered into by or on behalf of the city; and shall endorse his approval thereon in writing. The city attorney shall, whenever required by the city council or any member thereof, draft any or all proposed ordinances for the city or amendments thereto, and shall do and perform all such things touching his office as the city council or the mayor may require of him. The city attorney shall keep on file in his office, copies of all written communications and opinions given by him to any officer, board or department; copies of all papers, briefs and transcripts used in cases wherein he appears, and books of record and registry of all actions or proceedings in his charge, in which the city, or any officer, board or commission is a party or is interested, and, on vacating his office shall surrender all books, files and documents pertaining to the city business to his successor. The city attorney may appoint an assistant city attorney, clerks, stenographers and other persons as the council by ordinance shall prescribe; *provided*, that the assistant city attorney must, at the time of his appointment, have been a resident of the city of Long Beach for the two years next preceding the day of his appointment; *and provided, further*, that the assistant city attorney must, at the time of his appoint-

ment, be qualified to practice in all the courts of the State, and must have been so qualified at least two (2) years next preceding his appointment. The assistant city attorney must devote his entire time to the duties of his office; and shall receive in full compensation for all services rendered by him, payable in equal monthly installments at the end of each calendar month, the sum of eighteen hundred dollars per annum, and is not permitted to practice law other than the city business, or to have a partner engaged in the practice of law.

PROPOSED CHARTER AMENDMENT No. 29.

The subdivision (b) of Section 6a of Article XV of the "charter for the city of Long Beach relating to the initiative be amended to read as follows:

(b) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency, the council shall proceed to call a special election at which said ordinance, without alteration, shall be submitted to a vote of the people. If the petition be signed by electors equal in number to at least ten per cent but less than fifteen per cent of the entire vote cast for all candidates for mayor at the last preceding general election at which a mayor was elected, then such ordinance, without alteration, shall be submitted by the council to a vote of the people at the next general municipal election that shall occur at any time after thirty days from the date of the clerk's certificate of sufficiency attached to the petition accompanying such ordinance. The ballots used when voting upon said proposed ordinance shall contain the words "For the Ordinance" (stating the nature of the proposed ordinance) and "Against the Ordinance" (stating general nature of the proposed ordinance). If a majority of the qualified electors voting on said proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a binding and valid ordinance of the city; and any ordinance proposed by petition, or which shall be adopted by a vote of the people can not be repealed or amended except by a vote of the people. Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section; *provided*, that there shall not be held under this section of the charter, more than one special election within a period of twelve months; except that there shall be no limitation as to time, presentation, or number of elections upon an initiative ordinance proposed under this section for the purpose of regulating or fixing the rates of compensation to be collected by any person, firm, company or corporation for supplying gas, electricity, power, heat, light, water, telephone or telegraph service to the city of Long Beach or the inhabitants thereof. The council may submit a proposition for the repeal of any such ordinance, or for amendments thereto, to be voted upon at any succeeding election; and should such proposition, so submitted, receive a majority of the votes cast thereon at such election, such ordinance shall be repealed or amended accordingly. Whenever any ordinance or proposition is required by this charter to be submitted to the voters of the city at any election, the city clerk shall cause the ordinance or proposition to be printed, and he shall enclose a printed copy thereof in an envelope with a sample ballot, and mail the same to each voter, at least ten days prior to the election, but the city council may order such ordinance or proposition to be printed in the official newspaper of the city and published in like manner as ordinances adopted by the council are required to be published, and may order that such publication shall take the place of the printing and mailing of the ordinance or proposition, and of the sample ballot as first above provided.

PROPOSED CHARTER AMENDMENT No. 30.

That the charter of the city of Long Beach be amended by adding thereto another article to be known as Article XVII, pertaining to common carriers and by repealing certain provisions of said charter in conflict therewith; said Article XVII to read as follows:

ARTICLE XVII.

COMMON CARRIERS.

The Railroad Commission of the State of California is hereby granted and given all the powers, rights and jurisdiction over every common carrier (as defined in Section 2 of the Public Utilities Act, approved December 23, 1911), operating within the city of Long Beach or serving the inhabitants thereof, conferred upon said Railroad Commission by the Constitution, the Public Utilities Act, as approved December 23, 1911, and any other law or statute of the State of California. The provision of Section three (3) of Article I of the city charter of the city of Long Beach, and the provisions of Section ten (10) of Article VI of the city charter of the city of Long Beach, in so far as the same may be in conflict with, or contrary to this article pertaining to common carriers, are hereby expressly repealed.

In witness whereof, We have hereunto set our hands and affixed the corporate seal of the city of Long Beach this 23d day of January, 1913.

I. S. HATCH.

Mayor of the city of Long Beach.

HARRY B. RILEY,

City clerk of the city of Long Beach.

[SEAL]

AND WHEREAS, The said twenty-six proposed amendments, so ratified as hereinabove set forth, have been duly presented and submitted to the Legislature of the State of California, for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein), That the said twenty-six proposed amendments to the said charter of the city of Long Beach, hereinabove set forth, as presented, and as submitted to and adopted and ratified by the qualified electors of said city, be and the same are hereby approved as a whole for and as amendments to the said charter of the city of Long Beach.

RECESS.

At two o'clock and thirty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until two o'clock and forty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and forty minutes p.m. the Assembly reconvened.
Speaker Young in the chair.

WITHDRAWAL OF BILL.

Mr. Roberts asked for and was granted unanimous consent to withdraw Assembly Bill No. 922.

Bill withdrawn and ordered stricken from the file.

COMMUNICATION.

The following communication was filed by the Speaker:

January 27, 1913.

To the Officers and Members of the Legislature of the State of California.

GENTLEMEN: In accordance with resolution passed by the Senate of the State of California on March 27, 1911 (Senate Journal 1911, p. 2673), I have the honor to submit herewith a list of material bearing upon the subjects of state insurance, employers' liability and workmen's compensation.

This material is available for the use of the members of the State Legislature, and much of it has been brought together on the shelves in the documents room of the State Library, second floor, where is located that branch of the library's activities which is of more immediate concern to the members of the Legislature—the legislative reference department.

I take this opportunity of assuring the officers and members of the Legislature that the resources of the State Library and the services of its staff of workers are at their command.

Respectfully yours,

J. L. GILLIS, State Librarian.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 197—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four and thirty-five.

Also: Assembly Concurrent Resolution No. 6—Relative to the printing of the report of the State Controller, provided for by Section 243 of the Political Code.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

SPECIAL ORDER.

The special order heretofore set was taken up for consideration.

Assembly Bill No. 197—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four, thirty-five and by adding a new section thereto, to be numbered thirty-six, all relating to revenue and taxation.

During the third reading of the bill Mr. Finnegan moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, lines 26 to 27, amend by striking out the words "four and three fourths," and writing in lieu thereof the word "five."

Also: On page 2, line 32, amend by striking out the words "four and two tenths," and writing in lieu thereof the words "four and four tenths."

Also: On page 2, line 34, amend by striking out the words "four and six tenths," and writing in lieu thereof the word "six."

Also: On page 3, line 9, amend by striking out the words "one and three fourths," and writing in lieu thereof the word "two;" also, in line 18 of same section and page, amend by striking out the words "one and three fourths," and writing in lieu thereof the word "two."

Also: On page 4, line 4, amend by striking out the word "one," and writing in lieu thereof the words "one and one half."

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Cram, Dower, Finnegan, Polsley, Schmitt, Stuckenbruck, and Wyllie—7.

NOES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—66.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 197 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTES.

The following explanation of votes were filed and ordered printed in the Journal:

By Mr. Schmitt:

MR. SPEAKER: I desire to have printed in the Journal the following explanation of my vote upon Assembly Bill No. 197:

I have voted in favor of Assembly Bill No. 197 for the reason that I presume it is necessary to provide more funds for the operation of the state government during the ensuing two fiscal years, although I do not believe that the percentages set forth in this bill are proper, or in accordance with the Constitution or the law.

The committees considering this measure claimed to attempt to equalize the rates as between the corporations, but in my judgment the rates provided in this bill do not equalize, but as a matter of fact accomplish a directly opposite result.

I may illustrate: The railroads and street railways and telephone and telegraph companies, according to the special report of the Board of Equalization, are paying ninety cents on the one hundred dollars valuation, the gas and electric companies seventy-five cents on the one hundred dollars valuation and the express companies one dollar and fifty-four cents on the one hundred dollars valuation. In this bill the rate on railroads and street railways is increased by eighteen and three fourths per cent, the telephone and telegraph companies twenty per cent, while the rate on gas and electric companies is only increased fifteen per cent and the rate on express companies is left at its unequally high rate of one dollar and fifty-four cents without any reduction.

Furthermore, the rate on banks is not increased and the rate on insurance companies is raised by sixteen and two thirds per cent.

In view of these facts, I have reached the conclusion that instead of attempting equalization as between the various classes of corporations, the increases in the rates as set forth in this measure, have been estimated for the sole purpose of raising an extra amount of revenue from certain classes of corporations. In conclusion, an increase of the revenue is the only justifiable reason for these rates, and on that basis I vote for the bill.

MILTON L. SCHMITT,

Assemblyman Thirty-first District.

By Mr. Finnegan:

I voted for Assembly Bill No. 197 because, while I regard the raises on most of the corporations as too low, it is a step in the right direction.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Johnston:

Resolved, That the Chief Clerk be authorized to have printed for distribution, 500 copies of the report of the State Librarian, containing list of authorities on employers' liability, state insurance and workmen's compensation.

Resolution read, and on motion adopted.

GUESTS ADMITTED TO THE FLOOR OF THE ASSEMBLY.

Through the courtesy of Mr. Schmitt, Mr. John Lender was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Sutherland, Mrs. W. A. Sutherland was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Stuckenbruck, Mr. E. A. Speipel was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Strine, Mr. Harry Riley was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Inman, Mr. M. E. Hornlein was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Bohnett, Mr. S. W. Downey was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Bohnett, Mr. J. H. Pullen was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Clark, Messrs. A. L. Leber and George W. Hatch were granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Ryan, Miss Helen M. Todd was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Wall, Mr. Jas. H. Kioh was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Shearer, Mr. Tom Fox was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Nelsen, Mr. D. J. Smallpage was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Wall, Mr. J. Howe Webster was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Shannon, Mr. Frank B. Anderson was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Bagby, Mr. E. T. Off was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Bradford, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Ferguson, Mr. R. A. Leeb was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Fitzgerald, Dr. and Mrs. M. E. Anthony were granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Nelson, Rev. W. H. Barker was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Ellis, Mr. S. E. Dorr was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Nelson, Rev. S. F. Langford was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Griffin, Mrs. A. T. Anderson was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Ellis, Dr. Geo. E. Tucker was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Palmer, Mr. A. Schmolz was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Inman, Mrs. J. C. Hunter and Mrs. H. P. Jorgison were granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. White, Mr. Geo. H. Gronwoldt was granted the privilege of the floor of the Assembly for the day.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Wednesday, January 29, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, January 29, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk T. G. Walker, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Johnston, its further reading was dispensed with.

PETITION.

The following petition relative to the Sunday rest law was presented, and ordered printed in the Journal.

By Mr. Kingsley:

LOS ANGELES, January 27, 1913.

To the Honorable Senators and Assemblymen of the California Legislature now in session in Sacramento.

GENTLEMEN: Because an attempt is being made to secure, through your honorable body, the passage of a Sunday rest law, we, the members of the Seventh-day Baptist Church of Los Angeles, Cal, deem it our privilege and duty, as liberty-loving citizens of this commonwealth, to send you this protest against the enactment of such a law, for the following reasons, namely:

1. We believe the Sunday rest law, that is proposed, to be in direct opposition to that portion of the Constitution of this State that declares that "The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be guaranteed in this State," and as directly opposed to the Constitution of the United States which says that "No state shall abridge the privileges or immunities of citizens of the United States."

2. We believe that to compel the observance of Sunday as a Sabbath by law would be the enforcement of a religious dogma by legislative authority, and a practical union of church and state, which would be a direct thrust at the principles of religious liberty, which were so carefully guarded by our forefathers in adopting the fundamental principles upon which they founded this government.

3. We believe such a religious class-law would be radically unjust, for by it one religious class would be favored with advantages to the great disadvantage and hardship of another religious class.

4. We believe that civil government was instituted to protect the rights of citizens of state and nation. The proposed law would violate the rights of free conscience and free worship of a large and law-abiding class of citizens of this State.

5. There is a large number of worthy and loyal citizens of this State who observe the seventh day of the week as the Sabbath and not the first day of the week com-

monly called Sunday. To them, such a law would work very grave hardships and great injustice.

We, therefore, with this protest, would respectfully request that your honorable bodies defeat the passage of the Sunday rest bill referred to.

GEO. W. HILLS, Pastor.

L. A. PLATTS, President Trustees.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 54—An Act to establish a state training school for girls; to provide for the maintenance and management of the same, and to make an appropriation therefor.

Also: Assembly Bill No. 176—An Act to amend section one thousand five hundred and eighty-two of the Penal Code of the State of California, relating to the salary of the wardens, clerks, and other officers of the penitentiaries and state prisons.

Also: Assembly Bill No. 257—An Act appropriating money for building and equipping detention quarters for girls at Whittier State School.

Also: Assembly Bill No. 258—An Act appropriating money for building and equipping detention quarters for boys at Whittier State School.

Also: Assembly Bill No. 263—An Act appropriating money for the equipment and furnishing of hospital building at Whittier State School.

Also: Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Assembly Bill No. 524—An Act appropriating money for the purchase of live stock at the state prison at Folsom.

Also: Assembly Bill No. 525—An Act appropriating money for the construction of a laundry building and the equipment of the same at the state prison at Folsom.

Also: Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Also: Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at the state prison at Folsom.

Also: Assembly Bill No. 528—An Act appropriating money for the construction and equipment of shop buildings at the state prison at Folsom.

Also: Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Also: Assembly Bill No. 259—An Act appropriating money for building and equipping a boys' gymnasium and playground at Whittier State School.

Also: Assembly Bill No. 260—An Act appropriating money for building and equipping a girls' gymnasium and play ground at Whittier State School.

Also: Assembly Bill No. 261—An Act appropriating money for the completion of honor cottage at Whittier State School.

Also: Assembly Bill No. 262—An Act appropriating money for replacement of equipment at Whittier State School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to the Committee on Ways and Means.

ELLIS, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the

same and to regulate the use therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 103—An Act to amend section four hundred sixty-five of the Civil Code of the State of California, relating to powers of railroad corporations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

FISH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees, during sickness or disability—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Assembly Bill No. 377—An Act to amend Sections 1, 2, 8, and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, (or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes.) for the construction of the necessary works of protection (and conservation of such storm or flood waters) by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing, and maintaining such improvements," approved March 13, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Concurrent Resolution No. 4—Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the 5th day of November, 1912.

And was presented to the Governor this 28th day of January, 1913, at three o'clock p.m.

MOORHOUSE, Chairman.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 28, 1913, the following: Assembly Bills Nos. 883 to 967, inclusive; also, Assembly Joint Resolutions Nos. 14 to 17, inclusive; also, Assembly Concurrent Resolution No. 12; and returned the above listed Assembly bills, Assembly joint resolutions and Assembly concurrent resolution, to the Clerk of the Assembly the same day.

CLARK, W. C., Chairman.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, the following: Assembly Joint Resolution No. 5—A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress.

And respectfully request your honorable body to concur in the amendments.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 5?"

SENATE AMENDMENT No. 1.

On page 1, line 3, strike out the words "a resolution" and insert in lieu thereof the following: "House Joint Resolution No. 39."

SENATE AMENDMENT No. 2.

On page 2, line 9, strike out the word "of" at the end of the line and insert in lieu thereof the following "elected to."

The roll was called, and Senate amendments to Assembly Joint Resolution No. 5 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Wyllie—67.

NOES—None.

Assembly joint resolution ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Morgenstern: Assembly Bill No. 968—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 349 *b* to fix the punishment for fraudulent advertising and defining the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 969—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands, and to amend Section 3415 of said Political Code, relating to contests of the right to purchase state lands.

Bill read first time, and referred to Committee on Conservation.

By Mr. Clark: Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

Also Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 972—An Act to amend the Civil Code by adding thereto a new section, to be numbered 296*a*, relating to the filing of articles of incorporation with the Secretary of State and the issuing

of his certificate of incorporation to corporations whose purpose is charitable and philanthropic.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 973—An Act to establish two correctional institutions, one north of the second standard parallel south of Mount Diablo base line, and one south of such parallel, to be known as the northern state farm and the southern state farm, providing for the confinement and care of certain prisoners therein and for the government thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Prisons.

By Mr. Hinkle: Assembly Bill No. 974—An Act to repeal Section 1935 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112, of the Political Code of the State of California, and to add four new sections to said code to be known as Sections 1928*a*, 1928*b*, 1928*c*, and 1928*d*, all relating to the organization, equipment, maintenance, and government of the National Guard of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Cram: Assembly Bill No. 975—An Act to amend section ten of article thirteen of the Constitution of the State of California, adding a new section to article eleven, and repealing section fourteen of article thirteen thereof, all relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Bradford: Assembly Bill No. 976—An Act to amend Section 4099*a* of the Political Code of the State of California, relating to the compensation of county auditors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dower: Assembly Bill No. 977—An Act to establish the pioneer state road; to define its course; to provide for its supervision, survey, construction, repair and maintenance, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 978—An Act to provide for the survey, location and construction of a state bridle trail from Myers' Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bush: Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Canepa: Assembly Bill No. 980—An Act to add a new section to Chapter 1, Title VIII, Part II, of the Penal Code of California, to be numbered 1208, relating to modifying judgments, and suspending the execution of judgments, in criminal actions.

Bill read first time, and referred to Committee on Criminal Procedure.

Also: Assembly Bill No. 981—An Act to amend Section 628 of the Penal Code of California, relating to the protection of fish, shrimps, catfish, sturgeon, shellfish, and lobsters.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Kingsley: Assembly Bill No. 982—An Act to promote the safety of employees of electric light, power, telephone and telegraph plants and electric street railways, and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Ferguson (by request): Assembly Bill No. 983—An Act to amend sections 3, 6, 9, 10, 11, 12, 14, 15, 16 and 20 of an Act entitled "An Act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled, or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Assembly Bill No. 984—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration, and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes and to provide penalties for the infraction thereof and to appropriate money therefor," approved May 1, 1911, by adding a new section to said Act, which section shall be numbered 12½, relating to the labeling and registering of the preparations of the United States Pharmacopœia and National Formulary.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Peairs: Assembly Bill No. 985—An Act to amend the Civil Code by adding thereto two new sections, to be known as Sections 584 and 585.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Beck: Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. White and Mr. Shearer: Assembly Bill No. 987—An Act to amend sections one and two of an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays."

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 988—An Act to amend section four hundred forty-three of the Political Code, relating to the State School Fund.

Bill read first time, and referred to Committee on Education.

By Mr. White: Assembly Bill No. 989—An Act to amend Section 2322*d* of the Political Code of the State of California, relating to salaries of county horticultural commissioners, deputies, and inspectors.

Bill read first time, and referred to Committee on County Government.

By Mr. Gabbert: Assembly Bill No. 990—An Act to amend section seven hundred and sixty-five of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 991—An Act to amend section one thousand and fifty-five of the Political Code, relating to publication of election proclamations.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 992—An Act to amend sections fifteen hundred and fifteen hundred sixty-four of the Political Code, relating to teachers' institutes.

Bill read first time, and referred to Committee on Education.

By Mr. Kuck: Assembly Bill No. 993—An Act to amend sections nine and ten of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, relative to the establishment of a bureau of statistics.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Gates: Assembly Bill No. 994—An Act to create and establish a "legislative council," to promote intelligent legislation, gather data and information in respect to existing and proposed legislation and publish the same for the benefit of legislators and the people of the State; to establish a legislative reference bureau; to act during the sessions of the Legislature as legislative counsel; to revise, reform and index the laws of this State; also to prescribe the powers and duties of said "legislative council;" and to authorize the appointment of a secretary and stenographers therefor; and to provide for the compensation and expenses thereof; and to appropriate money therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woodley: Assembly Bill No. 995—An Act to provide for the payment of compensation of additional help in the county clerk's offices of the various counties throughout the State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Weisel: Assembly Bill No. 996—An Act to amend Section 1 of an Act entitled "An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands; to define the duties of the State Board of Fish Commissioners in relation to the control of such rights, and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches, a misdemeanor," approved March 21, 1907.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Cary: Assembly Bill No. 997—An Act to amend section six hundred twenty-nine of the Civil Code of the State of California, relating to the furnishing of gas, electricity, steam or heat and telephone service in certain cases.

Bill read first time, and referred to Committee on Corporations.

By Mr. Bradford: Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375*b*, relating to the receptacles for gasoline and kerosene.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Bowman: Assembly Bill No. 999—An Act providing for the purchase of additional lands by the California Redwood Park Commission and for the management and control thereof, making an appropriation for such purchases, and repealing all Acts or parts of Acts inconsistent therewith.

Bill read first time, and referred to the Committee on Ways and Means.

By Mr. Bradford: Assembly Bill No. 1000—An Act to amend Section 4290 of the Political Code, relating to fee and salaries of county officers.

Bill read first time, and referred to the Committee on County Government.

By Mr. Johnston: Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1002—An Act to amend section four hundred fourteen of the Political Code of California, relating to the employees of the Secretary of State and providing a salary for the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1003—An Act to amend the Civil Code of California by adding a new section thereto, to be numbered 460, and relating to the duties of railroad corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1004—An Act to amend section two of an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Chandler (by request): Assembly Bill No. 1005—An Act authorizing an action against the State of California to set aside and declare void certain judgments, foreclosing, annulling and forfeiting certain certificates of purchase of certain swamp and overflowed lands, and regulating the procedure thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1006—An Act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1007—An Act to provide for the reversion of unexpected balances of certain appropriations.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November in the year one thousand nine hundred and ten, which is provided in section fourteen of article thirteen of the Constitution of this State, and as provided in an Act of the thirty-ninth session of the Legislature entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1009—An Act making an appropriation to defray the expense of legislative printing for the fortieth session of the Legislature of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Also: Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the State of California during the sixty-fourth fiscal year.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Smith: Assembly Bill No. 1012—An Act to amend Section 4300a of the Political Code of the State of California, relating to the county clerk's fees.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1013—An Act to amend Section 261 of the Political Code of the State of California, relating to the duties of officers of the Senate and Assembly.

Bill read first time, and referred to Committee on Attachés.

By Mr. Inman (by request): Assembly Bill No. 1014—An Act making an appropriation to pay the claim of E. A. Avery against the State of California for bodily and mental injuries suffered and sustained by him through an unnecessary and negligent operation performed upon him in the Napa State Hospital while he was confined therein from May 3, 1912, to September 10, 1912.

Bill read first time, and referred to Committee on Claims.

Also (by request): Assembly Bill No. 1015—An Act to enable E. A. Avery to sue the State of California for bodily and mental injuries suffered and sustained by him through an unnecessary and negligent operation performed upon him in the Napa State Hospital while he was confined therein from May 3, 1912, to September 10, 1912.

Bill read first time, and referred to Committee on Claims.

By Mr. Griffin: Assembly Bill No. 1016—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Weldon: Assembly Bill No. 1018—An Act to amend Section 1365 of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1019—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to the payment of damages or deposit of bond therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1020—An Act to amend Section 4300a of the Political Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Weldon and Mr. Libby: Assembly Bill No. 1021—An Act to add a new section to the Civil Code of the State of California, to be known as Section 1669.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Guill: Assembly Bill No. 1022—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1023—An Act to provide for repairing, altering, enlarging, furnishing and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line and improvements in drainage, water, heating and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Scott: Assembly Bill No. 1025—An Act to provide for the abolishment of poverty: providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disburse-

ments from said fund; and making an appropriation to carry out the purposes of this Act.

Bill read first time, and referred to Committee on Charities and Corrections.

By Mr. Polsley (by request): Assembly Bill No. 1026—An Act to amend Sections 190, 193, 194, 198, 204, 205, 206, 209, 214, 226 and 246 of the Code of Civil Procedure of the State of California, relating to juries and jury trials; the qualifications, selection and listing of jurors; the manner of drawing, summoning and impaneling juries in the trial of criminal and civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Murray: Assembly Bill No. 1027—An Act to amend section four thousand two hundred and sixty-four of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1028—An Act to amend section one hundred and thirty-one of the Civil Code of the State of California relating to interlocutory divorce judgments.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1029—An Act to repeal an Act entitled "An Act to create a reclamation district to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911.

Bill read first time, and referred to Committee on Drainage.

By Mr. Libby: Assembly Bill No. 1030—An Act to amend Section 763 of the Code of Civil Procedure, relating to the appointment of referees in partition suits.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1031—An Act to amend Section 1774 of the Code of Civil Procedure, relating to settlements of accounts of guardians of minors and incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1032—An Act to amend Section 1765 of the Code of Civil Procedure, relating to the powers of guardians for incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1033—An Act to amend Section 850 of the Code of Civil Procedure, relating to service of notices in actions in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1034—An Act to amend Section 1170 of the Code of Civil Procedure, relating to answers and demurrers in actions for unlawful detainer.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1035—An Act to amend Section 1373 of the Code of Civil Procedure, relating to notice of application for letters of administration.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1036—An Act to amend Section 1380 of

the Code of Civil Procedure relating to special notices to heirs, devisees, legatees and creditors during the administration of estates of decedents.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1037—An Act to amend Section 1384 of the Code of Civil Procedure, relating to notice of petition for revocation of letters of administration.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1038—An Act to amend Section 1465a of the Code of Civil Procedure, relating to notices to be given of petitions to set aside exempt property for the use of families of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett: Assembly Bill No. 1039—An Act to amend Section 227 of the Civil Code of the State of California, relating to the adoption of minors.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1041—An Act appropriating money to pay the claim of Johan Alfred Matsson against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1042—An Act to amend Section 4316 of the Political Code of the State of California, relating to officers prohibited from practicing law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ellis: Assembly Bill No. 1043—An Act to create and provide a plan for the insurance against loss by fire on all public buildings in the State of California, by the State of California, and for the several counties therein; and to create a fire insurance fund for the purpose of reimbursing the State of California and the several counties therein from loss by fire to the public buildings.

Bill read first time, and referred to the Committee on Insurance.

Also: Assembly Bill No. 1044—An Act to amend Section 12 of the Code of Civil Procedure of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1045—An Act to amend Section 134 of the Code of Civil Procedure, relating to courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1046—An Act to amend Section 12 of the Political Code of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1047—An Act to amend Section 10 of the Code of Civil Procedure, and Section 10 of the Political Code, and Section 7 of the Civil Code of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1048—An Act to amend Subdivision 10 of Section 690 of the Code of Civil Procedure of the State of California, relating to execution and attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Benedict: Assembly Bill No. 1049—An Act amending section

five of an Act known as Chapter 729 of the Statutes of 1909 of the State of California, relating to county boards of forestry.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller as provided in Section 3572 of said Political Code.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gelder: Assembly Bill No. 1051—An Act to increase the number of judges of the Superior Court of the county of Alameda, State of California, and for the appointment of such additional judge.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1052—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to provide sheets of certain dimensions and individual towels for the guests of such hotel.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1053—An Act to amend section six of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation, approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1054—An Act to provide for the publication and issuing of an official register and directory of physicians, surgeons, and specialists, in medicine, surgery, or osteopathy, or other systems of medicine, in the State of California, providing for the printing thereof; making regulations in connection with the same; and providing for a penalty for violations thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Byrnes: Assembly Bill No. 1055—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection of fish, shrimps, catfish, sturgeon, crabs, shellfish and lobsters.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Green: Assembly Bill No. 1056—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of wild birds, other than game birds, their nests and eggs.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Shartel: Assembly Bill No. 1057—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Ryan: Assembly Bill No. 1058—An Act to amend Section 1560 of the Political Code of the State of California, relating to teachers' institutes.

Bill read first time, and referred to Committee on Education.

By Mr. Bloodgood: Assembly Bill No. 1059—An Act to amend Section 2184 of the Civil Code of California, relating to common carriers of persons.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1060—An Act to amend Section 3824 of the Political Code, relating to excess taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Finnegan: Assembly Bill No. 1062—An Act to amend section one of an Act entitled "An Act regulating the hours of employment in underground mines and in smelting and reduction works," approved March 10, 1909.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1063—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered fifteen hundred ninety-six a.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1064—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Simpson: Assembly Bill No. 1065—An Act to amend Section 476a of the Penal Code of the State of California, relating to the making, drawing, uttering, or delivering of bank checks with intent to defraud.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

By Mr. Schmitt: Assembly Bill No. 1066—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston: Assembly Bill No. 1067—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, relating to the possession of firearms by minors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnstone: Assembly Bill No. 1068—An Act to amend Section 384 of the Penal Code, relating to forest fires.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 1069—An Act to amend an Act entitled "An Act to provide for the regulation of fires on, and the protection and management of public and private forest lands within the State of California, creating a state board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this Act, and making an appropriation therefor," approved March 18, 1905.

Bill read first time, and referred to Committee on Conservation.

By Mr. Shartel: Assembly Bill No. 1070—An Act to make appropriations for the continuation of the location, survey, and construction of a state highway from a point known as the Mt. Pleasant Ranch on the road between Quincy and Marysville; thence in a southeasterly direction by Eureka to Downieville, Sierra County, California.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Nelson (by request): Assembly Bill No. 1071—An Act to appropriate fifteen hundred dollars for the payment of the claim of the Humboldt and Trinity Toll Company, a corporation.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Farwell: Assembly Bill No. 1073—An Act to amend the Code of Civil Procedure of California, adding thereto a new section to be numbered and known as Section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Brown: Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1075—An Act to amend Section 1160 of the Code of Civil Procedure, relating to forcible detainer.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1077—An Act granting to the town of Redwood City the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the town of Redwood City, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1078—An Act making an appropriation to pay the claim of W. J. Burns against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Gabbert: Assembly Bill No. 1079—An Act to amend an Act entitled "An Act to prevent the propagation by the production of seed, of that certain plant known as *Sorghum halepense*, otherwise known as Johnson grass," approved March 20, 1903, amended, approved March 22, 1907, relating to the propagation of noxious weeds.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Slater: Assembly Bill No. 1080—An Act to amend Section 412 of the Penal Code, relating to prize fights, by prohibiting sparring exhibitions between negroes and whites.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Beck: Assembly Bill No. 1081—An Act to amend section seventeen hundred and sixty-eight of the Political Code of the State of California, relating to county boards of education.

Bill read first time, and referred to Committee on Education.

By Mr. Dower: Assembly Bill No. 1082—An Act to amend Sections 16, 17 and 24 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911.

Bill read first time, and referred to Committee on Elections.

By Mr. Clark: Assembly Constitutional Amendment No. 19—Proposed amendment to Article XX of the Constitution, relative to elections.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 20—Proposed amendment to Article XI of the Constitution, relative to municipal corporations.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 21—Proposed amendment to Article VI of the Constitution, relative to judicial powers.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Smith: Assembly Constitutional Amendment No. 22—A reso-

lution to propose to the people of the State of California, an amendment to Section 23 of Article IV, of the Constitution of the State of California, relating to the compensation of members of the Legislature.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 23—Proposed amendment to Article IV of the Constitution, relative to the limitation of expense for officers and employees of the Legislature.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Clark: Assembly Constitutional Amendment No. 24—Proposed amendment to Article XX of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 25—Proposed amendment to Article XI of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to section eight of article eleven of the Constitution of the State of California, relating to municipal corporations.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Sutherland: Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

Read, and referred to Committee on Federal Relations.

By Mr. Wall: Assembly Concurrent Resolution No. 13—Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County.

Read, ordered to print and on file without reference.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on State Grounds and Parks, to whom was referred Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Also: Assembly Bill No. 718—To make an appropriation for the improvement of the grounds and the repair of the fences at the James Marshall monument at Coloma, El Dorado County, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

JOHNSTON, Chairman.

Assembly Bill No. 417 ordered on file for second reading.

Assembly Bill No. 718 ordered on file for second reading, and re-referred to Committee on Ways and Means.

RESOLUTION.

The following resolution was offered:

By Mr. Killingsworth:

Resolved, That when the Assembly adjourns today it do so in commemoration of the seventieth anniversary of the birth of William McKinley.

Resolution read, and on motion unanimously adopted.

MOTION.

Mr. Wall moved that the Assembly extend a vote of thanks to Mrs. W. S. Killingsworth for the beautiful floral tribute in honor of the seventieth anniversary of the birth of the late President Wm. McKinley.

Motion carried.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Farwell:

Resolved, That eighty (80) new mahogany desks be purchased for the use of the Assemblymen, to match in finish and style with our present chairs; also such other new and appropriate furnishings as may be required to complete the furnishings of the Assembly Chamber, including desks and chairs that will match the other furniture, such as desks and chairs, of the room, and will properly accommodate the duly accredited press representatives in the Assembly. Said purchases to be made by and under the direction of the Committee on Contingent Expenses. Said desks and furnishings shall be purchased from the appropriation made by the Legislature of 1909, Statutes of California, Chapter 6, for the purchase of furniture and furnishings of the Senate and Assembly chambers and committee rooms, upon the approval in writing of the President of the Senate and the Speaker of the Assembly. The order for said furniture shall be placed with the warden of San Quentin prison, John E. Hoyle, or with the warden of Folsom prison, Mr. James A. Johnston, so that the material and labor shall be furnished by whichever institution in the opinion of the committee in charge believes best fitted to carry out the work.

Resolution read, and referred to Committee on Contingent Expenses.

By Mr. Polsley:

WHEREAS, It appears that Robert D. Duke, attorney for the Fish and Game Commission of the State of California, was actively engaged for several months in the organization of the Great Fish and Game Protective Association, an institution in no way connected with the State government; and

WHEREAS, The said Robert D. Duke was then and still is a paid official of the State, and at the time of his work in organizing the Great Fish and Game Protective Association was charging his traveling expenses to the State; and

WHEREAS, It appears that the Great Fish and Game Protective Association is an organization that is serving the interests of one class, to wit, the sportsmen of the State, and is now seeking to enact legislation that is inimical to the interests of the general public; and

WHEREAS, It appears that the Great Fish and Game Protective Association, whose announced purpose was to serve the interests of all the people, is now engaged in doing politics under the guidance of the members of the Fish and Game Commission; now, therefore, be it

Resolved by the Assembly of the Legislature of the State of California, That the Fish and Game Commission be requested to furnish to the Assembly, at the reconvening of the Legislature at the end of the constitutional recess, all information regarding the activities of its attorney in the formation of branches of the Great Fish and Game Protective Association, together with a full accounting of the moneys expended by its attorney, Robert D. Duke, in traveling about the State; and be it further

Resolved, That the Fish and Game Commission furnish a report of the reasons for the increase of its attorney's salary from \$200 a month to \$250 a month while acting as organizer for the Great Fish and Game Protective Association; and be it also

Resolved, That the Fish and Game Commission furnish a comparative statement of its overhead and office expenses for the past fiscal year and the two fiscal years immediately preceding.

Resolution read, and referred to Committee on Rules.

By Mr. Bohnett:

Resolved, That it is the sense of the Assembly that the Legislature should adjourn or the constitutional recess, Saturday, February 1, 1913; and be it further

Resolved, That it is the sense of the Assembly that no committee meetings, other than those before which special orders or emergency matters are pending, shall be held during the week.

During the consideration of the resolution, the following amendment was submitted:

By Mr. Schmitt:

Amend resolution by striking out "Saturday, February 1," and insert in lieu thereof "Tuesday, February 4th."

Roll call regularly demanded.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Schmitt moved a call of the House.

Motion carried.

Time, twelve o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and fifteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Brown.

The roll of absentees was called, and the amendment adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bradford, Brown, Bush, Clarke, Geo. A., Dower, Emmons, Farwell, Finnegan, Fish, Gates, Gelder, Johnston, T. D., Killingsworth, Kingsley, Libby, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, White, and Woodley—37.

NOES—Messrs. Ambrose, Beck, Bohnett, Bowman, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Ferguson, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Richardson, Slater, Sutherland, Weisel, and Mr. Speaker—36.

During the further consideration of the resolution the following amendment was submitted:

By Mr. Bohnett:

Strike out Section 2 of resolution relating to committees.

Amendment adopted.

Resolution as amended adopted.

RE-REFERENCE OF BILL.

On motion of Mr. Slater, Assembly Bill No. 350 was recalled from the Committee on Prisons and Reformatories and re-referred to Committee on Hospitals and Asylums.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 326—An Act to repeal sections seven hundred sixty-eight, seven hundred eleven, eight hundred sixty-six, and eight hundred sixty-nine of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, title, line 3, strike out the word "eleven" and insert in lieu thereof the following: "seventy-one."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 509—An Act making an appropriation for printing for the State Board of Forestry for the balance of the sixty-fourth fiscal year.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, strike out all after the words "An Act" in the title and insert in lieu thereof the following:

To reappropriate and make available for the purpose of printing for the State Board of Forestry a certain amount heretofore appropriated for the support of said board.

The people of the State of California do enact as follows:

SECTION 1. Of the balance now remaining in the appropriation made by Chapter 705, Statutes of 1911, approved May 1, 1911, entitled "An Act making appropriations for the support of the government of the State of California for the sixty-third and sixty-fourth fiscal years," there is hereby re-appropriated and made available for the purpose of printing for said Board of Forestry for the sixty-fourth fiscal year the sum of seven hundred dollars.

SEC. 2. The Controller of the State is hereby authorized and directed to draw his warrant in favor of the State Board of Forestry for the amount herein made payable as provided in section one hereof, and the State Treasurer is hereby authorized to pay the same.

SEC. 3. This Act inasmuch as it provides for an appropriation for the current expenses of the State shall, under the provisions of section one of Article IV, of the Constitution, take effect immediately.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 509 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 509, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 328—An Act to amend section eight hundred seventy-six of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, Section 1, line 5, strike out the word "treasurer."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 329—An Act to amend sections seven hundred fifty-seven and eight hundred fifty-seven of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 5, strike out the words "eligibility to office."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 6, strike out the word "section."

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 2, line 14, strike out the words "eligibility to office."

Amendment adopted.

AMENDMENT No. 4.

On page 1, Section 2, line 15, strike out the word "section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 482—An Act to amend sections three and five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 7, strike out the word "section."

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 2, line 20, strike out the word "section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 148—An Act to amend section eight hundred and seventy four of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered to engrossment, and third reading.

Assembly Bill No. 327—An Act to repeal section eight hundred twelve of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered to engrossment, and third reading.

Assembly Bill No. 255—An Act to amend section fifteen hundred eighty-four of the Political Code, relating to the government of school districts by municipal charter.

Bill read second time, and ordered to engrossment, and third reading.

Assembly Bill No. 408—An Act to establish police courts in cities of the sixth class and to fix their jurisdiction.

Bill read second time, and ordered to engrossment, and third reading.

Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Bill read second time, and ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Bill read second time.

Senate Bill No. 59—An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Bill read second time.

Senate Bill No. 251—An Act to appropriate money to pay the expense of distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bills.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 37, 59 and 251 considered.

Mr Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 37, 59, and 251, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to third reading.

THIRD-READING FILE.

Assembly Concurrent Resolution No. 6—Relative to the printing of the report of the State Controller provided for by Section 243 of the Political Code.

Resolution adopted, and ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 6,

Relative to the printing of the report of the State Controller provided for by Section 243 of the Political Code.

WHEREAS, The State Controller, in compliance with the provisions of Section 243 of the Political Code, has made the report therein called for to the Governor and both branches of the Legislature, but he states in said report that it is necessarily incomplete and can not at the present time be made in such form as to give a complete list of proposed appropriations; therefore, be it

Resolved by the Assembly, the Senate concurring, That the report as made be returned to the Controller, with the request that he shall complete the same immediately after the adjournment of the Legislature for the recess provided for by Section 2 of Article IV of the Constitution, and that as soon as possible thereafter said report shall be printed and a copy thereof furnished to each member of the Assembly and Senate.

GUESTS ADMITTED TO THE FLOOR OF THE ASSEMBLY.

Through the courtesy of Mr. Nolan, Mr. L. E. Burke was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Nolan, Mr. Louis H. Morse was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Benedict, Mr. J. C. Hamilton and Mrs. H. P. Jorgensen were granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Nolan, Messrs. Wm. Basil White and Jas. R. Keith were granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Gabbert, Mr. J. G. Anderson and Mrs. F. E. Downing were granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Gelder, Mrs. J. Davis was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Strine, Mr. Harry B. Riley was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Ferguson, Sheriff Barnett of Alameda County, and Warden Hoyle of San Quentin were granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Nelson, Mr. W. J. French was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Schmitt, Mr. F. A. Mahon was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Kuck, Mr. A. T. Off was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Green, Mrs. A. B. and Miss Nellouise Green were granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Byrnes, Mr. K. C. Hamilton was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Stuckenbruck, Mr. John H. Weyel was granted the privilege of the floor of the Assembly for the day.

Through the courtesy of Mr. Inman, Mr. W. L. Bryant was granted the privilege of the floor of the Assembly for the day.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m., of Thursday, January 30, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, January 30, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, its further reading was dispensed with.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and five minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

LEAVES OF ABSENCE.

On motion of Mr. Ford, Mr. Walsh was granted leave of absence for the day.

On motion of Mr. Ryan, Mr. Schmitt was granted leave of absence for the day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Also: Assembly Bill No. 605—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass, and be re-referred to the Committee on Ways and Means.

HINKLE, Chairman.

Assembly Bill No. 51 ordered on file for second reading.

Assembly Bills Nos. 60 and 605 ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro Irrigation District—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 62—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Assembly Bill No. 138—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Also: Assembly Bill No. 139—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Also: Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Also: Assembly Bill No. 181—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Also: Assembly Bill No. 797—An Act to provide for the establishment of a state hospital for the insane, and providing for commitment thereto and management thereof, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, with the further recommendation that they be re-referred to the Committee on Ways and Means.

CRAM, Chairman.

The above reported bills, with the exception of Assembly Bill No. 139, ordered on file for second reading, and re-referred to Committee on Ways and Means.

Assembly Bill No. 139 ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 551—An Act appropriating money to reimburse the State Printing Fund for expenses paid therefrom by the Superintendent of State Printing in printing the constitutional amendments distributed according to law prior to the election on November 5, 1912.

Also: Assembly Concurrent Resolution No. 11—Relative to appointment of committee to ascertain the advisability of submitting to the people the question of issuing bonds, etc.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 148—An Act to amend section eight hundred and seventy-four of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 255—An Act to amend section fifteen hundred eighty-four of the Political Code, relating to the government of school districts by municipal charter.

Assembly Bill No. 408—An Act to establish police courts in cities of the sixth class and to fix their jurisdiction.

Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Assembly Bill No. 327—An Act to repeal section eight hundred twelve of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 29, 1913, the following: Assembly Bills Nos. 968 to 1082, inclusive; also, Assembly Constitutional Amendments Nos. 19 to 25, inclusive; also, Assembly Joint Resolution No. 18.

And returned the above listed Assembly bills, Assembly constitutional amendments and Assembly joint resolution to the Clerk of the Assembly the same day.

CLARK, WM. C., Chairman.

SENATE MESSAGE.

The following message from the Senate was taken up and read.

SENATE CHAMBER, SACRAMENTO, January 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 27, 1913, adopted the following:

Senate Joint Resolution No. 6—Relative to recognition by the United States of the Republic of China.

Also: Senate Joint Resolution No. 7—Relative to the proposed restriction of the Mint and Assay Service by the United States and protesting against the same.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Read, and referred to Committee on Federal Relations.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Libby: Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the label-

ing thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Stuckenbruck: Assembly Bill No. 1084—An Act to give the Reclamation Board of the State of California the right of action for the State in cases involving the diversion of streams and the impairment of natural reservoirs for flood waters.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1085—An Act to repeal Section 626*o* of the Penal Code of California, relative to the shooting of wild ducks from launches propelled by steam or other power while said launches are in motion.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1086—An Act to repeal Section 626*n* of the Penal Code of California, relative to the use of animals as blinds for the purpose of approaching wild duck, geese, ibis, plover or other water fowl, for the purpose of shooting at or killing such wild birds.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Polsley: Assembly Bill No. 1087—An Act to repeal Section 628*b* of the Penal Code of the State of California, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Beck: Assembly Bill No. 1088—An Act to add a new section to the Penal Code of the State of California, to be numbered 537*d*, relating to obtaining goods, wares, and merchandise, by false pretenses and cheats.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Morgenstern and Smith: Assembly Bill No. 1089—An Act to amend the Public Utilities Act, approved December 23, 1911, amending Section 63 thereof, relating to rates, fares, tolls, rentals, and charges of public utilities.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gelder: Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Brown: Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1092—An Act to amend Sections 1494 and 1643 of the Code of Civil Procedure, relating to the payment of interest upon claims against the estates of decedents.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1093—An Act to add a new section to the Code of Civil Procedure, to be designated as Section 731a, relating to the abatement of nuisances.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woodley: Assembly Bill No. 1095—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes; and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code, relating to the powers and duties of normal school boards.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Bloodgood: Assembly Bill No. 1097—An Act requiring every owner, manager, proprietor, lessee, or other person having the management, charge or control of any public hotel, inn, lodging or rooming house, to provide a book for the registration of all guests engaging rooms in same, and requiring all such guests to register in such book, and requiring such book to be opened to the inspection of peace officers, upon demand, and providing for posting of this Act in conspicuous place, and providing penalties for the violation of the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1098—An Act to repeal Sections 3839 to 3862, both inclusive, of the Political Code of California, relating to poll taxes.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1099—An Act to amend Section 1599 of the Political Code of California, relating to the election of school trustees.

Bill read first time, and referred to Committee on Education.

By Mr. Ambrose: Assembly Bill No. 1100—An Act to amend Section 599a of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1101—An Act to amend Section 599e of the Penal Code of the State of California, relating to old, diseased, or disabled animals.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1102—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1103—An Act to amend Section 607^f of the Civil Code of the State of California, relating to the appointment, qualification, duties, and powers of humane officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1104—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 330^b, relating to gambling by the use of cards, dice, billiard balls, pool balls, cues or other devices.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1105—An Act to prohibit the carrying of certain deadly weapons and to regulate the sale of all pocket firearms.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Smith: Assembly Bill No. 1106—An Act to amend Section 1617 of the Political Code of the State of California, relating to duties and powers of school trustees.

Bill read first time, and referred to Committee on Education.

By Mr. Collins: Assembly Bill No. 1107—An Act providing for the regulation and licensing of secret service or detective agencies and persons employed by them to operate as detectives; prescribing the qualifications of such detectives; and providing for the bonding of persons, firms, or corporations conducting such agencies to insure their observance of revenue and other laws made to govern them, and defining their liabilities.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McDonald: Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 1109—An Act to amend sections one and seven of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and to add a new section thereto, to be designated as section three *a*, relating to the duties and powers of the commissioner and his appointees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Shearer: Assembly Bill No. 1111—An Act to amend section forty-two hundred eighty-five of the Political Code, relating to the salaries and compensation of officers of counties of the fifty-sixth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his life time to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen

hundred and sixteen dollars, and for such purpose authorizing the State Registrar to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Bill read first time, and referred to Committee on Claims.

By Mr. Slater: Assembly Bill No. 1113—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies, and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Bill read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 1114—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of seventy-five thousand dollars therefor.

Bill read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 1115—An Act to repeal section two hundred and fifty-eight of the Penal Code, relating to the publication of caricatures and cartoons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1116—An Act to repeal section two hundred and fifty-nine of the Penal Code, requiring certain newspaper articles to be signed.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1117—An Act to amend section one thousand and fifty-five of the Political Code, relating to publication of election proclamations.

Bill read first time, and referred to Committee on Elections.

By Mr. Johnson: Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 653e, relating to blacklisting.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bagby: Assembly Bill No. 1119—An Act to amend section eighteen hundred fifty-eight of the Political Code of the State of California, relating to units of attendance in the public schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1120—An Act to amend section sixteen hundred ninety-six of the Political Code of the State of California, relating to making report, transfer, attendance in the public schools of the State of California.

Bill read first time, and referred to Committee on Education.

By Mr. Ryan: Assembly Bill No. 1121—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees

thereof, defining its powers and prescribing the duties of said department, its officers and employees; to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February ninth, nineteen hundred, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April first, eighteen hundred and ninety-seven; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March seventeenth, eighteen hundred ninety-seven, and all Acts and parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March twenty-fourth, eighteen hundred and ninety-three, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April first, eighteen hundred ninety-seven, and all Acts or parts of Acts amendatory thereof," approved March eleventh, nineteen hundred and seven, and all Acts or parts of Acts amendatory thereof, by amending Sections 5 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the chief engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1122—An Act to amend Section 4300a of the Political Code of the State of California, relating to county clerk's fees.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1123—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and

appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Messrs. Nelson and White: Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity State Highway in Trinity County, and to provide for the construction of bridges along said highway to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1125—An Act to provide for the survey, location, and construction of a state highway connecting the western end of the present Trinity State Highway in Trinity County with the road system of Humboldt County and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Nelson (by request): Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1127—An Act relating to the compensation of injured workmen in our industries and the compensation to their dependents where such injuries result in death; providing for the administration of this Act and making an appropriation for its administration; providing for the creation and disbursement of funds for the compensation of workmen injured in hazardous employment; providing penalties for the non-observance of regulations for the prevention of such injuries and for violation of its provisions, asserting and exercising the police power in such cases and except in certain specified cases, abolishing the doctrine of negligence as a ground for recovery of damages against employers, and depriving the courts of jurisdiction of such controversies, and repealing sections of Acts in conflict herewith, reserving certain sections thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 90, relating to conduct of public officials.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Green: Assembly Bill No. 1129—An Act to provide for the accomplishment of the work of constructing a breakwater in Port San Luis, California, and making an appropriation for such work.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Byrnes: Assembly Bill No. 1130—An Act to amend Section 777 of the Political Code of the State of California, relating to the printing, style, publication, sale and copyright of the California Reports, and repealing Sections 778, 779, 780, 781 and 782, relating to the same subject, and adding a new section to be known as Section 777a, relating to the same subject.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woodley: Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants.

Bill read first time, and referred to Committee on County Government.

By Messrs. Johnston and Libby: Assembly Bill No. 1132—An Act to amend section ten of the Political Code of California relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1133—An Act to amend section ten of the Code of Civil Procedure, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Inman (by request): Assembly Bill No. 1134—An Act to amend Section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Alexander: Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure relative to the dismissal of actions in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Palmer: Assembly Bill No. 1136—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channel of Napa River, in Napa County, and improving the navigability of such stream in said county and for acquiring land for necessary rights of way.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Benedict: Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 21, 22, 23, 24, 25, 28, 31, 32, 34, 35, 37, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 95, 96, 97, 98, 99, 101, 102, 105, 121, 123, 124, 127, 128, 130, 133, 134, 136, 137, 138, and 145 thereof, and by repealing sections 13, 18, 33, 100, 103, and 104 thereof, and by adding new sections thereto to be numbered Sections 21a, 31a, 54, 55, 56, 61a, 135a, 136a, and 136b and by repealing Section 135 thereof and adding a new section thereto to be numbered Section 135, all relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 1138—An Act relating to arrangements, contracts, agreements, trusts or combinations made with the intention

or which tend to prevent, restrain or lessen competition in articles imported, or the manufacture or sale of articles or materials grown or produced in this State, and declaring all arrangements, contracts, agreements, trusts or combinations designed or which tend to advance, reduce or control the price to the producer or consumer on such articles against public policy, and providing for the punishment of violations of this Act, and relating to the duties of the Attorney General and of the judges of courts in regard thereto, and providing for damages to be recovered by anyone suffering damage as a result of a violation of this Act, and declaring the intention of the Legislature in case parts of this Act be declared unconstitutional.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1139—An Act to amend Section 528 of the Political Code, relative to printing the laws enacted by the Legislature and disposition of same.

Bill read first time, and referred to Committee on Libraries.

Also: Assembly Bill No. 1140—An Act to amend Section 290a of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depository or trustee or to engage in the business of banking.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1142—An Act to amend Section 408 and to repeal Sections 410 and 411 of the Political Code, relative to the duties of the Secretary of State.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1143—An Act to amend section six hundred and thirty-three, section six hundred and thirty-eight, section six hundred and forty-two, section six hundred and forty-four and section six hundred and forty-eight of the Civil Code of the State of California, relative to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2293, 2295, 2295a, and 2300, by adding thereto two new sections, to be numbered 2295b and 2295c, and by repealing Sections 2303, 4201 and 4202 thereof; and to repeal an Act entitled "An Act to provide for the compilation, printing, binding, publishing and distribution of a Legislative Manual and State Blue Book, or roster and repealing conflicting Acts." approved February 12, 1903.

Bill read first time, and referred to Committee on Libraries.

By Mr. Kingsley: Assembly Bill No. 1145—An Act to repeal Subdivision 6 of Section 12 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled an Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such

primary elections for United States Senator, approved March 24, 1909," approved April 7, 1911.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1146—An Act to amend Section 23 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909,'" approved April 7, 1911.

Bill read first time, and referred to Committee on Elections.

By Mr. White: Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1148—An Act to reimburse the county of Shasta in the State of California for loss of revenue sustained in the year 1911 and the year 1912, under the provisions of Section 14 of Article XIII of the Constitution of the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1149—An Act to amend section eighty of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1150—An Act making an appropriation for office equipment for the State Board of Health.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Ellis: Assembly Bill No. 1151—An Act to amend section ten of the Civil Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Gates: Assembly Bill No. 1153—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles for compensation; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other considerations for

the purchase of supplies or parts for motor vehicles, or for work or repairs done thereon; to limit the power of local authorities to enact or maintain ordinances, rules or regulations upon the matters embraced within the provisions of this Act; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Bill read first time, and referred to Committee on Roads and Highways.

Also (by request): Assembly Bill No. 1154—An Act to amend Section 1818 of the Political Code, relating to the levy of county or city and county school tax.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1155—An Act to amend Sections 3628, 3629, 3650, 3658, 3659, 3665, 3667, 3696, 3714, 3715, 3716, 3718, 3731, 3732, 3734, 3736, 3739, 3746, 3748, 3750, 3751, 3753, 3754, 3755, 3756, 3758, 3759, 3760, 3762, 3764, 3765, 3767, 3769, 3771, 3772, 3776, 3780, 3781, 3785, 3786, 3790, 3791, 3797, 3798, 3799, 3800, 3801, 3804, 3805, 3805*b*, 3806, 3809, 3814, 3815, 3816, 3817, 3819, 3820, 3821, 3890, 3897, 3898, 3898*a*, 3899 of the Political Code, and to repeal Sections 3634, 3653, 3658*a*, 3717, 3747, 3761, 3813, 3818, 3823, 3824, 3825, 3827, 3828, and 3884 of the Political Code, and to add to the Political Code three new sections to be numbered 3606, 3627*a*, 3627*b*; all providing a method for the assessment, levy, and collection of taxes, in counties, cities and counties, cities and other municipal bodies: for uniform forms of accounts and uniform tax bills: for a system of payments of taxes by discounts and penalties.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shannon: Assembly Bill No. 1156—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 653*e*, relating to blacklisting.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1157—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officials.

Bill read first time, and referred to Committee on County Government.

Also (by request): Assembly Bill No. 1158—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem and making an appropriation for the payment by the State of any such judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1159—An Act to prohibit any person, firm or corporation in this State from causing or compelling any person or persons to enter into an agreement not to join or be a

member of any labor organization as a condition of such person securing employment or continuing in the employment of such person, firm or corporation.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1160—An Act to amend section ten hundred and fifty-six of the Code of Civil Procedure of the State of California, relating to corporations which may become sureties on undertakings and bonds.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Tulloch: Assembly Bill No. 1161—An Act to amend section three of an Act entitled "An Act to authorize the deposit of state money in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending sections two, three, thirty, thirty-one, thirty-two and sixty-one thereof, and to add two new sections to said Act to be numbered thirty-two and one half and fifty-four and one half, said new sections relating respectively to increasing the rate of interest on bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 1163—An Act to amend section one of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read first time, and referred to Committee on Banking.

By Mr. Scott: Assembly Bill No. 1164—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of text-books for use in the public schools of the State of California.

Bill read first time, and referred to Committee on Education.

By Mr. Ford: Assembly Bill No. 1165—An Act to create for the State of California a board of construction inspectors, to provide for the appointment of its members, defining its powers and prescribing the duties of said board, and of its employees, and to provide for its compensation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bagby: Assembly Bill No. 1166—An Act to amend an Act entitled "An Act relating to the liability of employers for injuries or death sustained by their employees, providing for a compensation for the accidental injury of employees, establishing an industrial accident board, making an appropriation therefor, defining its powers and providing for a review of its awards," approved April 8, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Libby: Assembly Bill No. 1167—An Act to amend Sections 1365 and 1366 of the Code of Civil Procedure, relating to the order in which persons are entitled to letters of administration.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, Cal.

Bill read first time, and referred to Committee on Claims.

By Mr. Wyllie: Assembly Bill No. 1169—An Act to amend Section 1750 of the Political Code, relating to courses of study in high schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1170—An Act to amend Section 1874 of the Political Code of the State of California, relating to the publishing and distributing of free text-books to the elementary day and evening schools of California.

Bill read first time, and referred to Committee on Education.

By Mr. Weisel (by request): Assembly Bill No. 1171—An Act to amend Section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty and before appeal, and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the term of probation.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 1172—An Act to amend Section 148 of the Penal Code, relating to the prosecution and punishment of the offense of resisting and obstructing a public officer in the discharge of his duty.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 1173—An Act to amend Section 995 and repeal Section 943 of the Penal Code, relating to the setting aside of indictments and informations and the insertion of the names of witnesses at the foot of the indictment.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 1174—An Act to amend Sections 1469 and 1470 of the Penal Code, relating to new trials and remittiturs on appeal from justice's and police courts in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 1175—An Act to amend Section 666 of the Penal Code, relating to the punishment in case of prior conviction of petty larceny or felony.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 1176—An Act to amend Section 269a and repeal 269b, of the Penal Code, relating to cohabitation and fornication and the punishment thereof.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 1177—An Act to amend Section 860 and 861 of the Penal Code, relating to the time of setting and hearing preliminary examinations and the delay of such examinations.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

By Mr. Brown: Assembly Bill No. 1178—An Act to establish an employment bureau, to be under the control and management of the Commissioner of the Bureau of Labor Statistics, defining his powers and duties, providing for the appointment of managers, and other employees and help for the various offices to be opened, fixing their compensation and defining their duties; the fees to be paid by persons for whom employment is procured and making an appropriation to carry out the purposes of this Act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnstone: Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Mr. Frederick Maskew.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903, amending sections one, two, three, four, six, seven, eight, nine, ten, eleven, and twelve of said Act.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Clark: Assembly Bill No. 1182—An Act to provide for the creation of a board of parole commissioners for each city, city and county, and town of the first, first and one half, second, third, and fourth classes in this State, for the paroling of prisoners confined in such city, city and county, or town jails, and authorizing and empowering such boards to make rules and regulations in relation thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1184—An Act to amend Sections 10c and 15 of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contribut-

ing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1185—An Act to prohibit any person from using the distinguishing part of the name of any church or religious organization as a distinguishing part of any trade name or trademark upon certain merchandise.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Weldon: Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb redwood park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Messrs. Weldon and Tulloch: Assembly Bill No. 1187—An Act to amend Section 472 of the Political Code of the State of California, relating to the duties and salaries of the assistants to the Attorney General, and providing for additional deputies.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ryan: Assembly Bill No. 1188—An Act to amend section six hundred and seventy of the Penal Code of the State of California, relating to the terms of imprisonment of persons convicted of crime.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1189—An Act to repeal Section 1970 of the Civil Code of the State of California, relating to responsibility of employers for injury to, or death of employees, and designating the persons by whom an action can be brought to recover damages for wrongful death.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1190—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Bill read first time and referred to Committee on Judiciary.

Also: Assembly Bill No. 1192—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 892, 974 and 1135 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 849a, 850b, 858b, and 872a thereof, relating to proceedings in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Moorhouse: Assembly Bill No. 1193—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Inman (by request): Assembly Bill No. 1194—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Cram: Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section ten of article thirteen, adding a new section to article eleven, and repealing section fourteen of article thirteen thereof, relating to revenue and taxation.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Ambrose: Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section thereto, to be numbered Section 26 of Article VI thereof, and relating to the recall of judicial decisions.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bloodgood: Assembly Constitutional Amendment No. 28—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 16½ of Article XI thereof, relating to the deposits of moneys belonging to the State or to any county or municipality within the State.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Weisel (by request): Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to Section 19 of Article VI of the Constitution, to provide that judges may charge juries with respect to matters of fact and state the testimony and declare the law.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Weldon: Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said Constitution, to be numbered 26 of Article VI thereof, relating to the powers and duties of courts and judges.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Ryan: Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution amending Article VI thereof, by inserting

therein a new section to be known as Section 4a, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court to act *pro tempore* as justices of said District Courts of Appeal, to hold such extra sessions thereof.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Ellis: Assembly Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

Read, and referred to Committee on Prisons and Reformatories.

By Mr. Chandler: Assembly Concurrent Resolution No. 15—Relative to adjournment of the Legislature for constitutional recess.

Read, and referred to Committee on Rules.

COMMUNICATION.

The following communication was filed by the Speaker pro tem.:

HONORABLE J. A. MURRAY, *Member Legislature, Eighth Assembly District, State Capitol.*

MY DEAR SIR: In accordance with your kind suggestion, I hand you herewith a list of those students of the University Farm School for whom the privileges of the floor of the Assembly are desired at this time.

Very sincerely yours,

A. M. CLEGHORN.

Civics Class: Messrs. Carroll, Cookson, Curtis, Fisk, Halsey, Hall, Hearn, Miller, Negus, O'Neill, E. C. Reed, A. J. Reed, Rowe, Rowell, Ward, Cleghorn.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 75—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

Assembly Bill No. 374—An Act to amend section one of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and amended April 14, 1911.

Assembly Bill No. 88—An Act to amend section one of an Act entitled "An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State," approved March 23, 1901, relating to the employment of citizens of the United States.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RESOLUTION.

The following resolution was offered:

By Mr. Chandler:

Resolved, That it is the sense of the Assembly that the Legislature should adjourn for the constitutional recess Saturday, February 1, 1913; and be it further

Resolved, That it is the sense of the Assembly that no committee meetings, other than those before which special orders or emergency matters are pending, shall be held during the week.

Resolution lost.

SPEAKER IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

By Mr. Bohnett:

Resolved, That the Chief Clerk be authorized to have printed such additional number of bills, journals, etc., as may be necessary to meet the demand in the file room and mailing department.

Resolution read, and action postponed until next legislative day, under rule.

Also:

WHEREAS, The members of the Asembly will desire to have shipped to their various places of residence their bill files and other printed matter, for use during the constitutional recess,

Resolved, That the Sergeant-at-Arms, Ed. E. Reese, be instructed to procure such boxes, packing and other material as are necessary for the purpose, and to ship the same properly packed, to said members, and the State Controller is hereby directed and authorized to draw his warrant upon the contingent expense fund of the Assembly in favor of the said Ed. E. Reese in a sum not to exceed two hundred (\$200) dollars, and the State Treasurer is hereby directed to pay the same. Said warrant to be paid upon the filing with the State Controller of vouchers covering the various items of expense.

Resolution read, and referred to Committee on Contingent Expenses.

Also:

Resolved, That the Controller be, and he is hereby, directed to draw his warrant upon the proper fund in favor of L. B. Mallory, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of one hundred and twenty-one dollars and sixty cents (\$121.60), said amount being for the payment of the following bills attached:

<i>Sacramento Builders' Supply Co.—</i>	
Blockboards -----	\$10 80
<i>Wm. Carragher—</i>	
Stripping and lettering blackboards-----	11 00
Lettering on door Judiciary Committee room-----	3 75
Lettering on door Ways and Means Committee room-----	3 80
<i>W. F. Purnell—</i>	
Numbering machine -----	8 00
3 daters -----	10 50
2 dictionaries -----	7 00
<i>John A. Crombach—</i>	
Rent of electric heater-----	2 00
<i>W. P. Fuller & Co.—</i>	
Paint for blackboard-----	1 75
<i>Miller & Cahill—</i>	
1 water cooler for Judiciary Committee-----	4 30
<i>Payot, Stratford & Kerr—</i>	
1 gross letter openers-----	22 50
<i>Friend & Terry Lumber Co.—</i>	
Lumber for Stenographer's room-----	20 00
<i>H. S. Crocker Co.—</i>	
3 pencil sharpeners-----	16 20
	<hr/>
	\$121 60

Resolution read, and referred to Committee on Contingent Expenses.

Also:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of the Secretary of the Senate for the sum of one hundred and seven dollars and sixty-eight cents (\$107.68) out of the contingent fund of the

Senate, and the State Treasurer is hereby directed to pay the same, being in payment of the Senate's portion (one half) of the following bills:

	Total cost.		One half.
<i>H. S. Crocker Co.—</i>			
6 Hotchkiss stapling machines -----	\$8 10-----	$\frac{1}{2}$ -----	\$4 05
1 doz. scrap books -----	7 65-----	$\frac{1}{2}$ -----	3 82
2 scrap books, large size -----	2 10-----	$\frac{1}{2}$ -----	1 05
3 commercial letter scales -----	10 13-----	$\frac{1}{2}$ -----	5 07
50 waste baskets -----	20 50-----	$\frac{1}{2}$ -----	10 25
<i>Geo. Z. Wait Co.—</i>			
4 doz. brushes for typewriters-----	3 20-----	$\frac{1}{2}$ -----	1 60
<i>Cameron Hardware Co.—</i>			
Keys -----	1 00-----	$\frac{1}{2}$ -----	50
<i>W. F. Purnell—</i>			
2 doz. minute books -----	6 00-----	$\frac{1}{2}$ -----	3 00
100 board files -----	34 67-----	$\frac{1}{2}$ -----	17 33
1 doz. perforators -----	2 32-----	$\frac{1}{2}$ -----	1 16
<i>Dunkham Carrigan & Hayden Co.—</i>			
1 gross shears -----	\$87 60-----	$\frac{1}{2}$ -----	\$43 80
<i>R. M. Tenbrook—</i>			
4 clipless paper fasteners -----	14 00-----	$\frac{1}{2}$ -----	7 00
<i>Payot, Stratford & Kerr—</i>			
6 clipless paper fasteners -----	18 10-----	$\frac{1}{2}$ -----	9 05
	<u>\$215 37</u>		<u>\$107 68</u>

Resolution read, and referred to Committee on Contingent Expenses.
Also:

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the contingent expense fund of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as may be necessary to continue the work of the mailing department, postage, expressage, etc., during the constitutional recess; said amount not to exceed the sum of four hundred (400) dollars, and the Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

RE-REFERENCE OF BILLS.

On motion of Mr. Bradford, Assembly Bill No. 976 was recalled from the Committee on Judiciary and referred to Committee on County Government.

On motion of Mr. Weisel, Assembly Bill No. 705 was recalled from the Committee on Judiciary and referred to Committee on Revision of Criminal Procedure.

WITHDRAWAL OF BILL.

Mr. Gates asked for and was granted unanimous consent to withdraw Assembly Bill No. 824.

Bill withdrawn, and ordered stricken from the file.

WITHDRAWAL OF ASSEMBLY CONSTITUTIONAL AMENDMENT.

Mr. Bloodgood asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 28.

Assembly constitutional amendment withdrawn and ordered stricken from the file.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

Mr. Benedict moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 661 considered.

Mr. Benedict moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 661, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill read second time, and ordered to engrossment, and third reading.

Assembly Bill No. 377—An Act to amend sections one, two, eight, and twenty-four of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, water course, canyon or wash, or for the purpose of saving and conserving any storm flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13th, 1909.

Bill read second time, and ordered to engrossment, and third reading.

Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

Bill read second time, and ordered to engrossment, and third reading.

Assembly Bill No. 103—An Act to amend section four hundred sixty-five of the Civil Code of the State of California, relating to powers of railroad corporations.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 5, add the letter "s" to the word appendage.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 11, strike out the word "of" and insert in lieu thereof the following "to."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 29, strike out the words "member of the board of supervisors" and insert in lieu thereof the following: "resident."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 37—An Act to make an appropriation for the contingent expenses of the Senate for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 37 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 59—An Act making an appropriation for an additional stenographer for the Governor's office during and following the present session of the Legislature.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 59 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Finnegan, Ford, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Scott, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—52.

NOES—Messrs. Judson and Strine—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 251—An Act to appropriate money to pay the expense of distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 251 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Dover, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Palmer, Peairs, Polsley, Richardson, Roberts, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—57.

NOES—Mr. Scott—1.

Title read and approved.

Bill ordered transmitted to the Senate.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Fish, Mr. and Mrs. D. H. Dunn were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. John Topham was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. J. C. Purdy was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. J. L. Craig was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. Francis Cutting was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Libby, Mr. Wm. P. Jost was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. F. W. Hoover was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. Marshall Z. Lowell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cram, Mr. George E. Tucker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. M. E. Hornlein was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. E. Cullinen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. Edward W. Engs was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mr. R. R. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mrs. H. S. Benedict was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. T. Loyahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. K. Hamilton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. Jimmie Green was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m., of Friday, January 31, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, January 31, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hayes, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Morgenstern, Mr. Gelder was granted leave of absence for the day.

On motion of Mr. Weldon, Mr. Griffin was granted leave of absence for the day.

On motion of Mr. McCarthy, Mr. Walsh was granted leave of absence for the day.

On motion of Mr. McDonald, Mr. Richardson was granted leave of absence until after the constitutional recess.

PETITIONS.

The following petitions were presented and ordered printed in the Journal.

By Mr. Nelson:

MEMORIAL IN OPPOSITION TO A SUNDAY CLOSING LAW IN THE STATE OF CALIFORNIA.
To the Honorable Senators and Assemblymen of the State Legislature of California, convened at the City of Sacramento, January 6, 1913.

GENTLEMEN: We, the undersigned, rabbis and clergymen, of the cities of San Francisco and Oakland and vicinity, wish hereby to endorse the memorial presented to your honorable body in opposition to a Sunday closing law in the State of California, which has already been placed before your honorable body, by representatives of the synagogues of Los Angeles, by the Pacific Religious Liberty Association, the Pacific Union Conference Seventh Day Adventists, the Christian Sabbath Keepers' Union, the Western League for the Preservation of Civil Liberty, as well as by various ministers of the Seventh Day Baptist churches of California.

We sincerely trust and believe that you will not fail to support the existing guarantees of absolute freedom in religious matters established by the State and the nation for the protection of the entire community. As America has stood

for religious freedom in the past, so may the nation and constituent states continue to stand in defense of civil and religious liberty, and for the absolute equality of all citizens under the law.

Very respectfully submitted.

BERNARD M. KAPLAN,
Rabbi Bush Street Temple (and others).

By Mr. Slater:

SANTA ROSA, CAL., January 30, 1913.

The following resolution adopted by Tulare Grange was unanimously endorsed by Santa Rosa Grange, No. 17, Patrons of Husbandry, at a regular meeting held January 25, 1913:

Resolved. That the enactment and enforcement of a strict eight-hour labor day for women and children will work a serious hardship to a leading industry (fruit growing) of our State, the effect of which would be detrimental to all its interests, including growers, packers, canners and laborers themselves, especially women and children who find in fruit handling a profitable and pleasant source of employment.

As nearly all work in the fruit handling line is done either by piece or by the hour, any move to limit the hours of labor per day is a direct blow not only to the fruit industry, but to labor as well, and in many cases will result in reducing or wiping out what has been a profitable source of income to many families that depend upon the fruit industry to supply their wants.

Respectfully,

MRS. MARTHA L. GAMBLE,
Secretary Santa Rosa Grange, 920 College Ave.,
Santa Rosa, Cal.

By Mr. Strine:

To the Members of the Legislature of the State of California.

GENTLEMEN: We, the undersigned, residents of the State of California, desire the enactment of a law adequately protecting abalones in the waters of this State.

Because of the fact that this shellfish is in immediate danger of extermination, because of the use of diving apparatus by abalone fishermen, we respectfully request that you enact a law prohibiting the use of such diving apparatus for the purpose of catching, etc., abalones, in the waters of the State of California. The attached amendment is, therefore, respectfully requested.

Schimerer, Long Beach, Cal., 18 Price avenue; J. D. Benham, 937 Elm avenue; H. E. Wall, 126 West Ocean avenue; E. J. Starr, 712 E. Seventh street, Long Beach; C. Rieder, 509 W. Third; James Shackleton, 933 E. Ocean avenue, Long Beach; G. E. Osborn, 515 E. Twentieth street; Geo. W. House, 125 W. Ocean avenue; Ellsworth Lorrey, 446 Price avenue; G. Torrey, 1509 Atlantic avenue; J. E. Grey, 245 W. Second street; O. J. King, R. F. D. 2, Long Beach; Wm. Kinney, 1420 E. First street; Charles Edwards, 1032 W. Thirty-ninth Place, Los Angeles; special investigators of abalone for State Fish and Game Commission, and 2,741 other petitioners residing in Long Beach and other cities of California.

By Mr. Killingsworth:

VALLEJO, CAL., January 29, 1913.

To the HONORABLE BEN F. RUSH and W. S. KILLINGSWORTH, Legislative representatives, Sacramento, Cal.

SIRS: Acting in response to a motion unanimously passed by the New Era Club, a civic organization representing the women citizens of the city of Vallejo, we earnestly petition you, our representatives in the California Legislature now in session, to take such immediate action as shall be necessary to secure for the city of Vallejo, an assistant probation officer, a resident of this city, under a regular and sufficient salary, to the end that juvenile offenders may be more intelligently dealt with than is possible under the present arrangements. Under the present conditions erring boys and girls must be conveyed an inconvenient distance to the town of Fairfield and subjected to a degree of publicity which is not consistent with the best means of dealing with such offenders.

We invite your consideration to the fact that the population of the city of Vallejo exceeds the population of the remainder of Solano County, and to the unfortunate conditions also, and the awful and unusual influences that exist in a city situated as Vallejo is situated.

In behalf of the boys and girls who must live under these conditions and with the deepest concern for their future citizenship, we respectfully urge you to use your best efforts to carry out the intent of the foregoing petition.

MRS. GEO. WENIGER,
FLORENCE McKERNAN,
Committee.

We, the undersigned petitioners, desire to add our petition to the foregoing.

ADDIE M. LUCY (and others).

By Mr. Guiberson:

To the HONORABLE J. W. GUIBERSON, Assemblyman of the Fifty-fourth Assembly District, State of California:

WHEREAS, The harvesting and handling of perishable fruit in the orchards and cutting sheds takes place in the open;

WHEREAS, The handling and packing in the green fruit shipping establishments and canneries is done in sanitary, well ventilated buildings;

WHEREAS, The work in the cutting sheds and above mentioned factories almost entirely is piece work;

WHEREAS, The work is light and of no great strain on body or mind, as experience has taught us;

WHEREAS, Our conditions are not to be compared with those existing in sweat-shops and the like;

WHEREAS, The fruit season lasts only fifty days of the year and the rush of same hardly more than thirty of said fifty days;

WHEREAS, We desire to earn or need the money, this harvest and work offers us, to support or educate ourselves or others; therefore

We women of Kings County, State of California, who have worked or might desire to work in the cutting sheds, orchards, green fruit shipping establishments, canneries, etc., appeal to you to use all power at your command to oppose the passing of a bill prohibiting us to work in the above mentioned orchards or factories any longer than eight hours.

MRS. M. BASSETT (and others).

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 30, 1913, the following: Assembly Bills Nos. 1083 to 1194, inclusive; Assembly Constitutional Amendments Nos. 26, 27, 29, 30, 31 and 32; Assembly Concurrent Resolutions Nos. 14 to 15, inclusive.

And returned the above listed Assembly bills, Assembly constitutional amendments and Assembly concurrent resolutions to the Clerk of the Assembly the same day.

CLARK, WM. C., Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 109—An Act to provide for the payment by the State or counties or cities or cities and counties of the premium or charges on official bonds when given by surety companies that have deposited securities with the State Treasurer and regulating the deposit, management and disposition of such bonds.

Also: Assembly Bill No. 110—An Act to amend Section 10 of the Civil Code, relating to holidays.

Also: Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed or is a foreign corporation having no agent, etc.

Also: Assembly Bill No. 552—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870a.

Also: Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to the care of female prisoners and insane patients.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading:

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure, to be numbered section eighteen hundred and ten *a*, relating to contracts for attorneys' fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the pay-

ment of judgments for money to the guardian of minors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Universities, to whom was referred Assembly Bill No. 582—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 665—An Act making an appropriation for university extension work for the University of California.

And further request that as Assembly Bill No. 665 pertains to and includes all that Assembly Bill No. 5 does, that Assembly Bill No. 5 be withdrawn.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass; and further, that they be re-referred to Committee on Ways and Means.

GATES, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 6—Relative to recognition by the United States of the Republic of China.

Also: Senate Joint Resolution No. 7—Relative to the proposed restriction of the mint and assay service by the United States and protesting against the same.

Also: Assembly Joint Resolution No. 17—Relating to requesting the United States Congress to amend the Federal Bankruptcy Act so as to exclude building and loan associations from the provisions thereof.

Also: Assembly Joint Resolution No. 12—A joint resolution requesting the Congress of the United States to appropriate money to construct an efficient and practical fish-way in the Derby Dam in the Truckee River, Nevada.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 4—Relative to national forests situated within the State of California and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted, as amended.

JOHNSON, Chairman.

Assembly joint resolution ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

Assembly Bill No. 377—An Act to amend sections one, two, eight, and twenty-four of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, water-course, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly enrolled: Assembly Joint Resolution No. 5—A joint resolution ratifying an amendment to the Constitution of the United States, proposed by the Congress of the United States, relative to the election of United States Senators in Congress—and was presented to the Governor this 30th day of January, at two o'clock p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following: Assembly Concurrent Resolution No. 11—Relative to appointment of committee to ascertain the advisability of submitting to the people the question of issuing bonds, etc.—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 27, 1913, adopted Senate Joint Resolution No. 1—Relative to the continuation by the United States of surveys for the construction of storage reservoirs for the impounding of flood waters in the Sierra Nevada mountains in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

Senate Joint Resolution No. 1 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 29, 1913, adopted Senate Concurrent Resolution No. 11—Relative to the appointment of a committee to consider the advisability of proposing to the voters of the State a bond issue for the purpose of making improvements to Capitol, hospitals and other public institutions.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

Senate Concurrent Resolution No. 11 read, and referred to Committee on Engrossment and Enrollment for comparison.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 15—Relative to adjournment of the Legislature for the constitutional recess, and fixing date for reassembling.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

Senate Concurrent Resolution No. 15 read, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 30, 1913, passed, as amended, Assembly Bill No. 197—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of State from local taxation and providing for the taxation of public service and other corporations,

banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four and thirty-five—and respectfully request your honorable body to concur in the amendment.

W. N. PARRISH, Secretary of Senate.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 197?"

Amend by adding to Section 6, after the period following the word "Act" in line 32 of page 9 of the engrossed bill, the following:

"This tax levy, and each and every of the percentages or rates of taxation herein and hereby determined, made, fixed and established to be paid by the persons, firms, companies and corporations specified, described or included in Section 14 of Article XIII of the Constitution, are and have been determined, made, fixed and established after a full, complete, open and public investigation and hearing by and before this Legislature upon and respecting the value of each and all of the properties and franchises included within or enumerated in Section 14 of Article XIII of the Constitution, and of all other and different property subject to taxation of any kind within the State of California, of which investigation and hearing every and all persons, firms, companies, and corporations concerned therein or affected thereby had due notice, and at which investigation and hearing the Legislature took oral and written evidence and at which hearing every and all persons, firms, companies and corporations concerned therein or affected thereby and who desired so to do, were given an opportunity to and did appear and were heard and introduced evidence before this Legislature respecting and showing the value of said properties and franchises included within or enumerated in said Section 14 of Article XIII of the Constitution, and also respecting and showing the value of all other and different property subject to taxation of any kind within the State of California, and after the due consideration of all of said evidence by this Legislature and its ascertainment and determination therefrom and thereon of the value of said and all of said hereinbefore mentioned properties and franchises; and the percentages or rates of taxation herein and hereby determined, fixed and established have been and are determined, fixed and established, and have been and are based, upon the value of each, all and every of the properties and franchises included within or enumerated in said Section 14 of Article XIII of the Constitution as ascertained and determined as aforesaid by this Legislature and constitute and are the percentages or rates of taxation ascertained and determined by this Legislature which when applied in the manner provided and required by law, do and will levy a tax upon said properties and franchises included within or enumerated in said Section 14 of Article XIII of the Constitution in proportion to the value of the same and in proportion to the value of every and all other and different property subject to taxation of any kind within the State of California as ascertained and determined as aforesaid by this Legislature."

SPECIAL ORDER SET.

On motion of Mr. Bohnett, the further consideration of Senate amendment to Assembly Bill No. 197 was made a special order for two o'clock p.m. of this day.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Mouser: Assembly Bill No. 1195—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Farwell: Assembly Bill No. 1196—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 64 thereof.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Sutherland: Assembly Bill No. 1197—An Act to add a new section to the Penal Code, to be designated Section 167a, relating to certificates of acknowledgments and jurats made by notaries public.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California, as said constitution was amended November 8, 1910, providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies, for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1199—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending sections one, two, three, five, six, seven and eight thereof.

Bill read first time, and referred to Committee on Insurance.

By Mr. Benedict: Assembly Bill No. 1200—An Act to amend sections ten and twenty-eight of an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office, and fixing their salaries.

Bill read first time, and referred to the Committee on Judiciary.

Also: Assembly Bill No. 1202—An Act to amend Section 4041 of the Political Code of the State of California, relating to the general permanent powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1203—An Act to amend Section 603 of the Civil Code of California, relating to religious, social and benevolent corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1204—An Act to amend Title V of Part III of the Political Code by adding and enacting new chapters to be designated Chapters 1, 1a, 1b, 1c, 1d, and 1e, relating to and creating a state board of administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the appointment and duties of an advisory board to be known as the state board of charities and corrections; providing for the government and management by said board of administration of the state hospitals for the insane and other incompetent persons, the state schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said Title V of Part III of the Political Code by renumbering Chapter 1c thereof relating to the Woman's Relief Corps Home of California and designating said chapter as Chapter 1f, and to repeal Chapter I of Title V of Part III of the Political Code, relating to the State Commission in Lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and Chapter 1b of Title V of Part III of the Political Code, relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto; and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1899, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for the United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911, in so far as the provisions of

said Act conflict with this Act: and to repeal all Acts and parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1205—An Act to amend Section 850 of the Code of Civil Procedure of California, relating to notice of trial or hearing thereof in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1206—An Act to amend Section 102*b* of the Code of Civil Procedure of California, relating to salary of justices, justices' clerks, assistant justices' clerks and deputy justices' clerks in townships having population between 250,000 and 400,000.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1207—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' court in townships having population between 250,000 and 400,000.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1208—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered Section 857 *a*, relating to denial of pleadings and amendments to pleadings in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1209—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered 855 *a*, relating to the pleading of defenses to actions in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1210—An Act to amend Section 855 of the Code of Civil Procedure of California, relating what the answer in justices' courts shall contain.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1211—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered Section 854 *a*, relating to demurrers in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1212—An Act to amend Section 871 of the Code of Civil Procedure of California relating to judgments when defendant fails to appear in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1213—An Act to amend Section 873 of the Code of Civil Procedure of California, relating to the time when trial must be commenced in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1214—An Act to repeal Section 887 of the Code of Civil Procedure of California, relating to instruments in the answer being deemed admitted unless denied under oath.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1215—An Act to amend Section 890 of the Code of Civil Procedure of California, relating to entry of judgment of dismissal without prejudice in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1216—An Act to amend the Code of Civil Procedure of California by adding a new section thereto to be numbered 927, relating to notices of motions.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1217—An Act to amend the Code of Civil Procedure of California, by adding a new section thereto, to be numbered 927*a*, making certain sections of said Code applicable to justices' courts, and relating to time to be given of motion by notice; when and how notices and papers shall be served and notices after appearance, all in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1218—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having population between 250,000 and 400,000.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1219—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships between 250,000 and 400,000.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1220—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill 1221—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered Section 858 *a*, relating to the dismissal of actions in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1222—An Act to repeal Sections 854, 857, 858, 860, 872, and 879 of the Code of Civil Procedure of California, all relating to demurrers and proceedings thereon in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1223—An Act to amend Section 859 of the Code of Civil Procedure of California, relating to amendment of pleadings in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1224—An Act to amend Section 852 of the Code of Civil Procedure of California, relating to pleadings in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1225—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered 859*a*, relating to relief from defaults taken against parties in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1226—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered 860*a*, relating to how to state an account in pleadings.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1227—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be numbered 870*a*, relating to motions to dismiss or discharge a provisional remedy in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Smith: Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1229—An Act entitled "An Act to amend the Civil Code of the State of California, by adding thereto two new sections, to be known as and numbered 630*b* and 630*c*, respectively, both relating to public utilities engaged in the business of furnishing gas, water, electricity, steam, heat or telephone service to or for the public.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Kuek: Assembly Bill No. 1230—An Act to amend Sections 607, 607*b*, 607*c*, 607*d*, 607*e* and 607*f* of the Civil Code.

Bill read first time, and referred to Committee on Corporations.

By Mr. Stuckenbruck: Assembly Bill No. 1231—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 159*b*, relating to advertising for sale judgments against any person rendered in any court in the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 159*c*, relating to sending by mail or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Guill: Assembly Bill No. 1233—An Act to appropriate the sum of two thousand dollars for the purpose of clearing obstructions from certain streams.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1236—An Act to amend section three hundred and thirty of the Penal Code of the State of California, relating to gambling.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Gates: Assembly Bill No. 1237—An Act to amend Section 2 of an Act of the Legislature of the State of California, entitled "An Act relating to the acquisition, construction and operation of public utilities by municipal corporations," approved May 1, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Kuck: Assembly Bill No. 1238—An Act to prohibit the sale or giving away of cigarettes or cigarette papers.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1239—An Act to add a title to Part IV of Division First of the Civil Code to be known as Title XIIb, relating to societies for the prevention of cruelty to animals.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Scott (by request): Assembly Bill No. 1240—An Act to amend section five hundred and thirty-one of the Code of Civil Procedure, relating to injunctions to suspend the business of a corporation, the bond, evidence, parties and judgment, in certain classes of injunction suits.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Gates: Assembly Bill No. 1241—An Act to define and regulate bond and mortgage companies.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Scott: Assembly Bill No. 1242—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships, or associations, or any two or more of them, for the purpose of fixing or regulating rates, of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city, or other legal subdivision thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1243—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Bloodgood: Assembly Bill No. 1244—An Act creating a board to be known as the state advertising board; providing for the appointment of its members; fixing the term of office of its members, their salaries, powers and duties.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1245—An Act creating a fund to be known as the state advertising fund, and providing for the formation of such fund.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1246—An Act relating to real estate brokers, agents, salesmen, and dealers in the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Woodley: Assembly Bill No. 1247—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles, for that purpose.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1248—An Act to establish a state censor committee, to censor moving picture films and to regulate the use thereof in the State of California.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1249—An Act to add a new section to the Penal Code, to be known as section three hundred and eleven *a*, relating to theaters, concert halls, moving pictures, moving picture shows, nickelodeons, and penny arcades or other place of amusement, and fixing the penalty for the violation thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1250—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College and making appropriations therefor.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Roberts: Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1252—An Act prohibiting the destruction of foodstuffs, food products or food articles.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1253—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, by amending Section 12 of said Act, relating to the commencement of suits upon the warrant or assessment and the judgment to be rendered in such suits and the costs thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Strine: Assembly Bill No. 1254—An Act to amend Section 628 of the Penal Code, relating to the protection of fish, shrimps, catfish, sturgeon, shellfish and lobsters, and for the preservation of the same.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in

certain school buildings and to the provision for fire drills in certain schools.

Bill read first time, and referred to Committee on Education.

By Mr. Tulloch: Assembly Bill No. 1256—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Murray: Assembly Bill No. 1258—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said reclamation district No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district, any land lying within the boundaries of said Reclamation District No. 1500.

Bill read first time, and referred to Committee on Drainage.

Also: Assembly Bill No. 1259—An Act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees, and other works of reclamation of said protection district.

Bill read first time, and referred to Committee on Drainage.

By Mr. Simpson (by request): Assembly Bill No. 1260—An Act relating to the receiving and transmitting of train orders, by telegraph or telephone, by persons under sixteen years of age.

Bill read first time, and referred to Committee on Corporations.

Also (by request): Assembly Bill No. 1261—An Act to amend section eighteen of an Act entitled "An Act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for the violation of this Act," approved March 18, 1905.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1262—An Act to amend Section 3082 of the Political Code of the State of California, relating to the enforcement of provisions governing the registration of births and marriages.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ryan: Assembly Bill No. 1263—An Act to provide for the payment of pensions to public school teachers of this State, creating a public school teachers' pension fund, and providing for the administration of such fund.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1264—An Act to amend Section 2 of an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, as amended by Act approved May 1, 1911.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 1265—An Act to regulate certain scaffolding or for the protection of workmen; requiring that in addition to the duties imposed upon them under the provisions of section 402c of the Penal Code of the State of California and under Section 12 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and amended by adding thereto said Section 12 in the amendatory Act of last mentioned Act, approved February 20, 1901, employers using or permitting the use of such scaffolding and staging shall comply with its provisions and be subject in case of a violation thereof to the same penalties as prescribed in said Section 402 of the Penal Code; and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics in accordance with his duties under the provisions of the aforesaid Act, approved March 3, 1883, and the Act amendatory thereof, approved February 20, 1901.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1266—An Act to amend Sections 12 and 16 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Gates: Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Bill read first time, and referred to Committee on Corporations.

By Mr. Johnston: Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, and relating to threats against life and providing a punishment therefor.

Bill read first time and referred to Committee on Judiciary.

Also: Assembly Bill No. 1269—An Act to provide for the compilation, printing, binding, publishing and distribution of a roster of state, county, city and federal officials, election laws and corporation laws.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1270—An Act to amend section seventeen hundred and eighty-nine *a* of the Code of Civil Procedure, and to repeal section eighteen hundred and ten *a* thereof, relating to conveyances by guardians in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1271—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1810*b*, relating to the name in which a ward's property shall be invested or conveyed.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cram: Assembly Bill No. 1272—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered twenty-six hundred and forty-eight, relating to county government.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1273—An Act appropriating money for the purchase and installation of electric units and distributing lines for a lighting system at the Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 1274—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners, in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by amending Section 9 of said Act, relating to the recording of certificates authorized under said Act, in the office of the county clerk of the county in which the holder of said certificate is a resident.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1275—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by amending Section 6 of said Act by striking out therefrom the provisions heretofore contained therein for the issuance of a certificate to any person who has practiced a special branch of medicine and surgery for the period of thirty-five years, fifteen years of which time shall have been within the State of California, and by inserting therein a further requirement

that any applicant to practice medicine and surgery, osteopathy, or other systems or modes of treating the sick or afflicted, whose application to practice shall be made subsequent to the first day of January, 1919, shall prove to the satisfaction of the board that, at the time such applicant matriculated with the legally chartered college, the diploma from which he files with his application as in said Act provided, he did then possess the requirements as to preliminary education and qualifications in no particular less than those prescribed at such time by the Association of American Medical Colleges for the matriculation of students of colleges which are members of said association.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1276—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners, in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act to be known as Section 20, providing for the issuance in certain cases of a certificate to practice medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, without any examination other than that required by the provisions of this Act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Chandler (by request): Assembly Bill No. 1277—An Act to amend Section 2445 of the Political Code in relation to powers and duties of boards of pilot commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also (by request): Assembly Bill No. 1278—An Act to amend Section 453a of the Political Code in relation to the funds in the state treasury.

Bill read first time, and referred to Committee on Ways and Means.

Also (by request): Assembly Bill No. 1279—An Act to amend sections four hundred and thirty-nine and four hundred and forty of the Political Code, relating to the employees of the Controller's office, and the salaries paid to such employees.

Bill read first time, and referred to Committee on Ways and Means.

Also (by request): Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures, and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Slater: Assembly Bill No. 1281—An Act appropriating the sum of \$5,000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Shartel: Assembly Bill No. 1282—An Act to regulate the practice of suggestive therapeutics, in the treatment of mental and bodily ailments within the State of California.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1283—An Act to amend Section 1532 of the Political Code of the State of California, defining the duties of the State Superintendent of Public Instruction.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1284—An Act to amend Section 443 of the Political Code of the State of California, relating to the state school fund.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1285—An Act to amend Section 1577 of the Political Code of the State of California with reference to the formation of new petition for changing boundaries of old joint districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1286—An Act to amend Section 1 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 4, 1907.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

Bill read first time, and referred to Committee on Education.

By Mr. Judson: Assembly Bill No. 1288—An Act authorizing and directing the county boards of supervisors of the several counties of the State of California to levy a tax to create a fund for the aid of the indigent wives, widows, and minor children of indigent or deceased soldiers of the United States.

Bill read first time, and referred to Committee on County Government.

By Mr. Cary: Assembly Bill No. 1289—An Act to amend Section 626½ of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1290—An Act to amend Section 627a of the Penal Code of the State of California, relating to the protection and preservation of wild game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Nelson: Assembly Bill No. 1292—An Act providing for an investigation of the prevalence of venereal diseases in the State of California and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1293—An Act directing the State Board of Health to prepare and disseminate information upon the subject of sex hygiene and venereal diseases, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White

in the prosecution of criminals in the county of Trinity, State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Moorhouse: Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing cream in the creameries of the State.

Bill read first time, and referred to Committee on Live Stock.

Also: Assembly Bill No. 1299—An Act to amend section three of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Palmer: Assembly Bill No. 1300—An Act relating to the payment of wages to employees, and to discharging employees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1301—An Act to amend Section 953a of the Code of Civil Procedure, relative to preparation of papers on appeal, notice to county clerk.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1302—An Act providing for the admission and support at the Veterans' Home of California at Yountville, Napa County, Cal., of ex-army nurses, dependent wives and widows of honorably discharged Union veteran soldiers, sailors and marines, and dependent wives and widows of honorably discharged soldiers, sailors and marines who fought in the Mexican war or the war with Spain.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1303—An Act to amend section twenty-three hundred and forty-nine of the Political Code of the State of California, relating to certain streams and waters and the navigability thereof as public ways.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1304—An Act appropriating the sum of seventy-five thousand dollars for the construction and equipment of a building or buildings at the Veterans' Home of California at Yountville, Napa County, Cal., for the use of wives and widows of dependent honorably discharged Union soldiers, sailors or marines and for the use of wives and widows of dependent honorably discharged soldiers, sailors or marines who fought in the Mexican war or in the war with Spain and ex-army nurses, and providing for the plans and the construction and equipment of such building or buildings.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Killingsworth: Assembly Bill No. 1305—An Act to amend section ten *k* of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance, until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior courts jurisdiction of such offenses, and repealing inconsistent Acts'," approved March 8, 1909.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Finnegan: Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and the forcing out of underground mines, and tunnel smoke and gases generated by blasting powder and other explosives, and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction constitutes gross negligence in case of actions for damage to health of employees.

Bill read first time, and referred to Committee on Mines and Mining.

Also: Assembly Bill No. 1307—An Act to amend Section 1402 of the Civil Code of the State of California, relative to the distribution of community property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1308—An Act to amend Section 10*r* of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and amended and approved as amended April 5, 1911, relating to probation officers in counties of

the fourth class and their salaries, and to add two new sections thereto to be known as Sections 10*p* and 10*q*.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 1309—An Act to amend sections one hundred and seventy of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1310—An Act to amend Section 4257 of the Political Code, relating to county and township officers of counties of the thirty-first class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1311—An Act to amend section four thousand two hundred and sixty-three of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fourth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1312—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1313—An Act to reimburse the county of Nevada for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Inman: Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or city operating under frecholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Alexander: Assembly Bill No. 1315—An Act to amend section thirteen hundred thirteen of the Civil Code of the State of California, relating to devise or bequests by will.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bradford: Assembly Bill No. 1316—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 382*a*, relative to the manufacture and sale of boots, shoes, slippers, buskins and sandals.

Bill read first time, and referred to Committee on Manufactures.

Also: Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newton jetties' and repealing an act entitled 'An Act to authorize the Lauritzen Company of San Francisco, a corporation, to sue the State of California,' approved March 23, 1907," approved March 20, 1911.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as section 27.

Bill read first time, and referred to Committee on Manufactures.

Also: Assembly Bill No. 1319—An Act to amend section 6 of the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor."

Bill read first time, and referred to Committee on Manufactures.

By Mr. Inman: Assembly Bill No. 1320—An Act to amend an Act entitled "An Act to regulate the public-service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections three, four and nine thereof, and by adding a new section thereto to be known and numbered as section eleven and one half, providing for the deposit of the funds of said board in the state treasury.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Also (by request): Assembly Bill No. 1321—An Act to amend the Civil Code by adding a new section, to be numbered 2264, relating to sales by trustees under express trusts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1322—An Act to appropriate twelve thousand dollars to be expended by and under the direction of the State Department of Engineering for the purpose of painting the State Capitol building at Sacramento.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol building.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1324—An Act to amend Section 3570 of the Political Code of the State of California, relating to abandonments of claims to state lands.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of a state hospital near the city of Los Angeles, for the erection and equipment of buildings for a state reformatory to be established near Yountville, in the county of Napa, and for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Collins: Assembly Bill No. 1326—An Act to provide for the improvement of the public roads and highways of the State, and to provide the means of defraying the cost of the same.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Wall: Assembly Bill No. 1327—An Act appropriating money for the purchase and installation of electric generators and connections and equipment therefor at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. McDonald: Assembly Bill No. 1328—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1329—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1330—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1331—An Act to amend Section 4290 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1332—An Act to provide for the regulation of the business of watchmen, guards and private detectives in the

State of California; to provide for the granting of permits to engage in such occupations, and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on County Government.

By Mr. Ford: Assembly Bill No. 1333—An Act to vacate and abandon a portion of Channel street in the city and county of San Francisco and utilize the same for industrial purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1334—An Act to amend Sections 339 and 340 of the Code of Civil Procedure of the State of California, relating to time of commencing actions other than for the recovery of real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1336—An Act to amend Section 953 of the Code of Civil Procedure of the State of California, relating to the certification of the record on appeal, and the character of record to be filed.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1337—An Act to amend Section 953a of the Code of Civil Procedure of the State of California, relating to the record on appeal from judgment, order or decree of the Superior Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1338—An Act to amend Section 204 of the Code of Civil Procedure of the State of California, relating to the selection of jurors for courts of record.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1339—An Act to amend Section 950 of the Code of Civil Procedure of the State of California, relating to papers to be used, and record to be made up on appeal from a judgment of the Superior Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1340—An Act to amend Sections 226 and 227 of the Code of Civil Procedure of the State of California, relating to the drawing and summoning of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1341—An Act to amend Section 199 of the Code of Civil Procedure of the State of California, relating to the competency of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1342—An Act to amend Sections 658, 659, 660, and 661 of the Code of Civil Procedure of the State of California, relating to new trials of actions in Superior Courts, the procedure to be pursued in moving for a new trial, and the record on appeal from an order determining such motion.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1343—An Act to regulate the construction, operation and maintenance of elevators in buildings during course of

construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Ellis: Assembly Bill No. 1344—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the power of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 1345—An Act to amend Section 1 of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1346—An Act to empower the State Board of Health to require an autopsy under certain conditions of death, and providing the procedure therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1347—An Act to accept by the State of California from the general Government of the United States of America certain public lands in the arid districts within the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. White: Assembly Bill No. 1348—An Act to amend Section 626*f* of the Penal Code of the State of California in relation to the protection of male deer.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1349—An Act to add a new section to the Penal Code of the State of California, to be known as Section 626*p*, relating to the killing of bear.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1350—An Act to amend Section 599*f* of the Penal Code of the State of California, relating to the killing of elk, white deer and black deer.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1351—An Act to amend Section 626*a* of the Penal Code of the State of California, relating to the killing of doves.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Gabbert: Assembly Bill No. 1352—An Act to amend Sections 764 and 862 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Shartel: Assembly Bill No. 1353—An Act to amend an Act entitled "An Act to regulate the operation of motor vehicles on public highways and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Weisel: Assembly Bill No. 1354—An Act to add a new section to the Penal Code of the State of California, to be known as Section 599 thereof, relating to the caging of birds.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1355—An Act authorizing municipal corporations to procure lands from other municipal corporations for the purpose of sewage disposal, and to take and consummate proceedings therefor under part three, title seven of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1356—An Act to amend Section 3839 of the Political Code of the State of California, relating to persons liable to poll tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1357—An Act to add a new section to an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1358—An Act to amend Section 4013 of the Political Code of the State of California, relating to county offices.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1359—An Act to amend Section 4243 of the Political Code of the State of California, relating to salaries and fees of jurors and public officers in counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1360—An Act to amend section forty-two hundred forty-three of the Political Code, relating to compensation of officers of counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Byrnes: Assembly Bill No. 1361—An Act to amend Sections 1490 and 1492, and to repeal Section 1491a of the Code of Civil Procedure of California, all relating to notice to creditors of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1362—An Act to provide for a day of rest from labor for all employees of the state, counties, cities, cities and counties, municipal corporations, and townships.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1363—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California

state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1364—An Act to amend Section 4251 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bowman: Assembly Bill No. 1365—An Act authorizing the incurring of indebtedness by cities or towns which, subsequent to the issuance of bonds or the incurring of other indebtedness, have annexed territory, to refund such indebtedness, to issue bonds therefor, and to provide for the payment of the same from taxation of the property within the former boundaries of such city or town.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1366—An Act authorizing any incorporated city or town to refund its indebtedness; to incur indebtedness for the acquisition of public utilities or for the construction, improvement or extension of public utilities owned by any such city or town, to authorize the mortgage of the property of and income therefrom to secure the payment of any such indebtedness and to issue bonds therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Weisel: Assembly Bill No. 1367—An Act to amend an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense and to make and enter into contracts for said purposes," approved March 22, 1909.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Hinkle: Assembly Bill No. 1368—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Kingsley: Assembly Bill No. 1369—An Act to grant relief to persons erroneously convicted in courts of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Brown: Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term

boulevard: providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance and use of boulevards, and defining the term "boulevard," approved March 22, 1905,' and the Act amendatory thereof, approved April 15, 1909," approved May 1, 1911; said amendment pertaining to the definition of the term "boulevard," and use of said boulevard.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Clarke: Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near the Summit Station.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyers Station to McKinney's.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Johnstone: Assembly Bill No. 1378—An Act to provide for an irrigation commission and for the organization and supervision thereby of irrigation districts; for the organization and government of such irrigation districts, for the acquisition or construction thereby of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 1379—An Act to amend section four hundred fifty-six of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants, and the salaries of the deputy and assistants.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1380—An Act to amend section fifteen hundred fifty-seven of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fish: Assembly Bill No. 1381—An Act to amend Section 16 of that certain Act of the Legislature of the State of California entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1382—An Act to permit municipal corporations and counties to declare certain property sold for the non-payment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

Also (by request): Assembly Bill No. 1383—An Act to create a bureau of corporations, and a commissioner of corporations to administer this and other laws relative to the regulation and supervision of corporations; and providing penalties for the violation thereof; to protect purchasers of stocks and bonds and prevent fraud in the sale thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dower: Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also (by request): Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purpose of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Weldon (by request): Assembly Bill No. 1386—An Act to amend Section 1 of an Act entitled "An Act limiting the hours of labor

of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this Act," approved March 22, 1911.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1387—An Act to amend section four thousand two hundred and fifty-three of the Political Code of the State of California, relating to counties of the 24th class.

Bill read first time, and referred to Committee on County Government.

By Mr. Griffin (by request): Assembly Bill No. 1388—An Act to amend Section 4049a of the Political Code of the State of California,

Bill read first time, and referred to Committee on County Government.

By Mr. Weldon: Assembly Bill No. 1389—An Act to amend Section 632½ of the Penal Code of the State of California, relating to steel-head trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Killingsworth: Assembly Bill No. 1390—An Act to amend section four thousand two hundred forty-seven of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bohnett: Assembly Bill No. 1391—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 946, relating to the powers of grand juries, and providing for the appointment of a special attorney by grand juries.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 1392—An Act to amend Section 772 of the Penal Code of the State of California, relating to the removal of public officers by summary proceedings before the Superior Court.

Bill read first time, and referred to committee on Judiciary.

By Mr. Morgenstern: Assembly Bill No. 1393—An Act to amend the Civil Code by adding thereto a section, to be known as Section 541, relating to telephones and telephone companies.

Bill read first time, and referred to Committee on Corporations.

Also (by request): Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered section thirty-eight hundred and four b, relating to the cancellation of erroneous assessments.

Bill read first time, and referred to Committee on County Government.

By Mr. Johnston: Assembly Bill No. 1395—An Act to amend Section 628 of the Penal Code, relating to protection of shellfish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Chandler: Assembly Bill No. 1396—An Act to amend Section 1755 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to making additions thereto.

Bill read first time, and referred to Committee on Education.

By Mr. Clark: Assembly Bill No. 1397—An Act to amend section three thousand six hundred seventy-eight of the Political Code of the State of California, relating to daily abstracts of all papers and documents filed with county recorders for record and the sale of copies of such daily abstracts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1398—An Act to amend section one thousand one hundred and twenty-seven and one thousand one hundred and twenty-nine of the Political Code, in regard to the size of election precincts.

Bill read first time, and referred to Committee on Elections.

Also (by request): Assembly Bill No. 1399—An Act providing for the township organization, the assessment and collection of revenue, and the management and transaction of the business of townships.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1400—An Act to amend an Act entitled "An Act regulating the employment and hours of employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and as amended by an Act approved April 14, 1911, by amending Section 5 thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1401—An Act to amend section four thousand and seventy-five and section four thousand and seventy-six of the Political Code, relating to the presentation and form of claims against counties.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1402—An Act to amend section forty-one hundred and thirty-one of the Political Code of the State of California, relating to the duties of County Recorders.

Bill read first time, and referred to Committee on County Government.

By Mr. Farwell: Assembly Bill No. 1403—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis, and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Shannon: Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Assembly Bill No. 1405—An Act to amend section sixteen of an Act known as "The Building and Loan Commission Act," Chapter 354, laws of 1911, approved April 5, 1911, relating to the powers and duties of the Building and Loan Commission.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Smith: Assembly Constitutional Amendment No. 33—Relative to sessions of the Legislature.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 34—Relative to sessions of the Legislature.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Ryan: Assembly Constitutional Amendment No. 35—Relative to Superior Courts.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Moorhouse: Assembly Constitutional Amendment No. 36—Relative to water and water rights.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Inman: Assembly Constitutional Amendment No. 37—Relative to requests for opinions from the Supreme Court by the Governor or Legislature.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bagby: Assembly Constitutional Amendment No. 38—Relative to the election and term of Assemblymen.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 39—Relative to the number and classes of Senators.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 40—Relative to sessions of the Legislature.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 41—Relative to election and term of Senators.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Weisel: Assembly Constitutional Amendment No. 42—Relative to a resolution to propose to the State of California an amendment to the Constitution of the State of California by amending Section 7 of Article I thereof, relating to the right of trial by jury in civil and criminal cases, describing the number of jurors and the number of jurors necessary to render a verdict.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Kingsley: Assembly Constitutional Amendment No. 43—Relative to amending Article I of the Constitution of the State of California by adding a new section, to be known as section twenty-six.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 44—Relative to amending section one of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 45—Relative to amending Section 19, Article XI, of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Johnstone: Assembly Joint Resolution No. 19—Relative to establishing game refuges in the national forest reserve in the State of California.

Read, and referred to Committee on Federal Relations.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés.

WHEREAS, There will be a great many bills and other printed matter returned from the printing office after the adjournment for the constitutional recess; and

WHEREAS, It will be necessary to retain a certain amount of help to assist in the sending out of same;

Resolved, That the Chief Clerk be and is hereby directed to employ such help as he may deem necessary to perform the necessary work; and, further, be it

Resolved, That the Controller be and is hereby directed to draw his warrant upon the Contingent Expense Fund of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as may be necessary to pay for such help, said amount not to exceed the sum of one thousand (\$1,000) dollars, and the Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

By Mr. McDonald:

WHEREAS, The Honorable I. A. Richardson, representing the Twenty-ninth District in the Assembly from San Francisco, is about to leave the ranks of bachelorhood and take unto himself a wife; and,

WHEREAS, It appears from common report that he will not return until after the recess of the bifurcated session; and,

WHEREAS, According to custom, and responding to the desires of his colleagues from San Francisco, the congratulations of this august body are due to this successful young man, and it is meet that this Assembly do send the Hon. I. A. Richardson on his way to the altar with the well wishes of the Assembly of the State of California ringing in his ears, so that he will be made brave, bold and strong for the ordeal through which he must go; therefore, be it

Resolved, That the Assembly of the State of California respectfully extends to the Hon. I. A. Richardson the compliments of its members; and be it further

Resolved, That these resolutions be printed in the Journal, and the Chief Clerk is hereby authorized to forward a copy to Mr. and Mrs. Richardson after Sunday night at their home in San Francisco.

Resolution read, and on motion adopted.

By Mr. Shartel:

WHEREAS, The waters of nearly all of the fishing streams of Modoc county are, and have been for many years, used for irrigation purposes; and

WHEREAS, At the time that these waters were appropriated for such purposes by the land owners of the county, the State of California granted them the right to use the waters of the various streams in the county without let or hindrance; and

WHEREAS, The crops that are produced by the use of the waters of such streams for irrigation purposes are far more valuable to any community than the fish in such streams; and

WHEREAS, The farmers that use the waters of the streams for irrigation purposes are not the people who are benefited by the fish or fishing; but, instead, their growing crops are damaged by fishermen who trespass thereon; and

WHEREAS, The majority of the people that fish are from the towns and villages and pay nothing for fishing privileges, and nothing toward maintaining the protection of the fish in the streams; but, on the other hand, damage the farmer's growing crops, which is the foundation of their own prosperity and well-being as well as that of the farmer, by trampling them down while fishing; and

WHEREAS, The game laws require the farmer to maintain, in the head of his ditches, a screen with so small a mesh that the floating debris lodging in the meshes thereof soon forms a solid dam across the intakes of his ditches, causing him a great annoyance and damage by damming off his irrigation water and drying up his crops; and

WHEREAS, The present law puts the expense of protecting the fish in the streams entirely upon the farmer, and the farmer does very little fishing; and allows the sportsmen and the town people to fish without any expense to themselves for maintaining the protection of the fish in the streams; now, therefore, be it

Resolved, That the law as it now stands is unjust, because it requires the farmer to do the protecting, and allows the sportsmen and the town people, who do the most of the fishing and get the most of the fish, to go free of any charge for maintaining and protecting the fish in the streams; and be it further

Resolved, That the law should be so changed as to require each and every fisherman to purchase a license for the privilege of fishing; and that the money collected in this way in a county be expended in such county by the county game warden for such county, in placing and maintaining such obstructions in the intakes of the irrigation ditches and in the fishing streams of such county as will protect the fish and not retard the flow of the water to the detriment of the man that irrigates, stopping it out of his ditches and turning it off his crops.

(Signed) E. F. AUBLE,
President Modoc County Fish and Game Protective Association.
THOS. BRILES,
Secretary Modoc County Fish and Game Protective Association.

Approved by the Executive Board of the Alturas Stock Association on this 23d day of January, 1913.

W. J. DORRIS, President.

Attest: W. E. ARMSTRONG, Secretary.

Resolution read, and ordered printed in the Journal.

By Mr. Johnston:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase one copy of Deering's Pony Codes with latest amendments, General Laws, and Treadwell's Constitution of California; also, one copy of Kerr's Cyclopedic Codes and General Laws, for the use of the Judiciary Committee of the Assembly.

Resolution read, and referred to Committee on Contingent Expenses.

RE-REFERENCE OF BILLS.

On motion of Mr. Morgenstern, Assembly Bill No. 1089 was recalled from the Committee on Judiciary and re-referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Concurrent Resolution No. 11—Relative to the appointment of a committee to consider the advisability of proposing to the voters of the State a bond issue for the purpose of making improvements to Capitol, hospitals and other public institutions:

Also: Assembly Concurrent Resolution No. 11—Relative to appointment of committee to ascertain the advisability of submitting to the people the question of issuing bonds, etc.

Have had the same under consideration, and respectfully report that Senate Concurrent Resolution No. 11 is not identical with Assembly Concurrent Resolution No. 11.

MOORHOUSE, Chairman.

Senate Concurrent Resolution No. 11 ordered on file, without reference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 13—Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Joint Resolution No. 12—A joint resolution requesting the Congress of the United States to appropriate money to construct an efficient and practical fish-way in the Derby dam in the Truckee River, Nevada.

Also: Assembly Joint Resolution No. 17—Relating to requesting the United States Congress to amend the Federal Bankruptcy Act so as to exclude building and loan associations from the provisions thereof;

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m. the Assembly reconvened.
Speaker Young in the chair.

SPECIAL ORDER.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

The question being upon the concurrence in Senate amendment to Assembly Bill No. 197.

The roll was called, and Senate amendment to Assembly Bill No. 197 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shartel, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—57.

NOES—Messrs. Cram, Dower, Finnegan, Johnston, T. D., Killingsworth, Kingsley, Libby, Schmitt, Shannon, Simpson, Stuckenbruck, White, and Wyllie—13.

Bill ordered to enrollment.

COMMUNICATION.

The following communication was filed and ordered printed in the Journal:

By Mr. Sutherland:

SACRAMENTO, January 31, 1913.

HON. W. A. SUTHERLAND, *Assembly Chamber*.

DEAR SIR: I am very much in favor of the inclusion in the Assembly Bill No. 197 the matter set forth in italics in section six.

In subdivision *f* of Section 14 of Article XIII of the Constitution it is provided that the rates therein fixed shall "remain in force until changed by the Legislature, two thirds of all the members elected to each of the two houses voting in favor thereof." In determining whether or not the rates in that provision so fixed shall be changed the Legislature acts not as a legislative but as a taxing body. Before any taxing body decides and adopts the *rates* of taxes it is essential that such body investigate property values and the rates of taxation paid by property other than that to which the rates adopted by them are to be applied. This involves investigation and consideration and the resulting determination.

The language in the section referred to recites a compliance with these requirements by the Legislature. It is probably true that in the absence of this language the performance of these duties would be presumed. I think it far better that the bill contain a recital of such performance rather than to have the fact rest merely upon presumption.

During 1912 my office tried something over eighty cases in which all phases of the

new method of taxation were involved, and the experience gained in those cases has convinced me that the provision referred to should be incorporated in the Act.

Respectfully yours,

U. S. WEBB, Attorney General.

EXPLANATION OF VOTES.

The following explanations of votes were filed and ordered printed in the Journal:

By Mr. Polsley:

MR. SPEAKER: I believe that the public service corporations mentioned had due notice, but that the rates fixed and determined herein are too low and not in proportion to the valuation of other property, as shown by the testimony presented to the committee. I, however, vote for the amendment because I believe that the public service corporations had due notice; and further, because I believe the rates herein fixed more nearly represent an equality of ratios as between the corporations and other property than the present rate.

By Mr. Mouser:

MR. SPEAKER: I desire to have printed in the Journal the following explanation of my vote upon Assembly Bill No. 197:

I have voted in favor of Assembly Bill No. 197 for the reason that it is necessary to provide more funds for the operation of the State government during the ensuing two fiscal years, but that I do not feel that the raises on some of the corporations set forth in this bill are high enough.

By Mr. Schmitt:

MR. SPEAKER: I opposed and voted against the concurrence in this amendment for the reason that in the statement of my vote on this bill when it was passed, and as printed in the Assembly Journal of January 28, at pages 34 and 35, I voted for the bill although I was then, and am now, convinced that the rates are not an attempt at equalization as between the various classes of corporations, but accomplish a directly opposite result.

This amendment merely adds a self-serving declaration to the effect that the rates are in proportion to the value of every and all other and different property, whereas the rates when figured out disclose an opposite state of facts to exist, viz: that there is now a wider difference in rates as between the various classes of corporations than heretofore existed.

By Mr. Bloodgood:

MR. SPEAKER: I desire to have printed in the Journal the following explanation of my vote on Senate amendment to Assembly Bill No. 197:

I voted for the amendment because I think that the Legislature did the best it could in the short time at its disposal to change the rates under Constitutional Amendment No. 1, in view of the fact, also, that under the Constitution as to the provisions for having the levy made before March 1, 1913, and that the Legislature did the best it could in making estimates upon the plan and upon the basis suggested by the Board of Equalization, and I reserve the right to study the question of rates more fully.

By Mr. Peairs:

MR. SPEAKER: In voting "Aye" to Senate amendment to Assembly Bill No. 197, I am supporting the report of the committee, believing that the conclusions reached are the best possible under the circumstances, and within the time at our disposal.

By Mr. Brown:

MR. SPEAKER: I voted to concur in the Senate amendments to Assembly Bill No. 197, known as the Revenue and Taxation Bill, although I am not satisfied as to the propriety of or necessity for the amendments, nor with the bill in its entirety. I recognize the importance of passing this bill before the constitutional recess; and as the constitutionality of the bill as amended in the Senate has been sustained by the Attorney General of the State, as was stated by the chairman of the Committee on Revenue and Taxation on the floor of the Assembly during the debate on the Senate amendments to the bill, notwithstanding I have personally grave doubt as to the constitutionality of some portions of the bill, and object to some of the rates contained in it, I voted to concur in the Senate amendments and the passage of the bill as an urgency measure.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 15—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and reassembling—have had the same under consideration, and report the same back, and recommend that it be adopted as amended.

BROWN, Chairman.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION.

By unanimous consent, Senate Concurrent Resolution No. 15 was taken up for consideration.

Senate Concurrent Resolution No. 15—Relative to constitutional recess.

During the consideration of Senate Concurrent Resolution No. 15, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out the words "Saturday, February 1, 1913," and insert in lieu thereof the following: "Tuesday, February 4, 1913."

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "Tuesday, March 4, 1913," and insert in lieu thereof the following: "Monday, March 10, 1913."

Amendment adopted.

Mr. Brown moved the adoption of the Senate concurrent resolution as amended.

The roll was called, and Senate Concurrent Resolution No. 15, as amended, was adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmous, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, Wyllie, and Mr. Speaker—69.

NOES—None.

Senate Concurrent Resolution No. 15 ordered transmitted to Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At three o'clock p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

SENATE MESSAGE—(OUT OF ORDER).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 30, 1913, adopted Senate Joint Resolution No. 15—Relative to U. S.

Senate Amendment No. 68, to House of Representatives Bill No. 26680, providing for the re-establishment of the Fourth Revenue Collection District of the State of California.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

The above Senate joint resolution ordered on file without reference.

RESOLUTIONS—(RESUMED).

The following resolution was offered:

By Mr. Bohnett:

Resolved, That Assembly Bill No. 551 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 551—An Act appropriating money to reimburse the State Printing Fund for expenses paid therefrom by the Superintendent of State Printing in printing the constitutional amendments distributed according to law prior to the election of November 5, 1912.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 551 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 551, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 551—An Act appropriating money to reimburse the State Printing Fund for expenses paid therefrom by the Superintendent of State Printing in printing the constitutional amendments distributed according to law prior to the election of November 5, 1912.

Bill read third time.

The question being an the passage of the bill.

The roll was called, and Assembly Bill No. 551 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Wyllie—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION (RESUMED).

The following resolution was offered:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of two thousand seven hundred eighty and 8-100 dollars (\$2,780.08) in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, the same being for the payment of the following bills attached:

U. S. Post Office-----	\$3 60
Wahl Stationery Company-----	365 38
Wahl Stationery Company (by Mallory)-----	51 00
Kilgore & Tracy Company-----	10 95
The Nonpareil-----	58 10
Kane & Trainor Ice Company-----	15 40
Whisky Hill Water Company-----	36 00
Mrs. McCall-----	14 45
Pacific Telephone and Telegraph Company-----	17 20
Wm. Eberhardt-----	66 20
American Type Founders Company-----	82 00
Sacramento Glass and Crockery Company-----	3 60
A. S. Hopkins Company-----	2 50
R. O. Kimbrough-----	2 50
Lavenson's, Inc.-----	1 00
Bender-Moss Company, Inc. (codes)-----	1,977 00
Sleeper & Stever-----	51 70
Shasta Aristo Water Company-----	21 50
	<hr/>
	\$2,780 08

Resolution read, and referred to Committee on Contingent Expenses.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 661 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodwood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A.,

Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Mouser, Nelson, Nolan, Pears, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, and Wyllie—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 13—Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County.

During the consideration of Assembly Concurrent Resolution No. 13. Mr. Wall moved that the Speaker appoint a select committee of one to amend the resolution as follows:

In line 13, strike out the word "fourteen," and insert the word "ten."
Also: After the word "committee," in line 12, strike out all down to and including the word "engineer" in line 13.

Also: In line 21, strike out the words "the chairman."

Also: On page 2, strike out all of lines 1 and 2.

Motion carried.

The Speaker appointed Mr. Wall as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Concurrent Resolution No. 13, with instructions, do now report that the instructions of the Assembly have been carried out.

WALL, Select Committee.

Report of select committee and amendments adopted.

Resolution ordered to reprint, re-engrossment, and on file for adoption.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late Civil War, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro irrigation district.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 139—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Bill read second time, and re-referred to Committee on Ways and Means.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Bradford, Mr. Thos. Fox was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. George Vice was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mrs. J. S. Maulton and M. A. A. Estes were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. Geo. W. Haack and J. Holmes were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Smith, Mr. A. B. Connelly was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. Fred Pierce was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. W. P. Fishburn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mr. C. H. Cleary was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Mr. H. J. Hart was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. J. M. McMahon was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. Ben Blow was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mr. R. R. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. M. F. Gratz was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mr. Paul Schamberg was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. G. A. Hare was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. John Topham was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Pelsley, Mr. T. L. Moran was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Beck, Mr. J. S. Joseph was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. Ralph P. Merritt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. T. Loynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Mr. Chas. Peace Younger was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mr. J. A. Bailey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. A. L. Shinn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. Derrick and Mr. A. M. Seymour were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. A. G. Cowell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fish, Mr. J. W. Morin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. W. E. Hornlien was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nolan, Mr. B. Kurpinsky was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. Wm. Francis Ireland was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Rev. J. E. Squires was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. J. Johnson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. Frank H. Powers was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. Leo Robinson, D. C. Stevenson and Col. D. M. Duffy were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. J. C. Thomas was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Weldon, Rev. D. T. McClelland was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. F. P. Tuttle was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dower, Mr. Talton Stealey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. J. L. Craig was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. D. W. Carmichael and J. S. Purdy were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. K. Hamilton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. Henry C. Dibble was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mrs. Cora A. Merritt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. Theo. T. Shore was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. W. L. Bryant was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Mrs. A. Haskell and Mrs. Lewis were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. E. A. Speegle was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Woodley, Mr. J. W. Dawson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mr. W. H. Ashley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. A. Leitz, Jr., was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. and Mrs. H. C. Duncan were granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m., of Saturday, February 1, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, February 1, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. W. A. Johnstone, Speaker pro tem of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Blodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dover, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—76.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Slater, Mr. Griffin was granted leave of absence until after the constitutional recess.

On motion of Mr. Bohnett, Speaker C. C. Young was granted leave of absence for the day.

On motion of Mr. Schmitt, Mr. Nolan was granted leave of absence for the day.

On motion of Mr. Ryan, Mr. Walsh was granted leave of absence until after the constitutional recess.

Mr. Weisel asked for and was granted leave of absence for Monday and Tuesday, February third and fourth.

Mr. Moorhouse asked for and was granted leave of absence until after the constitutional recess.

Mr. Gates asked for and was granted leave of absence until after the constitutional recess.

Mr. Ambrose asked for and was granted leave of absence until after the constitutional recess.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. Benedict:

LOS ANGELES, January, 28, 1913.

HON. C. C. YOUNG, *Speaker of the Assembly of the State of California; Senators and Assemblymen of the State of California, in session assembled at Sacramento, California—Greetings:*

At a meeting of the city council of the city of Los Angeles held January 28, 1913, the following resolution was adopted:

WHEREAS, The city of Vernon, a city of the sixth class, adjoining and contiguous to the city of Los Angeles, by permitting an almost unrestricted liquor traffic, prize-

fighting practically without limitations, and by allowing the operation of low dives and moral pest holes has become a social and moral menace to the city of Los Angeles, and particularly to the youth of this community; and,

WHEREAS, It is possible to establish these miniature "Monte Carlos" on the outskirts of Los Angeles, or any large city, at any point by incorporating a city of the sixth class; and,

WHEREAS, Such communities are likely to become moral leeches which attach themselves to the larger city for the purpose of preying upon the weaker element of the larger community by permitting license, disorder, and unrestricted conduct which are prohibited in the larger community, and which are repugnant to a majority of the residents of the larger city; and,

WHEREAS, The establishment of such disorderly and parasitical communities tends to nullify and reduce to a minimum the force and effect of ordinances and police regulations of the larger city relative to liquor traffic, prize-fighting and the maintenance of disorderly establishments; now, therefore, be it

Resolved, That the city of Los Angeles prays relief from this situation by appeal to the State Legislature to adopt such laws as will compel cities of the sixth class located within a radius of two miles of any city operating under a freeholder's charter to conform to the police regulations and ordinances of said larger charter cities relative to the sale, and distribution of spirituous, malt, vinous, and other intoxicating liquors, to prize-fighting, conduct or maintenance of houses of prostitution or ill-fame and other matters pertaining to the immorality and disorderly conduct in such communities; and

Resolved, That an appeal is hereby made to the county grand jury and the board of supervisors of Los Angeles County to investigate conditions prevailing in said city of Vernon during the past year, and take whatever action may be in their power to abate the nuisance above referred to; and

Resolved, That a copy of this resolution be sent to the Governor of the State, the State Senate and Assembly and to all the representatives from Los Angeles in the State Senate and Assembly, to the county grand jury and to the board of supervisors of Los Angeles County.

Respectfully,

CHAS. L. WILDE, City Clerk.

Also:

LOS ANGELES, January 28, 1913.

HON. C. C. YOUNG, *Speaker of the Assembly of the State of California, Senators and Assemblymen of the State of California, in session assembled at Sacramento, California—Greetings:*

At a meeting of the city council of the city of Los Angeles held January 28, 1913, the following resolution was adopted:

WHEREAS, The present system of securing police court jurors is not only detrimental to the best interests of the community by an improper application of the law, and lack of civic duty displayed by citizens antagonized in being summoned without time to properly adjust their business affairs, but occasioning loss of valuable time to business men and merchants without affording any compensation therefor; and,

WHEREAS, The indiscriminate manner of drafting jurors often results in the obtaining of citizens of low intellect, possessing no experience or comprehension of the law; and,

WHEREAS, It appearing to the satisfaction of the council that beneficial results could be obtained by the inauguration of a trial term jury system; now, therefore, be it

Resolved by the city council of the city of Los Angeles, That the State Legislature now convening be requested to procure an amendment to the present law for cities of the first and one half class providing for the establishment of a trial term jury system for the police courts of this city; and, be it further

Resolved, That a copy of this resolution be sent to the Governor of the State, the State Senate and Assembly and to all the representatives from Los Angeles in the State Senate and Assembly.

Respectfully,

CHAS. L. WILDE, City Clerk.

MOTION.

Mr. Bohnett moved that when the Introduction of Bills, in the regular order of business, be reached, it be passed temporarily.

Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 147—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital—have had the same under consideration, and respectfully report the same back and recommend that it do pass, with the further recommendation that it be re-referred to the Committee on Ways and Means.

GRAM, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 350—An Act creating pensions for state hospital employees and providing for the payment of the same, creating a board of pensions.

Which was referred to us from the Committee on Prisons and Reformatories—have had the same under consideration, and respectfully report the same back and recommend that it do pass, with the further recommendation that it be re-referred to the Committee on Ways and Means.

GRAM, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532a.

Also: Assembly Bill No. 847—An Act defining the term "quasi-public uses," as applied to grants, leases, or approval of leases, heretofore made by the State, or tide or submerged lands.

Also: Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 494—An Act to recognize and declare valid all proceedings in Richmond municipal water district—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Podic Society of the State of California, a corporation, to assist in the carrying out of the purposes of this Act—have had the same under consideration, and respectfully report the same back as amended, and recommend that it do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution, have had the same under consideration, and report the same back and recommend that it be adopted.

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase one copy of Deering's Pony Codes with latest amendments, General Laws, and Treadwell's Constitution of California; also, one copy of Kerr's Cyclopedic Codes and General Laws, for the use of the Judiciary Committee of the Assembly.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—65.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution, have had the same under consideration, and report the same back and recommend that it be adopted.

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the Contingent Expense Fund of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as may be necessary to continue the work of the mailing department, postage, expressage, etc., said amount not to exceed the sum of four hundred (\$400) dollars, and the Treasurer is hereby directed to pay the same.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Wyllie—59.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred the accompanying resolution, have had the same under consideration, and report the same back and recommend that it be adopted.

WHEREAS, There will be a great many bills and other printed matter returned from the printing office after the adjournment for the constitutional recess; and

WHEREAS, It will be necessary to retain a certain amount of help to assist in the sending out of same;

Resolved, That the Chief Clerk be and is hereby directed to employ such help as he may deem necessary to perform the necessary work; and, further, be it

Resolved, That the Controller be and is hereby directed to draw his warrant upon the contingent expense fund of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as may be necessary to pay for such help, said amount not to exceed the sum of one thousand (\$1,000) dollars, and the Treasurer is hereby directed to pay the same.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Peairs, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Wyllie—57.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution, have had the same under consideration, and report the same back and recommend that it be adopted.

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of the Chief Clerk of the Assembly for the sum of one hundred and seven dollars and sixty-nine cents (\$107.69) out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, being in payment of the Assembly's portion (one half) of the following bills:

<i>H. S. Crocker Co.—</i>	Total amount.	One half.
6 Hotchkiss stapling machines_____	\$8 10	\$4 05
1 doz. scrap books_____	7 65	3 83
2 scrap books, large size_____	2 10	1 05
3 commercial letter scales_____	10 13	5 06
50 waste baskets_____	20 50	10 25
<i>Geo. Z. Wait Co.—</i>		
4 doz. brushes for typewriters_____	3 20	1 60
<i>Cameron Hardware Co.—</i>		
Keys_____	1 00	50
<i>W. F. Purnell—</i>		
2 doz. minute books_____	6 00	3 00
100 board files_____	34 67	17 34
1 doz. perforators_____	2 32	1 16
<i>Dunham, Carrigan & Hayden Co.—</i>		
1 gross shears_____	87 60	43 80
<i>R. M. Tenbrook—</i>		
4 Clipless paper fasteners_____	14 00	7 00
<i>Payot, Stratford & Kerr—</i>		
6 Clipless paper fasteners_____	18 10	9 05
	<hr/> \$215 37	<hr/> \$107 69
	FARWELL, Chairman.	

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Wyllie—62.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution, have had the same under consideration and report the same back and recommend that it be adopted.

Resolved, That the Controller be, and he is hereby, directed to draw his warrant upon the proper fund in favor of L. B. Mallory, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of one hundred and twenty-one dollars

and sixty cents (\$121.60), said amount being for the payment of the following bills attached:

<i>Sacramento Builders' Supply Co.—</i>	
Blackboards -----	\$10 80
<i>Wm. Carragher—</i>	
Striping and lettering blackboards-----	11 00
Lettering on door, Judiciary Committee room-----	3 75
Lettering on door, Ways and Means Committee-----	3 80
<i>W. F. Purnell—</i>	
Numbering machine -----	8 00
Three daters -----	10 50
Two dictionaries -----	7 00
<i>John A. Crombach—</i>	
Rent of electric heater-----	2 00
<i>W. P. Fuller & Co.—</i>	
Paint for blackboard-----	1 75
<i>Miller & Cahill—</i>	
One water cooler for Judiciary Committee-----	4 30
<i>Payot, Stratford & Kerr—</i>	
One gross letter openers-----	22 50
<i>Friend & Terry Lumber Co.—</i>	
Lumber for stenographers' room-----	20 00
<i>H. S. Crocker Company—</i>	
Three pencil sharpeners-----	16 20
	<hr/>
	\$121 60

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, and Woodley—53.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts recommend, that on account of the great dissatisfaction recently manifested over the condition of the heating and ventilating system of the Assembly Chamber and the many committee or other rooms in the Capitol building, the State Engineering Department be herewith instructed to make a thorough examination of the said systems and report in full their findings and their recommendations, with estimates required to remedy the said difficulties, and report to this Chamber after the constitutional recess.

FARWELL, Chairman.

Resolution read, and, on motion, adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred a resolution relative to furnishing boxes, etc., for shipping supplies of members to their respective residences, have had the same under consideration, and report the same back, with amendments, and recommend the adoption of the following resolution, as amended:

FARWELL, Chairman.

WHEREAS, The members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter, for use during the constitutional recess;

Resolved, That the Chief Clerk, L. B. Mallory, be instructed to procure such boxes, packing and other material as are necessary for the purpose of shipping the same, properly packed, to said members, and the State Controller is hereby directed and authorized to draw his warrant upon the Contingent Expense Fund of the Assem-

bly in favor of the said L. B. Mallory in a sum not to exceed two hundred (\$200) dollars, and the State Treasurer is hereby directed to pay the same. Said warrant to be paid upon the filing with the State Controller of vouchers covering the various items of expense.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C.; Clarke, Geo. A.; Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Luman, Johnston, T. D.; Johnstone, W. A.; Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Peairs, Richardson, Scott, Shannon, Shartel, Shearer, Slater, Strine, Sutherland, Wall, Weisel, White, Woodley, and Wyllie—53.

NOES—None.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro irrigation district.

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances.

Assembly Bill No. 551—An Act appropriating money to reimburse the State Printing Fund for expenses paid therefrom by the Superintendent of State Printing in printing the constitutional amendments distributed according to law prior to the election on November 5, 1912.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution:

WHEREAS, It appears that Robert D. Duke, attorney for the Fish and Game Commission of the State of California, was actively engaged for several months in the organization of the Great Fish and Game Protective Association, an institution in no way connected with the State government; and

WHEREAS, The said Robert D. Duke was then and still is a paid official of the State, and at the time of his work in organizing the Great Fish and Game Protective Association was charging his traveling expenses to the State; and

WHEREAS, It appears that the Great Fish and Game Protective Association is an organization that is serving the interests of one class, to wit, the sportsmen of the State, and is now seeking to enact legislation that is inimical to the interests of the general public; and

WHEREAS, It appears that the Great Fish and Game Protective Association, whose announced purpose was to serve the interests of all the people, is now engaged in doing politics under the guidance of the members of the Fish and Game Commission; now, therefore, be it

Resolved by the Assembly of the Legislature of the State of California. That the Fish and Game Commission be requested to furnish to the Assembly, at the reconvening of the Legislature at the end of the constitutional recess, all information regarding the activities of its attorney in the formation of branches of the Great Fish and Game Protective Association, together with a full accounting of the moneys expended by its attorney, Robert D. Duke, in traveling about the State; and be it further

Resolved. That the Fish and Game Commission furnish a report of the reasons for the increase of its attorney's salary from \$200 a month to \$250 a month while acting as organizer for the Great Fish and Game Protective Association; and be it also

Resolved. That the Fish and Game Commission furnish a comparative statement of its overhead and office expenses for the past fiscal year and the two fiscal years immediately preceding.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BROWN, Chairman.

MOTION.

Mr. Brown moved that the report be received and printed in the Journal.

Motion carried.

SPECIAL ORDER SET.

On motion of Mr. Johnston, the consideration of the resolution was made a special order for Monday, February 3, 1913, two o'clock p.m.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: I am directed to inform you honorable body that the Senate on this day adopted Assembly Joint Resolution No. 10, relative to Irish home rule.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

The above Assembly joint resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a ease of urgency, Senate Bill No. 501—An Act appropriating the money in the state school book fund for the purpose of paying expenses of publishing and distributing state text-books free to the school children of the State in accordance with the Constitution.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

Senate Bill No. 501 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Joint Resolution No. 8—Relative to protect from fire the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law, known as Chapter 186 of Volume 36, Part 1, U. S. Statutes at Large—and respectfully request your honorable body to concur in the amendment.

W. N. PARRISH, Secretary of Senate.

By W. H. WRIGHT, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 8?"

Amend the title by adding "ing" after the word "protect."

The roll was called, and Senate amendment to Assembly Joint Resolution No. 8 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Canepa, Clarke, Geo. A.; Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D.; Johnstone, W. A.; Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Weldon, White, Woodley, and Wyllie—56.

NOES—None.

Assembly Joint Resolution No. 8 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Concurrent Resolution

No. 15—Relative to adjournment of the Legislature for the constitutional recess and fixing date for reassembling.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 20—Relative to aid from the government of the United States for industrial education and the inauguration and establishment of a national university and department of education.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

Senate Joint Resolution No. 20 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 30, 1913, adopted the following:

Senate Joint Resolution No. 8—Relative to House Bill No. 13500, by Congressman John E. Raker of California, having for its object the extension of the Chinese Exclusion Act so as to include all Asiatic laborers.

Also: Senate Joint Resolution No. 9—Relative to the continuance by the United States of the government line of steamers from eastern seaports to Colon, in the "canal zone," and the extension thereof to Pacific seaports, on the western coast of the United States, on the completion of the Panama canal.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

Senate Joint Resolution No. 8 ordered on file without reference, and made a special order for Monday, February 3, 1913, immediately after the reading of the Journal.

Senate Joint Resolution No. 9 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 28, 1913, adopted the following:

Senate Concurrent Resolution No. 10—Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

Senate Concurrent Resolution No. 10 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 551—An Act appropriating money to reimburse the State Printing Fund for expenses paid therefrom by the Superintendent of State Printing in printing the constitutional amendments distributed according to law prior to the election on November 5, 1912.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

Assembly Bill No. 551 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 477—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved

March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be numbered eight hundred and seventy *a*.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

Senate Bill No. 477 read first time.

RESOLUTION.

The following resolution was offered:

By Mr. White:

Resolved, That Senate Bill No. 477 presents a case of urgency, as that term is used in Section 15 of Article IX of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. White moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McCarthy, Moorhouse, Mouser, Nelson, Pairs, Pelsley, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Sutherland, Tulloch, Wall, White, Woodley, and Wyllie—56.

NOES—None.

During second reading of bill, the following amendments were submitted by Mr. White:

AMENDMENT No. 1.

On page 2, Section 2, line 9, strike out "IV" and insert in lieu thereof the following: "III."

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 2, line 10, strike out the word "procedure" and insert in lieu thereof the following: "or the Act of which this Act is amendatory."

Amendment adopted.

Bill read second time, and ordered to reprint, and on file for third reading.

RESOLUTION.

The following resolution was called up for consideration, action on same having been postponed on previous day.

By Mr. Bohnett:

Resolved, That the Chief Clerk be authorized to have printed such additional number of bills, journals, etc., as may be necessary to meet the demand in the file-room and mailing department.

Resolution read, and on motion adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 13—Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 10—Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

SCOTT, Chairman.

Senate Concurrent Resolution No. 10 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

SCOTT, Chairman.

Assembly Concurrent Resolution No. 12 ordered on file.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read second time, and ordered to engrossment and third reading.

THREE-READING FILE.

Assembly Joint Resolution No. 4—Relative to national forests situated within the State of California and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months.

During the consideration of the above Assembly joint resolution, the following amendments were submitted by the committee.

AMENDMENT No. 1.

On page 1, line 13, strike out the words "War Department," and insert in lieu thereof the words "Secretary of War."

Amendment adopted.

AMENDMENT No. 2.

On same page, line 14, strike out the word "it," and insert in lieu thereof the word "he."

Amendment adopted.

AMENDMENT No. 3.

On same page, line 20, strike out the word "head," and insert in lieu thereof the word "secretary."

Amendment adopted.

Resolution ordered to reprint, re-engrossment, and on file for adoption.

Assembly Joint Resolution No. 12—A joint resolution requesting the Congress of the United States to appropriate money to construct an efficient and practical fishway in the Derby dam in the Truckee River, Nevada.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 12 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnson, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, and Woodley—59.

NOES—None.

Assembly Joint Resolution No. 12 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 12.

A joint resolution requesting the Congress of the United States to appropriate money to construct an efficient and practical fishway in the Derby dam in the Truckee River, Nevada.

WHEREAS, There is pending in the Congress of the United States, House of Representatives Bill No. 25518, introduced by Congressman Raker, which provides for the construction of an efficient and practical fishway in the Derby dam, which is owned and controlled by the United States Reclamation Service, and appropriating money for the construction thereof; be it therefore,

Resolved by the Senate and Assembly of the State of California. That we, the representatives of the people of the State of California, do hereby join in recommending to the Congress of the United States the passage of the bill, to the end that effective provision may be had to enable the trout of this stream, during their spawning season, to reach their spawning beds in the upper stretches of the Truckee River; be it further

Resolved. That the Secretary of the Senate be instructed to forward a copy of the foregoing preamble and resolution to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and to the United States Senators and Representatives in Congress of the State of California.

Assembly Joint Resolution No. 17—Relative to requesting the United States Congress to amend the Federal Bankruptcy Act so as to exclude building and loan associations from the provisions thereof.

Assembly Joint Resolution No. 17 passed on file, and referred to Committee on Building and Loan Associations.

SECOND READING OF ASSEMBLY BILLS. (RESUMED).

Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 109—An Act to provide for the payment by the State, or counties, or cities, or cities and counties, of the premium or charges on official bonds when given by surety companies that have deposited securities with the State Treasurer and regulating the deposit, management and disposition of such bonds.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 4 of the printed bill, strike out all of lines 33, 34, 35 and 36.

Amendment adopted.

AMENDMENT No. 2.

On page 5, Section 10, strike out all after the word and figures "Sec. 10." and insert in lieu thereof the following: "This Act shall apply to cities, counties, or cities and counties governed by freeholders' charters in all cases wherein the charter of any such city, county, or city and county contains no provisions with respect to the payment of premiums upon the bonds of the officials of such city, county, or city and county or fails to provide a method for such payment which is inconsistent with the provisions of this Act; *provided, however*, that nothing in this Act contained shall be deemed or construed to apply to or include the bonds of notaries public."

Amendment adopted.

The following amendment was submitted by Mr. Green:

On page 1, line 3, after the words "for state, county," insert the word "township."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 110—An Act to amend section seven of the Civil Code, relating to holidays.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, line 3, of the printed bill, strike out the word "Sec."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, strike out the comma after the word "made" and also strike out all of the balance of line 5, all of lines 6 and 7, and in line 8 strike out the words "the corporation" and the comma following the word "corporation."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 12, after the word "state" strike out the comma and insert in lieu thereof a semicolon and the following words: "or is a domestic corporation the officers and agents of which, upon whom, under the law, service may be made binding upon the corporation, can not after due diligence, be found within the State."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 8, strike out the parenthesis signs and the words "when in this state and can not be found."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 552—An Act to amend an Act entitled “An Act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870a.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, line 6, strike out the word “Section.”

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, of the printed bill, strike out the word “Section.”

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 13, strike out the words “Female prisoners in county jails; care of.”

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 19, strike out the words “as compensation, the sum of twenty-five dollars per month,” and insert in lieu thereof the words: “such compensation as shall be designated by the board of supervisors of the county for which the service is rendered, not to exceed three dollars per day for each day of actual service.”

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure to be numbered section eighteen hundred and ten b, relating to contracts for attorneys’ fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Bill read second time, and ordered to engrossment and third reading.

SENATE THIRD-READING FILE.

Senate Joint Resolution No. 7—Relative to the proposed restriction of the mint and assay service by the United States and protesting against the same.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 7 finally adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Clark, Wm. C.; Clarke, Geo. A.; Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H.; Johnston, T. D.; Johnstone, W. A.; Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer,

Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—63.

NOES—None.

Senate Joint Resolution No. 7 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 7,

Relative to the proposed restriction of the mint and assay service by the United States and protesting against the same.

WHEREAS, The Secretary of the Treasury, in his annual report, has again renewed his efforts to restrict the operation of the mint and assay service by urging the abolition of all the Federal assay offices which are located at strategic entrepôts in the principal gold-mining districts of the west; and

WHEREAS, The fact is well known by the miners of California and of the states wherein the United States mints and assay offices are located that these public bullion-buying agencies render a high economic service in protecting the producers of the precious metals; therefore be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California respectfully urges the Congress of the United States to oppose the closing of the Federal assay offices and the restriction of the functions of the mint and assay service; and urges the Senators and Representatives of this State in Congress to oppose all efforts to this end; be it further

Resolved, That the Governor of the State of California transmit authenticated copies of these resolutions to the President of the United States, and the President-elect of the United States and the respective presiding officers of the sixty-second and sixty-third sessions of the Congress of the United States, and to each of our Senators and Representatives in Congress, for said sessions.

Senate Joint Resolution No. 6—Relative to recognition by the United States of the Republic of China.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 6 finally adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shanahan, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—64.

NOES—None.

Senate Joint Resolution No. 6 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 6.

Relative to recognition by the United States of the Republic of China.

WHEREAS, The progressive example set by the fathers of the republic followed by many of the nations of the new world and some of those of Europe, has favorably influenced the former great Asiatic empire of China and established in lieu thereof the Republic of China; and

WHEREAS, The citizens of the State of California congratulate the people of China upon their successful efforts in securing self-government and wish them success in the great undertaking; and

WHEREAS, The United States of America, ever ready to encourage the growth of free institutions based upon the right of the people to govern themselves, should welcome the new republic in the family of nations; therefore be it

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California respectfully urges the recognition of the Republic of China by the United States; be it further

Resolved, That our Senators in Congress be instructed and our Representatives in Congress requested to use all honorable means to accomplish the object of these resolutions and that duly authenticated copies hereof be transmitted by the Governor of the State of California to the President, also the President-elect of the United States, to the presiding officers respectively of the sixty-second and sixty-third sessions of Congress of the United States, and to each of our Senators and Representatives in said sessions of Congress.

Senate Concurrent Resolution No. 11—Relative to the appointment of a committee to consider the advisability of proposing to the voters of the State a bond issue for the purpose of making improvements to the Capitol, hospitals and other public institutions.

During the consideration of the resolution, the following amendment was offered:

By Mr. Gelder:

Amend by inserting in line 11 thereof the following: "provided, that said committee shall serve without compensation."

Amendment lost.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 11 finally adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Simpson, Slater, Strine, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—58.

NOES—None.

Senate concurrent resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 11,

Relative to the appointment of a committee to consider the advisability of proposing to the voters of the State a bond issue for the purpose of making improvements to capitol, hospitals and other public institutions.

Resolved by the Senate of the State of California, the Assembly concurring, That a committee consisting of five members of the Senate and five members of the Assembly be appointed for the purpose of ascertaining the advisability of submitting to the people of the State the question of bonding the State for the purpose of making needed additions and improvements to the Capitol, asylums, hospitals and other public institutions of the State. The President of the Senate shall appoint the Senate members of said committee and the Speaker of the Assembly shall appoint the Assembly members of said committee.

Senate Joint Resolution No. 15—Relative to United States Senate Amendment No. 68 to House of Representatives Bill No. 26680, providing for the re-establishment of the fourth revenue collection district of the State of California.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 15 finally adopted by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Chandler, Clark, Wm. C., Cram, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shartel, Slater, Tulloch, Wall, White, and Wyllie—46.

NOES—None.

Senate Joint Resolution No. 15 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 15.

Relative to U. S. Senate Amendment No. 68, to House of Representatives Bill No. 26680, providing for the re-establishment of the fourth revenue collection district of the State of California.

WHEREAS, The fourth internal revenue district of California, with headquarters in Sacramento, and serving all the counties north of San Francisco to the Oregon line, and also the entire state of Nevada, was abolished on the first day of October last; and

WHEREAS, Said district did an annual business of nearly eight hundred thousand dollars; and

WHEREAS, Said district was also consolidated with the first collection district of California, with headquarters in San Francisco, which district was so large that the Los Angeles district was separated from it two years ago; and

WHEREAS, The loss of the fourth district will work injury to this section of California and Nevada, without any corresponding benefit to the first district; and

WHEREAS, An amendment known as Senate amendment number sixty-eight, to the House of Representatives' bill number twenty-six thousand six hundred eighty, providing for the re-establishment of the aforesaid fourth revenue collection district of the State of California, has been approved by the Senate of the United States Congress and now goes to conference; therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California approves all the provisions of said amendment, and our Senators in Congress are hereby instructed and our Representatives requested to vote for and use every honorable means to secure the passage of said amendment to said bill; and be it

Resolved, further, That copies of this resolution be sent by telegraph to each of our Senators and Representatives in the Congress of the United States.

Assembly Concurrent Resolution No. 13—Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 13 adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Pears, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, and Woodley—61.

NOES—None.

Assembly Concurrent Resolution No. 13 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 13,

Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County.

Resolved by the Assembly, the Senate concurring, That a committee be, and the same is, hereby appointed, consisting of fourteen members, to investigate, during the constitutional recess, the feasibility of removing the state hospital from its present location in the city of Stockton, county of San Joaquin, State of California, to the State Agricultural Farm on the lower Sacramento road, three miles north of the city of Stockton, in said San Joaquin County. The said committee shall consist of the following persons, each of whom shall be, and is, hereby appointed a member of said committee, namely: the Lieutenant Governor of the State, who shall be chairman of said committee, the Attorney General of the State, the State Engineer, the Speaker of the Assembly, the chairman of the Assembly Hospitals and Asylums Committee, the chairman of the Assembly Ways and Means Committee, the chairman of the Senate Finance Committee, the chairman of the Senate Hospitals and Asylums Committee, the chairman of the Assembly State Grounds and Parks Committee, the Senator from the Tenth Senatorial District, the Assemblyman from the Nineteenth Assembly District, the Assemblyman from the Twentieth Assembly District, who shall be the secretary of the said committee, the chairman of the county board of supervisors of the county of San Joaquin and the mayor of the city of Stockton.

Immediately after the adoption of this resolution, the said committee shall organize and proceed to investigate the feasibility of the removal of said state hospital as hereinbefore provided, with the end in view that a full and complete report be made of the feasibility of the removal of said hospital from within the limits of the city of Stockton to said State Agricultural Farm; and said committee shall also report as to what buildings and the approximate cost of the same will be necessary to be made in order to accomplish such removal.

The said report shall be presented to the Legislature of this State when it convenes after the constitutional recess.

The members of said committee shall receive no compensation for their services, but shall be allowed all expenses necessarily incurred in the performance of their duties.

WITHDRAWAL OF ASSEMBLY CONCURRENT RESOLUTION.

Mr. Inman asked for and was granted unanimous consent to withdraw Assembly Concurrent Resolution No. 11.

Resolution withdrawn, and ordered stricken from the file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 509—An Act to reappropriate and make available for the purpose of printing for the State Board of Forestry a certain amount heretofore appropriated for the support of said board.

Assembly Bill No. 328—An Act to amend section eight hundred seventy-six of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 482—An Act to amend sections three and five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

Assembly Bill No. 329—An Act to amend sections seven hundred fifty-seven and eight hundred fifty-seven of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 103—An Act to amend section four hundred sixty-five of the Civil Code of the State of California, relating to powers of railroad corporations.

Assembly Bill No. 326—An Act to repeal sections seven hundred sixty-eight, seven hundred seventy-one, eight hundred sixty-six, and eight hundred sixty-nine of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock and fifty minutes p.m., on motion of Mr. Brown, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker pro tem. Johnstone in the chair.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cram: Assembly Bill No. 1406—An Act to create the office of registrar of teachers and to define the powers and duties thereof.

Bill read first time, and referred to Committee on Education.

By Mr. Bohnett: Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of and to vest the title in the State of California to the tract of land in Santa Clara county, Cal., known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1408—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the manner of publication of the delinquent tax list.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett and Mr. Hayes: Assembly Bill No. 1409—An Act amending Section 2349 of the Political Code of the State of California, declaring navigable certain streams and waters, and declaring the same to be public ways.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1410—An Act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees, and to appropriate money to carry this Act into effect.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1411—An Act to appropriate money for the dredging of Guadalupe Slough or River, and the portion of San Francisco Bay lying contiguous to the mouth thereof, and for the erection of harbor docks and seawalls along the shores thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Wyllie: Assembly Bill No. 1412—An Act to amend Sections 354 and 1489, and to repeal Sections 1488, 1490, 1491 and 1492 of the Political Code of the State of California, relating to state normal schools.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1413—An Act to amend Sections 1758, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1778, and 1779 of the Political Code of the State of California, relating to the appointment of members of county boards of education, and the powers and duties of county boards of education.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1414—An Act to amend Sections 1683, 1684, 1685, 1686, and 1687 of the Political Code of the State of California, relating to the admission of the pupils into the public schools, submission of pupils to authority of the teachers, suspension or expulsion of pupils, liability of parents or guardians for property destroyed by pupils, and beginning pupils to be taught by experienced teachers.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1415—An Act to amend Section 1662 of the Political Code, relating to courses of study in the day and evening elementary schools.

Bill read first time, and referred to Committee on Education.

By Mr. Weisel: Assembly Bill No. 1416—An Act to amend Section 6260 of the Penal Code of the State of California, relating to the shooting of wild ducks.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1417—An Act to amend Section 69 of the Civil Code of the State of California, relating to marriage licenses.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1418—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1419—An Act to amend Sections 858 and 861 of "An Act entitled an Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1420—An Act to amend section sixteen hundred ninety-eight of the Political Code, relating to the dismissal of teachers in the elementary and secondary schools of the State of California, and appeals from orders of dismissal.

Bill read first time, and referred to Committee on Education.

By Mr. Schmitt: Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909; amended, approved April 21, 1911.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 1422—An Act to provide for the washing and cleaning of raw material used in the manufacture of shoddy and for the inspection of machinery used in the manufacture of shoddy and of places where the same is manufactured, stored or sold, and for the inspection of shoddy manufactured without this State and offered for sale herein, and to provide penalties for the violation thereof.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Nolan: Assembly Bill No. 1423—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1424—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1425—An Act making an appropriation to pay the claim of the United States Fidelity and Guaranty Company against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1426—An Act appropriating money to pay the claim of Chas. A. Palm against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1427—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Guill (by request): Assembly Bill No. 1428—An Act to amend an Act entitled an "An Act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1429—An Act to regulate the vocation of dealing in salmon by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish in the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1430—An Act to add a new section to the Penal Code of the State of California, to be numbered 635*b*, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1431—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-nine and one half, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1432—An Act to amend section six hundred and twenty-six *a* of the Penal Code, relating to the protection of doves.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1434—An Act to amend Section 628*d* of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1435—An Act to amend sections six hundred thirty-one *a*, section six hundred thirty-one *b*, section six hundred thirty-one *c*, of the Penal Code of the State of California, and to add thereto three new sections, to be numbered section six hundred thirty-one *d*, section six hundred thirty-one *e*, and section six hundred thirty-one *f*, all relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1436—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634*a*, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1438—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the protection and preservation of male deer.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1439—An Act to amend section six hundred and thirty-seven *a* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1440—An Act to amend Section 635½ of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1441—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1443—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of dealing in fish and in wild game and animals by wholesale for profit, and to provide therefrom revenue for the propagation and restoration of fish and game in the State of California," approved April 14, 1911.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1444—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by amending sections two, three, five, six and seven.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1445—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the protection of tree squirrels.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1446—An Act to amend Section 626 of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1447—An Act to amend section six hundred thirty-three of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1448—An Act to amend section six hundred and twenty-six of the Penal Code of the State of California, relating to the protection and preservation of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1449—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred and twenty-seven, relating to the protection and preservation of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1450—An Act to amend section six hundred and twenty-seven of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1451—An Act to amend section six hundred twenty-eight (a) of the Penal Code of the State of California relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1452—An Act to amend section six hundred and twenty eight (b) of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1453—An Act to amend section 637 of the Penal Code of the State of California, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1454—An Act to amend Section 629 of the Penal Code of the State of California, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1455—An Act to amend Section 628*e* of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1456—An Act to amend section six hundred and forty-two of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants, and prescribing their powers and duties.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1457—An Act to amend section four thousand and eighty-five and one half of the Political Code of the State of California, relating to authorizing the boards of supervisors of the several counties of this State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1458—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred and thirty-four and one half, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1460—An Act to amend section six hundred and twenty-eight of the Penal Code, relating to the protection of Pismo clams.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology, and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Assembly Bill No. 1462—An Act to amend Sections 626*m*, 626*n* and 626*o*, and to add a new section to the Penal Code of the State of California, to be numbered Section 626*q*, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purposes of the Act and for disbursing the same.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1464—An Act to amend section four thousand two hundred and forty-eight of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Wall: Assembly Bill No. 1465—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Bradford: Assembly Bill No. 1466—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1467—An Act to improve and regulate the quality of milk and cream produced in the State of California; to promote sanitary methods in producing, handling, transporting and marketing the same; to establish uniform rules and regulations, and provide penalties for the violation of the same, and to provide for licensing persons who test milk and cream.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1468—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 381c, relating to the licensing of persons who test milk and cream.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Emmons: Assembly Bill No. 1469—An Act to standardize and regulate the branding and sale of commercial feeding stuffs.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Kuck: Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a certain section, to be numbered Section 3½, relating to the manner of effecting certain local improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1471—An Act to amend Sections 3, 16 and 23 of "An Act to provide for the laying out, opening, extending, widening or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property

therein to pay the expense of such improvement," approved March 24, 1903, and to add to said Act a certain section, to be numbered Section 31 $\frac{1}{2}$, relating to the manner of effecting certain local improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Green: Assembly Bill No. 1472—An Act to amend Section 374 $\frac{1}{2}$ of the Penal Code of the State of California, relating to discharging or depositing coal-tar, refuse, or residuary products of coal, petroleum and other carbonaceous material or substances in any of the navigable waters of the State or upon the waters of the Pacific Ocean within a certain point of the coast line of the State, and prescribing a penalty therefor.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Chandler: Assembly Bill No. 1473—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a section to be numbered and known as Section 13 of said Act.

Bill read first time, and referred to Committee on Civil Service.

Also: Assembly Bill No. 1474—An Act to amend Section 14 of an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing for the violation hereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885,' approved March 23, 1901."

Bill read first time, and referred to Committee on Civil Service.

Also: Assembly Bill No. 1475—An Act to amend Section 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Bill read first time, and referred to Committee on Civil Service.

Also: Assembly Bill No. 1476—An Act to amend Section 6 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

Bill read first time, and referred to Committee on Civil Service.

Also: Assembly Bill No. 1477—An Act to amend Sections 655, 678, 683 and 686 of the Political Code, relating to the State Board of Control

and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Sutherland: Assembly Bill No. 1478—An Act to repeal an Act entitled "An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1479—An Act to repeal an Act entitled "An Act to regulate the construction and maintenance of subways, man-holes, underground rooms, chambers, and excavations, used to contain, incase, cover, or conduct wires, cables, or appliances to conduct, carry or handle electricity, and providing the punishment for the violation thereof," approved April 22, 1911.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1480—An Act declaring persons, firms or corporations operating pipe lines for the transportation of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Bill read first time, and referred to Committee on Claims.

By Mr. Peairs (by request): Assembly Bill No. 1482—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be known as sections three *a* and three *b*, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality and crime in this State, the collection, compilation, and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor.

Bill read first time, and referred to Committee on Charities and Corrections.

By Mr. Peairs: Assembly Bill No. 1483—An Act to add a new section to the Penal Code of California to be numbered 306, relating to the advertisement of medicines and medical treatment and providing for violations thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Ryan: Assembly Bill No. 1484—An Act to regulate the practice of employing special agents, detectives or so called "spotters" to investigate and report to an employer information, containing accusations against his employees; and providing penalties for the

violation of its provisions and making the employer liable in damages to an employee sustaining thereby.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1485—An Act to provide greater safety to life and property from loss by fire and explosions and prescribing means for the attainment of that end and punishment for the violation of its provisions.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1486—An Act defining investment companies and vendors and providing for their registration and publicity and for full disclosure concerning investments offered to the public for sale; to prevent fraud in the offering of such investments for sale; to create a registrar of investment companies and vendors to administer this and other laws, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau for the purpose of regulating barbers and their occupation and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants and necessary clerical, expert and other assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1488—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and four *a*, providing for the formation of religious corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Walsh: Assembly Bill No. 1489—An Act to regulate the operation of aeroplanes.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1490—An Act to amend the Civil Code by adding Chapter 5*a* to Title 14 of Part IV of the third division thereof, relating to liens against motor vehicles for demands against them and the persons owning or in charge of them.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relative to the distribution of the laws, resolutions and journals of legislature; of reports of Supreme Court.

Bill read first time, and referred to Committee on Libraries.

By Mr. Hayes: Assembly Bill No. 1492—An Act making an appropriation to pay for street work fronting the property of the state normal school at San Jose.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1493—An Act to amend section two of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Johnston: Assembly Bill No. 1494—An Act to amend section two hundred ninety of the Civil Code of the State of California, relative to articles of incorporation and what they must set forth.

Bill read first time, and referred to Committee on Corporations.

By Mr. McDonald: Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto to be known as section six hundred fifty-three, relating to wages of employees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1496—An Act to amend section six hundred and fifty-three c of the Penal Code of the State of California, relating to crimes against employees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1497—An Act to create a commission to be known and designated as the commission on unemployment, for the purpose of investigating and reporting to the Legislature at its forty-first session, conditions and remedies in relation to unemployment and kindred subjects; defining its powers and duties, and making an appropriation for the expenses of such commission.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Collins: Assembly Bill No. 1498—An Act to appropriate the sum of eight thousand eight hundred forty-one and seventy-nine one-hundredth dollars out of the General Fund in the state treasury to pay the assessments levied, by the city and county of San Francisco, against property belonging to the State of California, for local improvements.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Slater: Assembly Bill No. 1499—An Act to prevent fraud in the sale of hay, grain, fruit, vegetables, poultry, wild fowl and eggs in the State of California; establishing minimum weight of eggs and fixing the grades and brands of eggs and directing the State Board of Health to make rules and regulations to carry this into effect.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Bush (by request): Assembly Bill No. 1500—An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1501—An Act to regulate and prescribe the width of all locomotives and engines, the height and width of all cars, the location of sidetracks, warehouses, coal chutes, overhead bridges or obstructions of any fixed or permanent structure or obstruction, to prohibit obstructions on tracks, or side tracks, or between tracks so as to interfere with or unnecessarily increase the hazard of employees of all railroad companies engaged in the transportation of passengers or property within this State; to provide a penalty for the violation of the provisions of this Act, and making it the duty of the Railroad Commission to enforce its provisions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Tulloch: Assembly Bill No. 1502—An Act to amend section

six hundred and seventy-eight of the Political Code, relating to notices of the issuance and sale of bonds.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Murray: Assembly Bill No. 1504—An Act to amend section four thousand two hundred and seventy-seven of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1505—An Act to amend section four thousand two hundred and sixty-seven of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1506—An Act to authorize the State of California to issue its bonds and to exchange the same for bonds of irrigation districts, reclamation districts and drainage districts, and providing ways and means, exclusive of loans, for the payment of the interest on said state bonds as it falls due and also to pay and discharge the principal of said state bonds, and providing for the submission of this Act to the people at a general election.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Shannon: Assembly Bill No. 1507—An Act to amend section two hundred ninety-three of the Civil Code of the State of California, relative to prerequisite to filing articles and amounts to be subscribed and to be fixed.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1508—An Act to amend section two hundred and ninety-five of the Civil Code of the State of California, relative to oath of officer to subscription of stock and payment of ten per cent.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1509—An Act to amend section two hundred ninety-one of the Civil Code of the State of California relative to certain corporations to state further facts in articles.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kingsley: Assembly Bill No. 1510—An Act to amend the Political Code of the State of California by adding a new section, to be known as Section 3629½.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1511—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office or by any express of transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry,

hotel or restaurant or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or any other agent of any such employer to violate the provisions of this Act." approved March 22, 1911.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Ambrose: Assembly Bill No. 1512—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, and a board of drugless examiners.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1513—An Act providing for the time of the payment of wages.

Bill read first time, and referred to Committee on Corporations.

By Mr. Ellis: Assembly Bill No. 1514—An Act entitled an Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," and to provide for the disposition of the money in the fund created by said Act.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provision of this Act.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1516—An Act to repeal section six hundred sixty-nine of the Penal Code of the State of California, relating to second term of imprisonment.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners, and to secure employment for the same, and making an appropriation for that purpose.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as section twelve hundred and two *a*, relating to "indeterminate sentences."

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1519—An Act to amend Section 397 of the Penal Code of California, regarding the sale, furnishing or delivering of intoxicating liquors to Indians.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1520—An Act to amend section seventeen hundred and sixteen of the Political Code, relating to school libraries.

Bill read first time, and referred to Committee on Education.

By Mr. Ellis: Assembly Bill No. 1521—An Act to amend an Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled "An Act to provide county library systems," approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act, approved February 25, 1911, by amending section seven thereof.

Bill read first time, and referred to Committee on Libraries.

Also: Assembly Bill No. 1522—An Act to amend section fifteen hundred and five of the Political Code, relating to Superintendents of Public Instruction visiting schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1523—An Act to amend section ten hundred eighty-three of the Political Code, relating to the qualifications of electors.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1524—An Act to amend section sixteen hundred and seventeen of the Political Code, relating to the powers and duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1525—An Act to repeal an Act entitled "An Act to prevent discrimination against female teachers," approved March 30, 1874.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1526—An Act to repeal an Act entitled "An Act to make women eligible to educational offices," approved March 12, 1874.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1527—An Act to amend section sixteen hundred and eighty-seven of the Political Code, relating to a class of teachers required to teach beginners in the elementary and secondary schools, and their compensation.

Bill read first time, and referred to Committee on Education.

By Mr. Woodley: Assembly Bill No. 1528—An Act to establish an industrial commission, to define its powers and duties, to provide for a review of its orders, decisions and awards, and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1529—An Act providing for the displaying of lights indicating the rate of speed of automobiles and other auto vehicles.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1530—An Act to amend Section 4 of "An Act to provide a system of street improvement bonds to represent

certain assessments for the cost of street work and improvement within municipalities and also for the payment of such bonds," approved February 7, 1893.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1531—An Act to amend An Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, and Acts amendatory thereof, by adding thereto six new sections to be known as Sections 57, 58, 59, 60, 61 and 62.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1532—An Act to amend an Act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," by adding thereto six new sections to be known as Sections 84 to 89, inclusive.

Bill read first time, and referred to Committee on Municipal Corporations.

Also Assembly Bill No. 1533—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities and also for the payment of such bonds," approved February 7, 1893, and Acts amendatory thereof, by adding thereto four new sections to be known as Sections 10, 11, 12 and 13.

Also: Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, or incorporated city or town.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1536—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of 'certified public accountant,' and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section to be numbered section three *a*, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No. 1537—An Act to amend Sections 2, 3, 10 and 12 of "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and to add to said Act a certain section, to be numbered Section 3½, relating to proceedings to effect local improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Moorhouse and Ambrose: Assembly Bill No. 1538—An Act providing for voting by mail, and defining all regulations and duties of citizens and officials relating thereto.

Bill read first time, and referred to Committee on Elections.

By Mr. Moorhouse: Assembly Bill No. 1539—An Act to add a new section to the Political Code of the State of California, to be numbered 1662a, relating to the establishment of separate schools for negro children.

Bill read first time, and referred to Committee on Education.

By Mr. Killingsworth: Assembly Bill No. 1540—An Act to provide for the compilation, printing, binding, publishing and distribution of ten thousand copies of a roster of state, county, city and federal officials, of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Finnegan: Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City in Nevada County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1542—An Act making an appropriation for the location, survey, construction and improving of a state highway from Boca to the Nevada state line along the Truckee River in Nevada County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1543—An Act providing for making it the duty of telegraph companies to receive and transmit dispatches and creating their liability for mistakes, errors, or delays in the transmission, delivery or non-delivery of any repeated or non-repeated message.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1544—An Act to amend Section 292 of the Penal Code of the State of California, relating to the burial of bodies of deceased persons.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Weldon: Assembly Bill No. 1545—An Act to divide the State of California into eight fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1546—An Act to amend Section 4243a of

the Political Code, relating to juror's compensation in counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Polsley (by request): Assembly Bill No. 1548—An Act to amend an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Farwell: Assembly Bill No. 1549—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for the funds of banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds, and providing for the use of such bonds as security for the performance of any act, and providing for a commission which shall approve such bonds for the foregoing purposes, for a report thereon, for the filing of said report and for the certification of such bonds by the State Controller.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old-age insurance and pensions, and mothers' pensions, and making an appropriation therefor.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1551—An Act to amend Section 4137 of the Political Code of California, relating to duties of county recorders.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1552—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 4099b, relating to the duties of county auditors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1553—An Act prohibiting fraud in the sale of theatre tickets.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1554—An Act to add a new section to the Civil Code, to be numbered Section 617, relating to the disposition by cemetery corporations of the unclaimed ashes or bodies of deceased persons.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Hinkle: Assembly Bill No. 1555—An Act to amend section

seven hundred thirty-seven of the Political Code of the State of California.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1556—An Act to amend Section 10*g* of an Act to amend an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to probation officers in counties of the seventh class and their salaries.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Bloodgood: Assembly Bill No. 1557—An Act to amend Section 172 of the Penal Code of California, relating to selling liquor near state institutions.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. W. A. Johnstone: Assembly Bill No. 1558—An Act to amend Sections 1195, 1198 and 1199 of the Political Code, relating to books and records of ballots and number of ballots to be provided by the county clerk or registrar and the destruction of unused ballots.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1559—An Act providing for the construction of highways by the State in counties, cities and counties and cities, and providing for the payment of the expense of the construction and maintenance thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bloodgood: Assembly Bill No. 1560—An Act to amend section two and section thirty-eight of an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund,' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending section fifteen thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend section thirty-seven thereof relating to free and reduced-rate transportation for freight and passengers,' approved April 6, 1911, and all Acts and parts of Acts inconsistent with the pro-

visions of this Act," and known as the "Public Utilities Act," approved December 23, 1911.

Bill read first time, and referred to Committee on Corporations.

By Mr. Byrnes: Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies, relating to future assessments.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1562—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, by adding thereto six new sections to be known as Sections 84, 85, 86, 87, 88 and 89.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1563—An Act relating to land liable to assessment to pay the cost of municipal or other local improvements, under any law of this State, in the possession and occupation of persons, firms, companies or corporations, and used by any such person, firm, company or corporation for rights of way or other easement thereon devoted to public use under a franchise authorizing such use, and providing for the extension of the lien of any such assessment to the right of way, or other easement thereon and to the franchise of any such person, firm, company or corporation, and providing for the enforcement of such lien; also providing an alternative method of enforcing payment of such assessment.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1564—An Act to add a new section to the Political Code of the State of California to be known as Section 611a, relating to the regulation and supervision of insurance rate making associations.

Bill read first time, and referred to Committee on Insurance.

By Mr. Shartel: Assembly Bill No. 1565—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woodville Creek with said North Yuba River, thence following the right hand or north bank of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Shartel: Assembly Bill No. 1566—An Act to amend section one thousand six hundred sixty-two of the Political Code of the State of California, relative to courses of study, ages of admission, separate schools for Indians, etc., evening schools, ages of admission.

Bill read first time, and referred to Committee on Education.

By Mr. Benedict: Assembly Bill No. 1567—An Act to add a new section to an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and to provide for officers of said courts, and to fix the compensation of certain officers thereof," which Act became a law under constitutional provision, without the Governor's approval, March 5, 1901, to be numbered 101, relating to the selection of jurors and the impaneling of juries in such courts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Gelder: Assembly Bill No. 1568—An Act to repeal an Act entitled "An Act to provide for the appointment of a commission to carry out the work mentioned and provided for in an Act entitled 'An Act authorizing the Governor to appoint an expert in taxation and public finance, to sit as a member of a commission to be composed of himself and a general committee of the Senate and Assembly of the thirty-sixth session of the Legislature of the State of California, of which commission the Governor shall be ex officio a member and chairman, to investigate the system of revenue and taxation in force in this State, and to recommend a plan for the revision and the reform thereof, to provide for the creation of said commission, and to define its powers and making an appropriation therefor,' approved March 20, 1905, and making an appropriation therefor," approved March 25, 1909.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1569—An Act to repeal an Act entitled "An Act authorizing the Governor to appoint an expert in taxation and public finance, to sit as a member of a commission to be composed of himself and a general committee of the Senate and Assembly of the thirty-sixth session of the Legislature of the State of California, of which commission the Governor shall be ex officio a member and chairman, to investigate the system of revenue and taxation in force in this State, and to recommend a plan for the revision and reform thereof; to provide for the creation of said commission, and to define its powers; and making an appropriation therefor," approved March 20, 1905.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Clarke: Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1571—An Act to amend section four thousand two hundred and sixty-eight of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-ninth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1572—An Act to amend section four thousand two hundred eighty-three of the Political Code of the State

of California, relating to the salaries of officers of counties of the fifty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Brown: Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section, to be designated as 731a, relating to the abatement of public nuisances, and by whom actions may be instituted for such purposes.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1574—An Act to provide for a trial by jury in certain cases of contempt of court.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1575—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relating to property exempt from execution.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1576—An Act to provide for the formation and establishment of road districts; the construction, acquisition, maintenance, control and use of roads; defining the term road; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commission to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Wyllie: Assembly Bill No. 1577—An Act to create a state school insurance fund and to provide for the insurance of all properties belonging to school districts.

Bill read first time, and referred to Committee on Insurance.

By Mr. Clark: Assembly Bill No. 1578—An Act to amend section two hundred and twenty-four of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1579—An Act to facilitate the operation of the initiative, referendum and recall provisions of the Constitution of the State of California.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1580—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgenstern: Assembly Bill No. 1581—An Act to provide for the recovery of damages by a husband, wife, child, parent, guardian, employer or other person, from any person or persons, accepting or taking or assisting in any way in the accepting or taking of money or other thing of value in any game of chance, prohibited by the laws of this State.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1582—An Act to amend an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California, and defining its powers and duties," approved March 4, 1911.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1583—An Act to amend an Act entitled "An Act to amend Section 103 of the Code of Civil Procedure, relating to justices of the peace,"

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1584—An Act to amend section four thousand fourteen of the Political Code of the State of California, relating to township officers.

Bill read first time, and referred to Committee on County Government.

Also (by request): Assembly Bill No. 1585—An Act to amend Section 177 of the Code of Civil Procedure so as to give the judge power to give his decision according to the evidence, irrespective of technicalities.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1586—An Act to amend the Code of Civil Procedure by repealing Sections 633 and 634 thereof and by amending Sections 4, 95, 129, 130, 177 and 632 thereof and by adding a new section thereto to be numbered Section 269.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scott: Assembly Bill No. 1587—An Act to amend section seven hundred and ten of the Code of Civil Procedure, relating to the collection of moneys from judgment debtors which is in the custody of public officials.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1588—An Act to amend the Code of Civil Procedure by amending Sections 427, 430, 454, 592 and 632 thereof and by adding two new sections thereto to be numbered Sections 629 and 630.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1589—An Act to amend Section 274 of the Code of Civil Procedure of the State of California, relating to fees of court reporters.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fish: Assembly Bill No. 1590—An Act to amend Section 1474 of the Code of Civil Procedure of the State of California, relating to rights of survivors to homestead selected by the husband and wife or either of them.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1591—An Act to amend Section 925 of the Penal Code relating to proceedings before the grand jury, the persons who may be present at the sessions of such jury, the record of testimony taken at such sessions of such jury, and providing for the appointment of a prosecuting officer in certain cases, and the fixing of his compensation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peairs (by request): Assembly Bill No. 1592—An Act to amend Section 1142 of the Political Code.

Bill read first time, and referred to Committee on Elections.

By Mr. Chandler: Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the constitution by the addition of a new section to article five, to be numbered section twenty-one relating to the State Board of Control.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Murray (by request): Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend section thirteen of article eleven relating to supervision, regulation and conduct of the affairs of reclamation and drainage districts.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Murray: Assembly Constitutional Amendment No. 48—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to article twenty thereof to be numbered section twenty-two, relating to the issuance of state bonds to create a fund for the purchase of the bonds of irrigation, reclamation and drainage districts.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Ellis: Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X, two new sections to be numbered section seven and section eight, relating to indeterminate sentence.

Read, and referred to Committee on Constitutional Amendments.

By Mr. White (by request): Assembly Constitutional Amendment No. 50—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XIII, thereof, to be designated as section five of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Kingsley: Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 1 of Article IV, relating to legislative department.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bloodgood: Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to section one and one quarter of article thirteen of the Constitution of the State of California, relating to the exemption of certain property from taxation.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 53—A resolution to propose to the people of the State of California an amendment to section twelve, Article XIII of the Constitution of the State of California, relating to poll tax.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Gelder: Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section eighteen of article eleven thereof, relating to restrictions on the power of counties, cities and other subdivisions of the State to incur indebtedness.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Morgenstern (by request): Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to Section 16 of Article XX of the Constitution of the State of California relating to term of offices when not fixed by the Constitution.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bohnett: Assembly Concurrent Resolution No. 16—Relative to the appointment of a committee of the Legislature to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture and painting in the furnishing, decoration, repair and construction of all state, county, school and municipal buildings, grounds and public works throughout the State.

Read, and referred to Committee on Rules.

By Mr. Sutherland: Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation and manner of electing the delegates to such convention.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Woodley: Assembly Joint Resolution No. 20—A resolution relative to a Federal income tax.

Read, and referred to Committee on Federal Relations.

By Mr. Scott: Assembly Joint Resolution No. 21—Relative to requesting the United States to recognize the Republic of China.

Read, and referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use thereof.

Assembly Bill No. 485—An Act to add a new section to the Code of Civil Pro-

cedure to be numbered section eighteen hundred and ten *b*, relating to contracts for attorney's fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

And report that the same have been correctly engrossed.

MCCARTHY, Vice-Chairman.

COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Pursuant to your instruction, the following named persons have signed the accompanying application and are recognized as the duly accredited representatives of the newspapers set opposite their names: E. C. Rutherford, *Sunday News* and *Sacramento Valley Monthly*; Jack Jungmeyer, *United Press*.

APPLICATION.

Representatives of the Press in the Assembly.

HON. C. C. YOUNG, *Speaker of the Assembly*:

I, _____, a duly accredited representative of the _____ hereby apply for recognition as, and the privilege of, a press representative in the Assembly, and I hereby declare that I am not engaged, and will not during the legislative session of 1913, become engaged as a lobbyist for any person, copartnership, corporation, or interest; that I am not, and will not become, the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, and that I am not employed in any executive, administrative or legislative department of the state government and will not accept such employment while enjoying the privilege and rights of a press representative assigned to legislative work during the legislative session of 1913.

L. B. MALLORY, Chief Clerk.

Sacramento, Cal., February 1, 1913.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Clark, Mr. R. H. Barnard was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bagby, Mr. W. S. Rose and Mr. O. B. Blank were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. K. Hamilton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. F. Finnegan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Peairs, Mr. M. Bean was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. O. C. McManus was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. E. A. Speegle was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nolan, Mr. B. Kurpinsky was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Slater, Mr. Chas. Orr was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. F. E. Pierce was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. H. L. Johnston was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. E. A. Walcott was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. E. A. Jones was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Judge B. J. Flood and Mr. Chas. Jenkins were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. T. Loynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Slater, Mr. Geo. T. Trowbridge was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alexander, Mr. D. E. Alexander was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mr. Alwin L. Heirs was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shearer, Mr. H. McGumvers was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. A. L. Cowell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Collins, Mr. E. Teisdall was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Farwell, Mr. Wm. M. Byrnes was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. Willis I. Morrison was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. Ben Chambers was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. W. G. Scott was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mr. W. Francis Ireland was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Peairs, Mr. G. L. Tufts was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. A. L. Sherman was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mr. L. B. Avery was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. Chas F. Edson was granted privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. T. C. Friedlander was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alexander, Mr. Romie C. Jacks was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. Chas. Rickey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mr. A. P. Wagner was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. P. R. Parker was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and thirty-five minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m., of Monday, February 3, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, February 3, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk T. G. Walker, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, Wyllie, and Mr. Speaker—72.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Bloodgood, its further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, January 27, Tuesday, January 28, Wednesday, January 29, Thursday, January 30, Friday, January 31, and Saturday, February 1, 1913, were approved, as corrected by the Minute Clerk.

LEAVES OF ABSENCE.

On motion of Mr. Byrnes, Mr. Nelson was granted leave of absence until after the constitutional recess.

Mr. Cary asked for and was granted leave of absence for to-morrow, February 4, 1913.

SPECIAL ORDER.

The special order heretofore set for this time was taken up for consideration.

Senate Joint Resolution No. 8—Relative to House Bill No. 13500, by Congressman John E. Raker, of California, having for its object the extension of the Chinese Exclusion Act so as to include all Asiatic and pauper labor.

The question being on the adoption of the resolution.

The roll was called and Senate Joint Resolution No. 8 finally adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Palmer, Pears, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, Wyllie, and Mr. Speaker—64.

NOES—None.

Senate Joint Resolution No. 8 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 8.

Relative to House Bill No. 13500, by Congressman John E. Raker, of California, having for its object the extension of the Chinese Exclusion Act so as to include all Asiatic and pauper labor.

WHEREAS, There is pending in the Congress of the United States House Bill No. 13500, by Congressman John E. Raker of California; and

WHEREAS, House Bill No. 13500 has for its object the extension of the Chinese Exclusion Act so as to include all Asiatic and pauper labor; and

WHEREAS, There is a misapprehension in the east as to California's position regarding Oriental immigration; therefore, be it

Resolved by the Senate and Assembly, jointly, of the State of California, That we approve of the passage of House Bill No. 13500 and request Congress to pass the same.

Resolved, That the Secretary of the Senate be requested to send a copy of this resolution to the Vice President of the United States, to the Speaker of the House of Representatives and to each of our Senators and Representatives in Congress.

COMMUNICATIONS.

The following communications were filed and ordered printed in the Journal:

UNIVERSITY OF CALIFORNIA, OFFICE OF THE PRESIDENT,
BERKELEY, January 29, 1913.

MY DEAR MR. YOUNG: I should be glad if you would convey to members of the Assembly an invitation to visit the University of California individually or in groups at such time as might be found convenient to them during the thirty days intervening between the close of the present and the opening of the next session of the Legislature. There are many things at the university that would be of interest to the Assemblymen. I should be glad of the opportunity to receive such members as might come, and would do all in my power to make their visit interesting and beneficial.

Very faithfully yours,

BENJ. IDE WHEELER.

HON. C. C. YOUNG, Assembly Chamber, Sacramento, California.

Also:

OFFICE OF THE SECRETARY STATE HARBOR COMMISSIONERS,
SAN FRANCISCO, January 31, 1913.

To the Honorable the Assembly of the State of California, Sacramento, Cal.

GENTLEMEN: I have the honor to inform you that at a meeting of the Board of State Harbor Commissioners held yesterday, resolution, copy of which is herewith enclosed, was unanimously adopted.

In pursuance therewith, your honorable body is respectfully invited to attend the

public exercises to be held on the date mentioned in said resolution, viz: Saturday, March 8, 1913.

WHEREAS, The belt railroad connection between the two divisions north and south of Market street is approaching completion; and

WHEREAS, The completion of the same will be of immense advantage to the shipping interests by substituting a single belt railway haul of freight cars around the city front, in place of the present expensive and dilatory method of shipping such cars by freight ferry boats from one division of the belt railroad to the other; now, therefore, be it

Resolved, That the completion of the belt railroad connection be duly celebrated by public exercises, to which shall be invited the Governor and the Legislature of the State of California, and the mayor and supervisors of San Francisco, and that the date of such exercises be fixed for Saturday, March 8, 1913.

Very respectfully,

LEO V. MERLE, Jr., Secretary.

PETITIONS.

The following petitions were filed and ordered printed in the Journal:

By Mr. Bohnett:

WHEREAS, There are only two systems of appointments in the public service, viz: the political system and the merit system, and

WHEREAS, The political system inevitably degenerates into the spoils system, and in any case is unfair to the individuals who have no pull; and

WHEREAS, The merit system gives a square deal: first, to the community, in that it furnishes the best available service and equality of opportunity to all applicants; second, to the heads of departments, in that it emancipates them from the army of job hunters and gives them time for their duties; third, to the employee, in that it delivers them from political obligations and opens to them a career through promotion: and

WHEREAS, The women, through the suffrage, share in the responsibilities of government, and should have equal consideration in public employment, which they would receive under the merit system; and

WHEREAS, The Federation of Women's Clubs has long had a standing committee for the purpose of securing the adoption of civil service principles; therefore, be it

Resolved, That the Friday Morning Club declares itself in favor of the merit system and urges upon the Governor and the members of the Legislature the passage of a thorough-going civil service law.

DR. AMELIA L. GATES, Chairman Public Affairs.

MRS. DAN'L C. McCAN, President.

By Mr. Chandler:

To the Legislative bodies of California:

From the fruit growers, female workers in green fruits, and that part of the general public which is largely dependent, wholly or in part, directly or indirectly, upon the green fruit industry for its existence, of Fowler Township, Fresno County, California, against the passage of the proposed amendment to the eight-hour labor law so as to include within its scope the green fruit industry.

DORMA GRUMM (and others).

By Mr. Slater:

CLOVERDALE, CAL., January 27, 1913.

WHEREAS, The State of California is considering the advisability of enlarging the scope of the new eight-hour law so that women and girls cannot work over eight hours a day in harvesting any fruit crops; and

WHEREAS, Our principal crops in the vicinity, such as grapes, prunes and other perishable fruits, are harvested, dried or canned during the four summer months of the year, by all classes of people, who voluntarily work about twelve hours a day in the open air and not under sweat-shop conditions, which gives just an optional employment to all; therefore, be it

Resolved, That the Cloverdale Chamber of Commerce recommend that our Legislature change this unjust law and take some action to regulate the hours of fruit laborers so that the same will be just and equitable to all parties concerned and give optional employment to all classes of people, which would certainly be better than letting our fruit rot, which would undoubtedly be the result under the present law and a great loss to this community; be it further

Resolved, That a copy of this resolution be forwarded to Assemblyman Herbert W. Slater and Senator L. W. Juilliard, at Sacramento, requesting their assistance.

C. E. HUMBERT, President.

Attest: C. B. SHAW, Secretary.

Also:

CLOVERDALE, CAL., January 27, 1913.

WHEREAS, The present law regarding the employers' liability is considered unreasonable and unjust for our small farmers and country employers, as most labor performed in this vicinity is undertaken without risk and accident can hardly occur except through carelessness of the laborer; therefore, be it

Resolved, That the Cloverdale Chamber of Commerce recommend that our Legislature make changes in our present state law that shall be just and equitable to all parties concerned; be it further

Resolved, That a copy of this resolution be forwarded to our Senator, L. W. Juilliard, and Assemblyman, Herbert W. Slater, at Sacramento, requesting their assistance.

C. E. HUMBERT, President.

Attest: C. B. SHAW, Secretary.

By Mr. Bohnett:

OAKLAND, CAL., January 27, 1913.

We, the undersigned, citizens of California, endorse and urge the enactment into law of the measure known as the Red Light Injunction and Abatement Act.

ALICE M. PAINE (and others).

By Mr. Brown:

WHEREAS, The board of supervisors of San Mateo County, recognizing the necessity of co-operation in presenting to the world at the Panama-Pacific International Exposition at San Francisco, in 1915, an exhibit that will be an honor to our State and our county; and

WHEREAS, The representatives of the counties of this State, in meeting assembled, have declared in favor of a state appropriation for the construction and maintenance of a California state building, at the Panama-Pacific International Exposition, wherein each and every county of California may have space for an exhibit and headquarters; and

WHEREAS, The funds of San Mateo County, which may be lawfully raised for exposition purposes, will not be sufficient to enable this county to join with the other counties of the State in paying the cost of the erection of a suitable State building at such exposition; therefore, be it

Resolved, That the board of supervisors of San Mateo County, in regular meeting assembled this sixth day of January, 1913, believing it would be impossible to take from the funds levied by this county and other counties of the State for exposition purposes, sufficient money to erect an adequate State building where California and the counties thereof may act as the host of the world, therefore, we strongly urge and favor an appropriation, by the State of California, out of the funds of the state treasury, in the sum of one million dollars, or as much thereof as may be necessary for the construction and maintenance of a California building at the Panama-Pacific International Exposition; and be it further

Resolved, That we call upon our representatives in the State Legislature to give their strong and hearty support to the bill which will be introduced at the next Legislature looking to the appropriation of a sum sufficient for the construction and maintenance of the California State building, and that the clerk of this board be instructed to immediately mail a copy of this resolution to his Excellency Honorable Hiram W. Johnson, Governor of the State of California, and to Hon. William R. Flint, Senator of this district, and Hon. Henry Ward Brown, Assemblyman from this district, and to O. H. Miller, Box 775, Sacramento, California, secretary of the counties executive committee.

Endorsed: Filed January 6, 1913.

JOS. H. NASH, Clerk.

By E. L. FALVEY, Deputy Clerk.

STATE OF CALIFORNIA, }
COUNTY OF SAN MATEO. } ss.

I, Jos. H. Nash, county clerk of the county of San Mateo, State of California, and ex officio clerk of the board of supervisors of said county and state, do hereby certify that the above and foregoing is a full, true and correct copy of a resolution passed and adopted by the board of supervisors of this county at its meeting held Monday, January 6, 1913, as the same appears of record in the minutes of this board.

Witness my hand and the seal of said board this 9th day of January, A. D. 1913.

JOS. H. NASH, Clerk.

By E. L. FALVEY, Deputy Clerk.

RESOLUTIONS—(OUT OF ORDER).

The following resolution was offered:

By Committee on Attachés:

Resolved, That the name of J. Falkenstein, heretofore employed as Bill Clerk, at a per diem of \$4.00, be stricken from the roll, to date from and including Sunday, February 2d.

Also:

Resolved, That the name of each officer, attaché, and employee, heretofore employed by this fortieth session of the Assembly, for the positions and at the per diem as provided by law, be and they are hereby stricken from the roll, to begin and include Wednesday, February 5, 1913.

SMITH, Chairman.

Resolutions read, and, on motion, adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 256—An Act to amend section twenty-three hundred nineteen of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties—have had the same under consideration, and respectfully report the same back as amended, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

JUDSON, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 247—An Act making an appropriation of four hundred thirty-four and 53-100 dollars to pay the claim of Alice J. Miller against the State of California.

Also: Assembly Bill No. 248—An Act to appropriate the sum of thirty-two hundred and twelve dollars and ninety-four cents (\$3,212.94), to pay the claim of J. Harry Russell.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and further recommend that they be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February, 3, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution:

WHEREAS, The cost of living has for many years been gradually on the increase, augmenting more rapidly than the incomes of the people, especially those forced to labor daily for the support of themselves and their families; and

WHEREAS, In the State of California trusts and monopolies, under various names and systems, have been formed for the purpose of controlling the product and increasing the price of supplies of all kinds, including food, clothing, building material and other commodities, with the result that it is becoming daily more difficult for those of limited or small means to enjoy the comforts and necessities of life; and

WHEREAS, It appears that this increased cost of articles of all kinds is largely artificial, and due to the unlawful and unjust manipulation of those controlling the markets of the State, and those who by unlawful agreements and combinations are

depressing the price of produce to the farmers, orchardists, and stockmen, even going to the extent of destroying great quantities of foodstuffs and staples in order that said artificial high price may the more easily be maintained; therefore, be it

Resolved, That a special committee of five Assemblymen be appointed by the Speaker of the Assembly to investigate the conditions which permit of such inequalities in the cost of production and the price of products to the consumer in the State of California, and also to inquire into the status of combinations and agreements and monopolies operating against the laws of the State, and to recommend to the Legislature at its next regular or special session such statutes as may tend to ameliorate the present conditions; and be it further

Resolved, That the said committee shall have power to send for persons and papers, to issue subpoenas whenever necessary and to enforce attendance, and to employ for that purpose and the purpose of the aforesaid investigation such clerical and other help as may be necessary; and there is hereby appropriated out of the contingent fund of the Assembly such sum or sums as may be necessary to defray the traveling and contingent expenses connected with said investigation.

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

BROWN, Chairman.

The above resolution ordered on file.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received February 1, 1913, the following: Assembly Bills Nos. 1406 to 1592, inclusive; also, Assembly Constitutional Amendments Nos. 46 to 55, inclusive; also, Assembly Concurrent Resolutions Nos. 16 to 17, inclusive; also, Assembly Joint Resolutions Nos. 20 to 21, inclusive.

And returned to the Clerk of the Assembly the same day the following: Assembly Bills Nos. 1195 to 1405, inclusive; also, returned to the Clerk of the Assembly on February 2, 1913, the following: Assembly Constitutional Amendments Nos. 46 to 55, inclusive; also, Assembly Concurrent Resolutions Nos. 16 to 17, inclusive; also, Assembly Joint Resolutions Nos. 20 to 21, inclusive.

CLARK, WM. C., Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received January 31, 1913, the following: Assembly Bills Nos. 1195 to 1405, inclusive; also, Assembly Constitutional Amendments Nos. 33 to 45, inclusive; also, Assembly Joint Resolution No. 19.

And returned to the Clerk of the Assembly the same day the following: Assembly Constitutional Amendments Nos. 33 to 45, inclusive; also, Assembly Joint Resolution No. 19.

CLARK, WM. C., Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that Assembly Bill No. 551—An Act appropriating money to reimburse the State Printing Fund for expenses paid therefrom by the Superintendent of State Printing in printing the constitutional amendments distributed according to law prior to the election on November 5, 1912—was presented to the Governor this third day of February, 1913, at ten o'clock and thirty minutes a.m.

McCARTHY, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 501—An Act validating the use of money in the State School Book Fund for the purpose of paying expenses of publishing and distributing state text-books free to the school children of the State in accordance with the Constitution—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

WYLLIE, Chairman.

RESOLUTION.

The following resolution was offered:

By Mr. Wyllie:

Resolved, That Senate Bill No. 501 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section

requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weldon, White, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

SECOND READING OF BILL.

Senate Bill No. 501—An Act appropriating money in the State School Fund for the purpose of paying expenses of publishing and distributing state text-books free to the school children of the State in accordance with the Constitution.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bill No. 501 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 501, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill read second time, and ordered to third reading.

THIRD READING OF BILL.

Senate Bill No. 501—An Act appropriating money in the State School Fund for the purpose of paying expenses of publishing and distributing state text-books free to the school children of the State in accordance with the Constitution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 501 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth,

Kuck, Libby, McCarthy, McDonald, Morgenstern, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weldon, White, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, February 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on February 1, 1913, adopted the following:

Assembly Concurrent Resolution No. 13—Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly Concurrent Resolution ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Morgenstern (by request): Assembly Bill No. 1593—An Act to provide for arbitration agreements in any contract, and their enforcement and to amend Section 1281 of the Code of Civil Procedure accordingly.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1594—An Act to amend Section 1737 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on County Government.

By Mr. Dower: Assembly Bill No. 1595—An Act making an appropriation to be expended by the State Mining Bureau for the purpose of investigating and examining any probable fake or "wild cat" mining organization affecting mining properties within the State of California, and directing the State Mineralogist to bring suspicious cases of this character to the attention of the Attorney General.

Bill read first time, and referred to Committee on Mines and Mining.

Also: Assembly Bill No. 1596—An Act relating to the compensation of injured workmen in certain industries, herein enumerated and the compensation to their dependents where such injuries result in death, creating an industrial insurance department, making an appropriation for its administration, providing for the creation and disbursement of funds for the compensation and care of workmen injured in hazardous employment, providing penalties for the non-observance of regulations for the prevention of such injuries and for violations of its provisions asserting and exercising the police power in such cases, and, except in certain specified cases, abolishing the doctrine of negligence as a ground for recovery of damages against employers, and depriving the courts of jurisdiction of such controversies.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1597—An Act to amend Section 3 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state

board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and amended April 21, 1909.

Bill read first time, and referred to Committee on Medical and Dental laws.

Also: Assembly Bill No. 1598—An Act to amend section four thousand two hundred and seventy of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1599—An Act to amend Section 4287 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1600—An Act to amend Section 4274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Shearer: Assembly Bill No. 1601—An Act to amend Section 702 of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Murray: Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers, and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district, and testing the validity of the levy of such assessment and the issuance of such bonds.

Bill read first time, and referred to Committee on Drainage.

By Mr. Guiberson: Assembly Bill No. 1603—An Act to amend Section 325 of the Code of Civil Procedure, relating to claim of title to land, water rights and water, based on adverse possession not founded upon a written instrument, judgment or decree.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Canepa: Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds, to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Ryan: Assembly Bill No. 1606—An Act to amend section one thousand nine hundred and eighty-six of the Code of Civil Procedure of the State of California, relating to the issuance of subpoenas.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1607—An Act to prevent the entrance of contagious or infectious diseases into the State of California, to prevent the spread of any of said diseases that may have gained entrance or may gain entrance in the future, and appropriating money to be used for such purpose.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1608—An Act to amend Section 1991 of the Code of Civil Procedure of the State of California, relating to contempt of court committed by witnesses.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1609—An Act providing for the payment of the actual expenses of the justices *pro tempore* of the District Courts of Appeal of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1610—An Act to amend section two thousand and thirty-one of the Code of Civil Procedure of the State of California, relating to depositions of witnesses in civil actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Schmitt: Assembly Bill No. 1611—An Act to amend Section 141 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911, relating to the posting outside his office of certain information by the Superintendent of Banks.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 1612—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 643½, relating to the boarding of vessels in the waters of the State of California.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1613—An Act to repeal an Act entitled "An Act granting to the city of Los Angeles the tide lands and submerged lands of the State within the boundaries of said city," approved May 1, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1614—An Act to repeal an Act entitled "An Act granting certain tide lands and submerged lands of the State of

California to the city of Oakland and regulating the management, use and control thereof," approved May 1, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1615—An Act to repeal an Act entitled "An Act granting to the city of Long Beach the tide lands and submerged lands of the State of California within the boundaries of said city," approved May 1, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1616—An Act to repeal an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1617—An Act to repeal an Act entitled "An Act granting certain lands and salt marsh and tide lands of the State of California, including the right to wharf out therefrom, to the city of Oakland and regulating the management, use and control thereof," approved May 1, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Ferguson: Assembly Bill No. 1618—An Act to amend Section 924 of the Code of Civil Procedure, relating to costs and attorney's fee.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1619—An Act to amend Section 1021 of the Code of Civil Procedure, relating to compensation of attorneys and costs to parties.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1620—An Act to amend section one hundred and seventy-two of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain state buildings and grounds.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Gelder: Assembly Bill No. 1621—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 346a, relating to the protection to any person from indiscriminate, unskilled or careless vaccination or inoculation.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1622—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 346b, relating to the protection of any person from indiscriminate, unskilled or careless vaccination or inoculation.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Gelder: Assembly Bill No. 1623—An Act to amend Sections 25 and 26 of an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts,"

approved May 1, 1911, said amendments relating to the initiative and referendum in connection therewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Benedict: Assembly Bill No. 1624—An Act to amend Section 3398 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the State for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended also providing that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken and also relating to amending or correcting selections, re-selections, amended selections, designations, and re-designations.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending section one thereof relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections and providing the fee therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Also: Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the government of the United States, of certain lands erroneously conveyed or patented to said State by said government," approved May 1, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gelder: Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg, appointing a commission in connection therewith; and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1630—An Act to amend the Penal Code of the State of California, by adding thereto a new section, to be numbered 402f, relating to the protection of human beings in case of fire in certain structures.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Green: Assembly Bill No. 1631—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered Section 402*f*, providing that certain buildings shall be provided with fire escapes.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1632—An Act to amend Section 3897 of the Political Code of the State of California, relating to sales of real property sold to the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Judson: Assembly Bill No. 1633—An Act appropriating money for the purchase of land adjoining the campus of the San Diego State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Bowman: Assembly Bill No. 1634—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1635—An Act to amend section twenty-one of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. White: Assembly Bill No. 1636—An Act to amend Section 4300*g* of the Political Code of the State of California, relating to witness fees.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1637—An Act to amend Section 4017 of the Political Code in relation to the consolidation of county offices.

Bill read first time, and referred to Committee on County Government.

By Mr. Wyllie: Assembly Bill No. 1638—An Act to provide for the appointment, and making an appropriation for paying the expenses of, the two California delegates of the American Committee on Rural Co-operative Credit while attending the International Institute of Agriculture at Rome, and studying the rural credit systems of Europe.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1639—An Act making unlawful the sale or other disposition of alcoholic liquors within a certain distance of any United States, or state, military or naval reservation, with certain exceptions.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1640—An Act to repeal Sections 537 and 537b, of the Penal Code.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1641—An Act to amend Sections 5, 6, 9 and 11 of an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds, and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester. and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers."

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Chandler: Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Killingsworth: Assembly Bill No. 1643—An Act granting to the city of Vallejo the tide lands and submerged lands of the State of California within the boundaries of said city.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Slater: Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Graham against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Weldon: Assembly Bill No. 1645—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 210.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Palmer (by request): Assembly Bill No. 1646—An Act making an appropriation for the purchase and acquisition of an aeroplane for the state militia.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Johnson: Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and

repair of such main public highways within the corporate limits of incorporated cities or towns.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1648—An Act to amend Section 4237 of the Political Code of the State of California, relating to the salaries of officers and their deputies in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1650—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Assembly Bill No. 1651—An Act relating to fire insurance companies doing business in the State of California under any other than their corporate name.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1652—An Act to amend Section 54 of the Penal Code of the State of California, relating to elections.

Bill read first time, and referred to Committee on Elections.

Also (by request): Assembly Bill No. 1653—An Act to amend sections twelve hundred thirty-eight and twelve hundred thirty-nine of the Code of Civil Procedure, relating to the right of exercise of eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scott: Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 1655—An Act to amend the Code of Civil Procedure by adding one new section thereto, to be numbered Section 534, relating to suits and the issuance of injunctions therein, to prevent the unlawful exercise of any franchise, privilege, easement, function or power in connection with the operation of public utilities.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McDonald: Assembly Bill No. 1656—An Act to amend Sections 4 and 11 of an Act entitled "An Act to regulate and license the conducting and operating of employment agencies and to provide a revenue therefrom, for the enforcement of the provisions of this Act and other Acts, relating to employment agents and employment agencies," approved March 6, 1909.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1657—An Act to prohibit minors under the age of twelve years to vend and sell goods, engage in, or conduct any business, and providing penalties for violations thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Clark: Assembly Bill No. 1658—An Act to amend Section 15 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the duties of probation officer.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 1659—An Act to amend Section 10 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the appointment of probation officer and his assistants.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 1660—An Act to amend Section 21 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the payment of the expenses of a delinquent person.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 1661—An Act to amend Section 1 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry and the manner of

such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, defining the words "dependent person" and "delinquent person."

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 1662—An Act to amend Section 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, relating to the establishment of parental schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1663—An Act to amend Section 3 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, relating to investigation of charges of violation of the Act.

Bill read first time, and referred to Committee on Education.

Also (by request): Assembly Bill No. 1664—An Act to amend section ten hundred and ninety-four of the Political Code, relating to registration of voters and elections, and repealing all Acts and parts of Acts in conflict herewith.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1665—An Act to amend Section 1662 of the Political Code, relating to the number of years of instruction in the day and evening elementary schools; to the age of admission to the day and evening schools and to the providing for separate schools for Indian, Mongolian and Chinese children and to the exclusion of children of filthy and vicious habits from the school.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1666—An Act to amend section ten hundred and forty-four of the Political Code, relating to the conduct of municipal elections.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1668—An Act to amend section eleven hundred and forty-two of the Political Code, relating to boards of election.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1669—An Act to amend section ten hundred and ninety-six of the Political Code, relating to registration of electors.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1670—An Act to amend Section 4 of an

Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the act," approved March 24, 1903, relating to attendance officers.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hinkle: Assembly Bill No. 1672—An Act to amend sections nine and ten of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Sutherland: Assembly Bill No. 1673—An Act to add a new section to the Code of Civil Procedure, to be designated as Section 597, relating to the selection of a judge to hear a cause.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1674—An Act to amend section one hundred and fifty-seven of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1675—An Act to amend Section 312 of the Civil Code of the State of California, relating to the voting of stock by proxy.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1676—An Act to amend Section 1042 of the Penal Code relating to trial by jury and providing for summary trial for certain offenses.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1677—An Act to appropriate the sum of three hundred and sixty-one dollars to pay the claims of the State Board of Health.

Bill read first time, and referred to Committee on Claims.

Also (by request): Assembly Bill No. 1678—An Act to amend Sections 6 and 13a of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and amended by an Act approved March 19, 1909, and still further amended by two certain Acts approved May 1, 1911, and adding a new section to said Act to be numbered Section 6a relating to reciprocity with other states and territories and the District of Columbia in the matter of granting license to practice medicine and surgery to any physician or surgeon who was previous to the year 1906 licensed to practice in any other state or territory of the United States.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also (by request): Assembly Bill No. 1679—An Act to amend Sections 269a and 269b of the Penal Code, relating to adultery and fornication.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1680—An Act to add a new

section to the Civil Code, to be numbered sixteen hundred and seventy-seven, prohibiting secret liens on personal property.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1681—An Act to amend section four hundred and eleven of the Code of Civil Procedure, relating to service of summons, writ, notice, or other paper necessary or proper in the court of judicial proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed on any of said Acts, has forfeited either its charter or right to do business in this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Peairs: Assembly Bill No. 1683—An Act to amend Sections 190, 192, 193, 194 and 195 of the Code of Civil Procedure, relating to jurors.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1684—An Act to amend section two of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

By Mr. Benedict: Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1686—An Act to amend section ten hundred and ninety-five of the Code of Civil Procedure of the State of California, relating to the recovery of damages and awarding of costs in mandate proceedings, and said section as hereby amended providing for the recovery of damages and the awarding of costs against the State, counties and municipal corporation in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1687—An Act to establish a legislative reference bureau in the State Library.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fish: Assembly Bill No. 1688—An Act to amend Section 690 of the Code of Civil Procedure of the State of California, relating to and specifying property exempt from execution or attachment except as therein otherwise specially provided.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1689—An Act to amend Section 1265 of the Civil Code of the State of California, relating to the tenure by which the homestead is held and the exemption of its proceeds.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1690—An Act to add a new section to Division IV, Part II, Title II of the Civil Code of the State of California, by adding a new section thereto to be known as Section 3440a, providing for the priority of certain liens over assignments of choses in action.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1691—An Act to amend section five of an Act entitled "An Act to regulate the practice of architecture," approved March 23, 1901.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1692—An Act to provide for an experiment station to determine proper methods of sewage disposal and water purification; defining the duties of the State Board of Health in relation thereto; and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1693—An Act to amend Section 171 of the Civil Code of the State of California, relating to liability for debt of a wife's separate property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnstone (by request): Assembly Bill No. 1694—An Act to add a new section to the Code of Civil Procedure to be known as Section 1183a, providing for a lien for trees furnished for planting or replanting orchards, in whole or in part.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1695—An Act to authorize and empower the Board of Trustees of Whittier State School to sell and convey all or any part of the lands and buildings of said school, and from the proceeds of such sale to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. McDonald: Assembly Bill No. 1696—An Act to amend Sections 602 and 627 of the Penal Code of California, relating to trespass.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scott: Assembly Bill No. 1697—An Act to amend the Political Code of the State of California by adding a new section thereto to be numbered 1083*a*.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bradford: Assembly Bill No. 1699—An Act to amend Section 2957 of the Civil Code, relating to chattel mortgages and the circumstances under which the same are void as to creditors and subsequent purchasers and incumbrancers.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1700—An Act to regulate the use of derailing switches or other derailing devices in the operation of railroads in the State of California; providing for the use of signal lights in connection with such derailing switches or devices for the purpose of designating the location of the same to approaching trains, their engine-men and crews; providing penalties for the violation of its provisions; and providing for the enforcement of this Act by the Railroad Commission.

Bill read first time, and referred to Committee on Corporations.

By Mr. Guill: Assembly Bill No. 1701—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California, and appropriating a sum of money therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Finnegan: Assembly Bill No. 1702—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be numbered 1639*a*, providing for the settlement of accounts of insane executor or administrator by his guardian.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1703—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be numbered 1801*a*, providing for the settlement of accounts of insane or incapable guardians by his guardian.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston: Assembly Bill No. 1704—An Act appropriating money for the erection and construction of a polytechnic school in the county of Contra Costa, State of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1705—An Act legalizing the formation and organization of reclamation district number eight hundred two, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control subject to the provisions of the Political Code of the State of California and to other laws of said State relative to reclamation districts, and repealing all Acts and parts of Acts inconsistent therewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Polsley (by request): Assembly Bill No. 1706—An Act to amend section four thousand two hundred and sixty-six of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1707—An Act to amend the "Direct Primary Law," approved April 7, 1911, by adding a new section thereto, to be numbered 36, relating to and making certain sections of the Political Code apply to the "Direct Primary Law."

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1708—An Act to amend Sections 1083, 1096, 1097, 1197, 1199, and 1204 of the Political Code and to add two new sections thereto, to be numbered 1204*b* and 1230*a*, all relating to elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Bohnett: Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett: Assembly Bill No. 1710—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1711—An Act to amend Section 1475 of the Code of Civil Procedure of California, relating to liens or encumbrances on homesteads.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1712—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high school in the several high schools or in an adjoining county.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1713—An Act to amend an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Sections 96, 97 and 100 thereof, relating to trust companies.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 1714—An Act to add a new section numbered 12*b* to an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, providing that certain foreign corporations transacting the business of life insurance in this State shall not be subject to certain provisions of said Act.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 1715—An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the construction therein or thereon of sidewalks, sewers, manholes, cesspools, tunnels, curbing, crosswalks, gutters, culverts, bridges, dykes and levees; for the payment of the cost thereof by special assessments upon a district in installments or

otherwise; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1716—An Act to amend an Act entitled “An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds therefor, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds,” approved March 31, 1891, by amending Section 13 of said Act, relating to the funds of sanitary districts.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1717—An Act to amend an Act entitled “An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors,” approved March 20, 1909, by amending Section 16 of said Act, relating to the disposition of the revenue of lighting districts.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1718—An Act to amend an Act entitled “An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors,” approved March 20, 1909, by amending Sections 11, 14 and 15 of said Act, relating to the board of supervisors of lighting districts and their duties.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1719—An Act appropriating money for repairing the old training school building at San Jose State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1720—An Act appropriating money for completing the grading of the school grounds and for laying concrete walks at San Jose State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1721—An Act appropriating money for building an assembly hall at San Jose State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1722—An Act appropriating money for the purchase of furniture and equipment for San Jose State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1723—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basket ball courts and tennis courts and for laying out playgrounds for the training school, and equipping the same, all at the San Jose Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1724—An Act appropriating money for repairing the old manual training building at the San Jose State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1725—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1726—An Act to amend Section 4178 of the Political Code of the State of California, relating to the duties of county clerks.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1727—An Act to amend section two of an Act entitled "An Act to regulate and license the hunting of game birds and animals and to provide revenue therefrom, for game preservation and restoration and to make appropriation for the purpose of carrying out the objects of this Act," approved March 13, 1907, relating to hunting licenses.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1728—An Act to repeal Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, relating to fees retained by county treasurers from inheritance taxes.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1729—An Act to repeal Section 14 of an Act entitled "An Act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such

registration and fixing penalties for the violation of this Act," approved March 18, 1905, relating to fees of local registrars of death certificates.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1730—An Act to repeal Section 3079 of the Political Code of the State of California, relating to certain fees allowed county recorders and health officers.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1731—An Act to amend Section 1366a of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballot when a challenge to a person offering to vote is sustained.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1733—An Act to amend Section 1239 of the Political Code, relating to rules for determining place of residence of electors.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code, relating to the right to vote and the registration of voters.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code, relating to the challenging of voters.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1736—An Act to add a new section to the Penal Code, to be numbered 54c, prohibiting the employment of, or acceptance of compensation by any political workers upon election days, excepting those employed at headquarters.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1737—An Act to create and establish a state election commission, and to provide for the appointment of a state election commissioner, and to prescribe the qualifications, powers, rights and duties of such commissioner, and to provide for executing and carrying into effect efficiently, the powers, rights and duties of such commissioner, and providing for the support and maintenance of such commission and its necessary assistants.

Bill read first time, and referred to Committee on Elections.

By Messrs. Smith and Bohnett: Assembly Bill No. 1738—An Act to amend Section 3 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.' "

Bill read first time, and referred to Committee on Elections.

By Mr. Byrnes: Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California to be known as Section 2567a,

relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Shartel: Assembly Bill No. 1741—An Act to provide for removing obstructions in Pit River above the mouth of Hat Creek so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Strine (by request): Assembly Bill No. 1742—An Act amending Chapter 420, approved April 10, 1911, entitled "An Act authorizing municipal corporations, other than freeholder charter cities to levy and collect a tax for park, music and advertising purposes."

Bill read first time, and referred to Committee on Municipal Corporations.

Also (by request): Assembly Bill No. 1743—An Act to make ineligible any attorney, agent, stockholder or employee of any person, firm, association or corporation doing business under or by virtue of any franchise granted by or contract made with any city, or any person doing such business, or having an interest therein, to hold any legislative office in any city of the State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Moorhouse: Assembly Bill No. 1744—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897.

Bill read first time, and referred to Committee on County Government.

By Mr. Woodley: Assembly Bill No. 1745—An Act to amend Section 1431 of the Political Code of the State of California to pay traveling expenses of regents of the University of California.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1746—An Act to amend Section 1044 of the Political Code of the State of California, relating to municipal elections—how conducted.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1747—An Act to amend Section 1094 of the Political Code of the State of California, relating to the keeping of a great register and providing therein for the registration of voters and transfers.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1748—An Act to amend Section 1120 of the Political Code of the State of California, relating to the qualifications of voters.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1749—An Act to amend Section 1121 of the Political Code of the State of California, repealing said section.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1750—An Act to amend Section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1751—An Act to amend Section 1192 of the Political Code of the State of California, relating to the filing of certificates of nomination.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code of the State of California by striking out 1194 and putting in place thereof 1210.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1753—An Act to amend Section 1198 of the Political Code of the State of California, relating to the recording of ballots.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1754—An Act to amend Section 1199 of the Political Code of the State of California, relating to the distribution of ballots by county clerks.

Bill read first time, and referred to Committee on Elections.

By Mr. Woodley: Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1757—An Act to amend Section 1288 of the Political Code of the State of California, relating to duty of county clerk with respect to state returns.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1758—An Act to repeal Section 1361 of the Political Code of the State of California.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1759—An Act to add a new section to the Political Code, to be known as section sixteen hundred seventeen *b* of said Code, relating to the sale or leasing of school property by boards of trustees of common school districts and by boards of education in city school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Emmons (by request): Assembly Bill No. 1760—An Act to authorize municipal corporations to insure property against loss or damage by fire.

Bill read first time, and referred to Committee on Insurance.

Also (by request): Assembly Bill No. 1761—An Act to amend Section 532 of the Penal Code of the State of California so as to apply to the obtaining of credit upon false or fraudulent representations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clarke (by request): Assembly Bill No. 1762—An Act to provide for instruction in the elementary principles and practice of

road building, improvement and maintenance in the public schools of the State of California.

Bill read first time, and referred to Committee on Education.

By Mr. Brown: Assembly Bill No. 1763—An Act to amend Section 1 of an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by making the judge of the Superior Court one of said commissioners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1764—An Act authorizing any municipal corporation using the word "city" in its corporate name to change such word to "town," and providing the procedure therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure relating to form of judgments and notice thereof to be given to litigants.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1766—An Act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of San Mateo, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Brown: Assembly Bill No. 1767—An Act granting to the city of Burlingame, the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, to the city of Burlingame, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1768—An Act to amend Section 978a of the Code of Civil Procedure, relating to the filing of undertaking on appeal, and exception to and justification of sureties.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1769—An Act relating to hunting licenses granting permission to kill wild game for sale, providing what such license shall state, by whom to be issued and disposition to be made of fees, and imposing fine for violation of Act.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Bloodgood: Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape, near every window more than twelve feet from the ground, in every building, edifice or structure in the State of California; providing for the enforcing of this Act; providing for an appropriation for the same covering state buildings and institutions, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1771—An Act requiring every owner or reputed owner of real property, about to make improvements upon

the same, to give notice by affidavit to every laborer and material man employed to supply labor or material, or both, setting forth the condition of the title to said real property, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1772—An Act requiring every corporation, copartnership, firm, association or person owning or controlling any public hotel, inn, lodging or rooming house, requiring school trustees and boards of education, requiring all city councils and boards of trustees of cities and town, requiring boards of supervisors of every county in this State, requiring the State Board of Control of the State of California, to provide that all outside entrance doors of buildings under their control shall swing outward, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1773—An Act to provide for the exemption of honorably discharged soldiers, sailors and marines of the United States, from payment of any state, county, city and county or city license fees in certain cases.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1774—An Act to amend an Act entitled "An Act to provide for the change of name of school districts and the manner of making such change," approved March 16, 1903.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1775—An act to add a new section to the Civil Code of California, to be numbered 1215a, relating to the acknowledging and recording of contracts for the purchase and sale of real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1776—An Act to repeal Section 1758 of the Political Code of the State of California, relating to high school pupils.

Bill read first time, and referred to Committee on Education.

Also (by request): Assembly Bill No. 1777—An Act to amend the Penal Code of the State of California, by adding thereto two new sections to be known and numbered as Section 63c and Section 63d, relating to the sale, giving away, or serving of intoxicants on holidays, and prescribing a penalty therefor.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1778—An Act to prohibit the maintaining of any place for the sale or distribution of alcoholic liquors of any kind, including wine, ale, and beer, within six hundred and sixty feet of any public school, and providing a penalty therefor.

Bill read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 1779—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910 (providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the

State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four and thirty-five).

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Farwell: Assembly Bill No. 1780—An Act to establish a board of parole and pardon commissioners, and prescribing their powers and duties.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Kingsley: Assembly Bill No. 1781—An Act to amend section one hundred and seventeen of the Political Code entitled "Division of the State into congressional districts."

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1782—An Act to amend section ninety of the Political Code, providing for assembly districts.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1783—An Act amending part two, title one, chapter two, article one, of the Political Code of California by adding a new section thereto to be known as Section seventy-nine, providing for senatorial districts at large.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1784—An Act to amend Section 1343 of the Political Code, providing for the election of representatives to the Congress of the United States.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1785—An Act to amend Section twelve of the Act approved April 7, 1911, and known as Chapter 398 of the Statutes of 1911, providing for the designation of political parties on the ballot.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1786—An Act to abolish and dissolve the standing army of the State of California known as the National Guard of California and the Naval Militia of California and to repeal the following sections of the Political Code of California: 1897, 1898, 1899, 1900, 1901, 1902, 1904, 1905, 1906, 1907, 1908, 1909, 1913, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2039, 2040, 2041, 2044, 2045, 2046, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2093, 2094, 2095, 2096, 2098, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2111, 2112, and all other laws in conflict or inconsistent with this Act.

Bill read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 1787—An Act to repeal Sections 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1935, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 2003, 2004, 2005, 2006, 2007, 2008,

2009, 2010, 2011, 2012, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2039, 2040, 2041, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2093, 2094, 2095, 2096, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2111, and 2112 of the Political Code of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Ryan: Assembly Bill No. 1788—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Polsley: Assembly Bill No. 1789—An Act to amend the Political Code by adding a new section thereto, to be numbered 1244, relating to the right to vote.

Bill read first time, and referred to Committee on Elections.

By Mr. Inman (by request): Assembly Bill No. 1790—An Act dissolving Reclamation District No. 742, and providing for its liquidation and the payment of all outstanding indebtedness.

Bill read first time and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also (by request): Assembly Bill No. 1791—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the estates subject to public use in eminent domain proceedings.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also (by request): Assembly Bill 1792—An Act amending Section 2 of an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, by adding a provision thereto, in reference to the approval of plans, where the same are not inconsistent with the plans of the California Débris Commission.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also (by request): Assembly Bill No. 1793—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts therefor and declarations of the payment or performance thereof and to authorize their recordation in the office of the Secretary of State.

Bill read first time, and referred to Committee on Corporations.

Also (by request): Assembly Bill No. 1794—An Act amending section two of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to

regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1795—An Act making an appropriation to purchase a site to erect a state printing office.

Bill read first time, and referred to Committee on Ways and Means.

Also (by request): Assembly Bill No. 1796—An Act to amend Section 3 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, and Section 3, making the standards of purity of food and liquor that proclaimed by the Secretary of the United States Department of Agriculture, and said section as amended providing a standard for ice cream, fruit ice cream and nut ice cream.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Assembly Bill No. 1797—An Act to amend Section 13 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry; and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for the detention homes for said children, providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved April 5, 1911.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Johnstone: Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California to be known and designated as Section 459a, relating to the giving of bonds by the deputy state treasurer, cashier, and bond-officer of the treasurer and providing for the payment of premiums thereon.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Peairs: Assembly Bill No. 1799—An Act to amend Sections 862 and 882 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. W. C. Clark: Assembly Bill No. 1800—An Act to repeal section six hundred and sixty-one of the Code of Civil Procedure, relating to records on appeal from orders granting or refusing a new trial.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1801—An Act to amend sections six hun-

dred and fifty-eight, six hundred and fifty-nine and six hundred and sixty, Code of Civil Procedure, relating to motions for new trial.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1802—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1803—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to the time for taking an appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kuck: Assembly Bill No. 1804—An Act creating an "industrial accident fund" and appropriating moneys therein.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1805—An Act appropriating moneys in the "accident prevention fund" for the purpose of enforcing and promoting safety in employment and places of employment.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1806—An Act appropriating moneys to the use of the workman's compensation insurance fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. White: Assembly Bill No. 1807—An Act to amend Section 611 of the Political Code of the State of California, relating to the publication of an annual statement by insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. McDonald: Assembly Bill No. 1808—An Act regulating the collection of hospital fees by employers from persons in their employ, defining the duties and liabilities of such employers and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Young: Assembly Bill No. 1809—An Act appropriating money for the purchase of land for a site for the erection of a new dairy building thereon for the California Institute for the Deaf and the Blind.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1810—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the objects and changing the name of the California Institution for the Deaf and the Blind.

Bill read first time, and referred to Committee on Education.

By Mr. Young: Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and providing a method for choosing the delegates for political parties to state conventions and for nominating the delegates of political parties to national conventions, and providing for the election of party county central committees, and to repeal the

Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24, of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination.

Bill read first time, and referred to Committee on Elections.

By Mr. Chandler (by request): Assembly Bill No. 1815—An Act to repeal an Act entitled "An Act to authorize the establishment of the California state trades and training school for dependent orphans, half orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909.

Bill read first time, and referred to Committee on Ways and Means.

Also (by request): Assembly Bill No. 1816—An Act to repeal Section 13 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California, and defining its powers and duties," approved March 4, 1911, relating to the exemption of claims from Section 672 of the Political Code.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Farwell: Assembly Constitutional Amendment No. 56—A resolution proposing to the people of the State of California to amend Section 9 of Article I of the State Constitution relative to curbing the one-sided power and unfair influences of special interests owning the press, newspapers, magazines or other periodicals of general circulation during political campaigns.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California, amending Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 23 and 23a of Article IV, and Sections 2 and 4 of Article V of the Constitution of the State of California relating to a merging of the two houses of the Legislature into one house of representatives which shall be called the Senate of the State of California; the eligibility to office; the terms of office; the senatorial districts, the duties, powers, privileges and compensation of the members thereof.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California amending Sections 17 and 19 of Article V of the Constitution of the State of California, relative to the state executive officers, the salaries thereof and the formation of the Governor's cabinet.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Clark: Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 1 of Article IV of the Constitution of the State, relating to legislative powers.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 7½, Article II, thereof, relating to charters of counties, and the amendments to such charters, and to the surrender thereof.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Sutherland: Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 6 of Article VI, relating to Superior Courts.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Johnston: Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 19 of Article XII of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Kingsley: Assembly Constitutional Amendment No. 64—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section six, article four, thereof.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 65—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section thirteen, article twenty.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section five, article four, relating to the number of Senators and Assemblymen and the manner of their election.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Peairs: Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XX thereof, to be designated Section 22, relating to the sale, barter, or giving away of spirituous, vinous, malt, or fermented liquors in the State of California.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Clark: Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article 23 thereof, to be numbered Section 2 of Article 23, providing for the recall by the electors of appointive public officers.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Kuck: Assembly Constitutional Amendment No. 69—A resolution proposing to the people of the State of California an amendment to section nineteen of Article XI of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations.

Read, and referred to Committee on Constitutional Amendments.

SPECIAL ORDER POSTPONED.

The special order heretofore set for this hour was postponed until two o'clock and thirty minutes p.m. of this day.

RECESS.

At one o'clock and ten minutes p.m., on motion of Mr. Brown, the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At two o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

Senate Concurrent Resolution No. 10—Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 10 finally adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Ryan, Schmitt, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weldon, White, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

Senate concurrent resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 10.

Approving twenty-six certain amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 13th day of January, 1913.

WHEREAS, The mayor and city clerk of the city of Long Beach did, on the 23d day of January, 1913, duly certify to the submission to the electors of said city of Long Beach of twenty-six proposed amendments to the charter of the city of Long Beach and to the ratification of said twenty-six amendments and did further certify to a copy of said proposed amendments, authenticated by the seal of said city of Long Beach, which said certificate is in words and figures following, to wit:

STATE OF CALIFORNIA,	}	ss.
COUNTY OF LOS ANGELES,		
CITY OF LONG BEACH.		

CERTIFICATE OF RATIFICATION OF CERTAIN PROPOSED AMENDMENTS TO THE CHARTER
OF THE CITY OF LONG BEACH.

We, the undersigned, Ira S. Hatch, mayor of the city of Long Beach, State of California, and Harry B. Riley, city clerk of said city, do hereby certify as follows, to wit:

That the city of Long Beach, in the county of Los Angeles, State of California, contains a population of over 10,000 inhabitants and has been ever since the year 1907, and is now, organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI, of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 1st day of October, 1906, and approved by the Legislature of the State of California on the 26th day of February, 1907; that the city council of said city did, by ordinance No. 642 (new series), adopted on the 11th day of December, 1912, and approved by the mayor on the 11th day of December, 1912, order the holding of a special municipal election in the city of Long Beach on the 13th day of January, 1913, which said ordinance, among other matters, set forth thirty proposed amendments to the charter of the city of Long Beach and provided for their submission to the qualified electors of said city for their ratification at said special election, and gave notice of the holding of said election and provided for the publishing of said ordinance and the said thirty amendments for ten consecutive times in the *Daily Telegram*, a daily newspaper printed and published in said city, such publication to begin on the next day after the adoption of said ordinance, and that said ordinance be published once in said *Daily Telegram* on or immediately before the tenth day before the holding of said election, and provided for the posting of copies of said ordinance in at least three public places in said city and at the polling places for at least ten days prior to the day of said election.

That said thirty proposed amendments were, and each of them was, published for ten times in a daily newspaper of general circulation, printed, published and circulated in said city, said publication for the ten consecutive times ending on the 21st day of December, 1912, which said last mentioned date was the date of completion of the publication of said proposed amendments.

That said ordinance No. 642 (new series), containing said amendments and calling and giving notice of said special election, was duly published and posted as required by said ordinance and by law.

That thereafter said special election, provided for in said ordinance, was held on the 13th day of January, 1913, in said city of Long Beach, which said last mentioned date was at least twenty days after the publication of said proposed amendments for ten times in said *Daily Telegram*, a newspaper of general circulation, printed and published in said city of Long Beach; that at said special election a majority of the qualified electors voting thereon voted in favor of the ratification of, and did ratify, twenty-six of said proposed amendments, to wit: Proposed amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 28, 29, and 30 thereof, and did not ratify proposed amendments Nos. 9, 25, 26, and 27 thereof.

That the city council of said city of Long Beach, at a regular meeting thereof, held within ten days after said election, duly canvassed the returns of said election and duly found, determined and declared that a majority of such qualified electors voting thereon had voted for and ratified twenty-six of said proposed amendments and rejected three of said proposed amendments, and that said twenty-six amendments to said charter, so ratified by a majority of the qualified electors of said city voting at said special municipal election, are, in words and figures, as follows, to wit:

PROPOSED CHARTER AMENDMENT NO. 1.

That Section 1, Article I, be amended to read as follows:

Section 1. The municipal corporation now existing, known as the city of Long Beach, shall continue to be a body corporate and politic under the name of the city of Long Beach and with the following boundaries, to wit:

DESCRIPTION OF THE BOUNDARY OF THE CITY OF LONG BEACH.

Beginning at the southwest corner of block 10, East San Pedro, as shown on map recorded in book 52, pages 13 *et seq.* of miscellaneous records of Los Angeles County; thence to the northwest corner of said block 10; thence northeasterly along the northerly boundary lines of blocks 10, 11, 12 and 13, and across all intervening streets to the northwest corner of block 14, all said blocks and streets as shown on said map of East San Pedro; thence northwesterly to the southwest corner of lot 3, Terminal Island, as said lot 3 is shown on filed map No. 133, records of Los Angeles County; thence northwesterly along the westerly line of said lot 3 to the most northerly corner of lot 2, said Terminal Island; thence in a direct line northeasterly to the intersection of the westerly boundary line of Long Beach township with the southerly line of Wilmington and Anaheim road, as said road is shown on said map of Terminal Island; thence northwesterly along the boundary line of the city of Wilmington as incorporated December 26, 1905, to a point, said point being south 85 deg. west from the intersection of the west prolongation of the north line of State street with the "compromise line" between rancho San Pedro and rancho Los Cerritos as said "compromise line" is shown in licensed surveyor's map book 6, pages 15 and 16, said Los Angeles County; thence northeasterly in a direct line to a point in the westerly boundary of the Wilmington colony tract, recorded in book 4, pages 406 and 407, miscellaneous records of said county, said point being 1,300 feet south of the north line of lot 7 of said Wilmington colony tract; thence east to the east line of lot 11, said Wilmington colony tract; thence north 10 feet; thence east to a point 32 feet west of the west line of American avenue, as said avenue is shown on aforementioned map of American colony tract; thence south to a point 100 feet north of the north line of Hill street, as shown on said map of American colony tract; thence east to the east line of American avenue, as shown on map of Elm avenue tract, recorded in map book 4, page 86, records of Los Angeles County; thence north to a point 80 feet north of the north line of Willow street, as said Willow street is shown on aforementioned map of American colony tract; thence east to the east line of Pasadena avenue, as said avenue is shown on map of Signal tract, recorded in map book 7, page 76, records of Los Angeles County; thence south 30 feet; thence east to a point one hundred and forty-three (143) feet west of the west line of Atlantic avenue; thence north to the north line of farm lot 52, aforementioned American colony tract; thence west along said north line of farm lot 52, to the east line of American avenue, as shown on aforementioned map of American colony tract; thence north to the north line of Spring street; thence east along the north line of Spring street to a point 143 feet west of the west line of Atlantic avenue; thence north to the north line of aforementioned American colony tract; thence east to the easterly boundary of Los Angeles County; thence southerly along said boundary to a point 100 feet south of the prolonged north line of American colony tract; thence west to a point 100 feet east of the aforementioned Atlantic avenue; thence south to the south line of aforementioned Willow street; thence east to a point 300 feet west of the west line of California avenue, as said avenue is shown on aforementioned map of American colony tract; thence south to a point in the southerly line of the Pacific Electric railway right of way as shown on map of Gadwell and Lyster tract, recorded in map book 7, page 163, records of Los Angeles County; thence southeasterly along said southerly line of right of way prolonged to the east line of California avenue, as shown on map of aforementioned American colony tract; thence south to a point 160 feet north of the north line of Anaheim street; thence east to the west line of Orange avenue, as said Orange avenue is shown on map of the Alamitos tract, recorded in book 36, pages 37-44, miscellaneous records of Los Angeles County; thence south 860 feet; thence east to the east line of Temple avenue; thence north to the south line of State street; thence east to the east line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south to the north line of Seventh street; thence east to the southwesterly line of right of way of the Pacific Electric railway; thence southeasterly along said southwesterly line to the east line of Santa Fe avenue; thence south to the north line of lot 194; thence east along said north line of lot 194 to the west line of Nieto avenue, as said Temple avenue, State street, Loma avenue, Anaheim street, Ximeno avenue, Seventh street, right of way, Santa Fe avenue, lot 194 and Nieto avenue are shown on aforementioned map of the Alamitos tract; thence south to the northeasterly line of block A, West Naples, as shown on map recorded in map book 7, pages 164 and 165, records of Los Angeles County; thence in a direct line to the most northerly corner of lot 17, said block A; thence southwesterly along the prolonged northwesterly line of said lot 17 to its intersection with the northeasterly line of block B, said West Naples; thence southeasterly along the northeasterly line of said block B to the most northerly corner of lot 18, said block B; thence south-

westerly along the prolonged northwesterly line of said lot 18 to its intersection with the northeasterly line of lots 35 and 36, said block B; thence southeasterly along said northeasterly line of lots 35 and 36 to the most northerly corner of lot 37, said block B; thence southwesterly along the prolonged northwesterly line of said lot 37 to the northeasterly line of block C, said West Naples; thence southeasterly along the northeasterly line of said block C to its intersection with the northwesterly line of lot 16, said block C; thence southwesterly along the prolonged northwesterly line of said lot 16 to the northeasterly line of lots 44 and 43 of said block C; thence southeasterly along the northeasterly line of said lots 44 and 43 to the most easterly corner of lot 44, said block C; thence southwesterly along the prolonged southeasterly line of lot 44 to its intersection with the northeasterly line of block D, said West Naples; thence southeasterly along the northeasterly line of said block D to the northwesterly line of lot 17, said block D; thence southwesterly along the prolonged northwesterly line of said lot 17 to the northeasterly line of block 48, Almitos Bay townsite, recorded in map book 4, pages 75 and 76, records of Los Angeles County; thence southeasterly along the northeasterly line of said block 48 to the northwesterly line of lot 10, said block 48; thence southwesterly along the prolonged northwesterly line of said lot 10 to a point three (3) miles distant from the shore of the Pacific Ocean; thence westerly and parallel with the shore of the Pacific Ocean and three (3) miles distant therefrom to a point in the prolonged westerly line of aforementioned block 10, East San Pedro; thence in a direct line to point of beginning.

PROPOSED CHARTER AMENDMENT No. 2.

That Paragraph 8, of Article I, Section 3, be amended to read as follows:

Eighth—To provide for supplying the city and its inhabitants with water and gas, electricity or either, or with other means of heat, illumination or power; and to acquire, repair, remodel, or construct and to lease, or operate, and to regulate the construction or operation of conduits or of railroads, or other means of transit or transportation, and of plants and equipment for the production or transmission of gas, electricity, heat, refrigeration or power in any of their forms, by pipes, wires or other means, either in or out of the city; and to incur a bonded indebtedness for any of such purposes; *provided*, the question of the issue of bonds therefor shall first be submitted to the qualified electors of the city at a special or general election and that two thirds of the vote cast on the question of the said issue of bonds shall have been cast in favor thereof.

PROPOSED CHARTER AMENDMENT No. 3.

That Paragraph 11 of Article I, Section 3, be amended to read as follows:

Eleventh—To build, own, alter, improve, keep in repair and control the water front of said city; to build, own, alter, improve and keep in repair wharves, piers, chutes, and to fix the rate of wharfage and transit; to provide for the regulation of berths, landing, stationing and removing of steamboats, sailing vessels, rafts and other crafts and to fix the rate of speed at which steamboats and other crafts may run along the water front of the city, and to incur a bonded indebtedness for any such purposes; *provided*, the question of the issue of bonds therefor shall first be submitted to the qualified electors of the city at a special or general election, and that two thirds of the vote cast on the question of the said issue of bonds shall have been cast in favor thereof.

PROPOSED CHARTER AMENDMENT No. 4.

That Paragraph 15, of Article I, Section 3, be amended to read as follows:

Fifteenth—To license and regulate places of amusement and the carrying on of any and all professions, trades, callings, occupations, and kinds of business carried on within the limits of said city, and to fix the amount of license tax thereon to be paid by all persons engaged in carrying on such places of amusement and such professions, trades and callings, occupations and kinds of business in said city and to provide for the manner of enforcing the payment of such license tax; and to regulate, restrain, suppress, prohibit hawking, peddling and the carrying on of any laundry, livery and sale stable, cattle or horse corral, feed yard, horse clipping establishment, bill boards, planing mills, rolling mills, oil wells, furnaces, chimneys and smoke stacks, tanks or refineries, foundries, brick yards, slaughter houses or butcher shops, and the keeping of bees, cattle, poultry or pigeons within the limits or within any designated portion of said city; and to regulate, prohibit and suppress the sale or giving away of intoxicating liquors and the keeping of any place where spirituous, vinous, malt or other intoxicating liquors are sold or given away and to prohibit and suppress all faro banks, games of chance, gambling houses or bawdy houses and any and all obnoxious, offensive, immoral, indecent, or disreputable places or practices within the said city.

PROPOSED CHARTER AMENDMENT No. 5.

That Paragraph 20, of Article I, Section 3, be amended to read as follows:

Twentieth—To contract for all necessary printing and in that behalf either to make contracts for city printing, or to acquire, own and operate, municipal printing presses and all the necessary paraphernalia therefor, and to publish and issue a municipal newspaper.

PROPOSED CHARTER AMENDMENT No. 6.

That Paragraph 29, Section 3, of Article I, of the charter, be amended to read as follows:

Twenty-ninth—Plenary control over all uses of its streets and other public places is vested in the city. Franchises may be granted to persons, firms or corporations upon such terms, conditions, restrictions or limitations as may be prescribed by the city council by ordinance, but no franchise shall be granted without reserving to the city adequate compensation for the privilege conferred, nor shall any franchise be granted for a longer period than thirty-five (35) years, unless there be reserved to the city the right to take over at any time the works, plants and property constructed under the grant at their physical valuation and without compensation for franchise or good will, but no franchise shall be granted for a longer term than fifty (50) years. The city council may, by ordinance adopted by unanimous vote of all its members, provide a method whereby franchises may be granted and from time to time, in like manner, change the method so provided. Until such provision is made the method provided by the general laws of the State shall apply.

PROPOSED CHARTER AMENDMENT No. 7.

That Section 3, of Article I, be amended by adding a new paragraph thereto to be known as Paragraph 30 and to read as follows:

Thirtieth—To compel the owner, or occupant, of buildings or grounds, or the owner of vacant lots to remove dirt, rubbish, and weeds from the vacant lots and from the lots occupied by buildings and from the sidewalk opposite thereto and in default to authorize the removal or destruction thereof by some officer of the city at the expense of such owner or occupant and to make such expense a lien upon such lots, buildings or grounds.

PROPOSED CHARTER AMENDMENT No. 8.

That Article II be amended to read as follows:

Section 1. The officers of the city shall be:

A mayor.

Seven members of the city council.

A clerk.

Attorney.

Treasurer.

Police judge.

Auditor.

Assessor.

Tax and license collector.

Board of public works.

Civil service commission.

Police commission.

Fire commission.

Board of health.

Library commission.

Board of education.

Section 2. Every officer provided for in this charter shall, within ten days after receiving his certificate of election or appointment, qualify by giving the bond required by this charter, or by the ordinances of this city and by taking the following oath: "I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States, and the Constitution and laws of the State of California, and the charter of the city of Long Beach and I will faithfully discharge the duties of the office according to the best of my ability."

PROPOSED CHARTER AMENDMENT No. 10.

That Section 4, of Article IV, be amended to read as follows:

Section 4. The following named officers shall execute official bonds to the city with sureties in the following sums, viz:

The mayor, in the sum of ten thousand dollars.

The treasurer, in the sum of fifty thousand dollars.

The clerk, in the sum of ten thousand dollars.

The auditor, in the sum of ten thousand dollars.

The assessor, in the sum of ten thousand dollars.

The tax and license collector, in the sum of fifty thousand dollars.

The police judge, in the sum of five thousand dollars.

Such other additional bonds may be required from time to time as the city council may deem proper.

PROPOSED CHARTER AMENDMENT No. 11.

That Section 7, of Article V, be amended to read as follows:

Section 7. The city clerk shall be a citizen and elector of the State and shall have been a resident of the city for the two years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for two years and until his successor has been elected and has qualified. The city clerk shall have the custody of and be responsible for the corporate seal, all books, papers, records and archives belonging to the city, not in actual use by other officers, or elsewhere by special provision committed to their custody. He shall be present at each meeting of the council and of the board of equalization, and keep a record of its proceedings. He shall keep separate books in which respectively he shall record all ordinances, contracts and all other documents of permanent public value. He shall keep all books properly indexed and open to public inspection when not in actual use. He shall make out, sign and deliver to the city auditor all licenses and perform such other duties as are or shall be imposed by this charter or by ordinance. He shall have power to take affidavits and administer oaths in all matters relating to the business of the city and shall make no charge therefor. He shall devote his entire time to the duties of his office. He shall be the custodian of the city hall, and of all personal property, the custody of which has not been otherwise provided for.

PROPOSED CHARTER AMENDMENT No. 12.

That Section 8, of Article V, be amended to read as follows:

Section 8. The city assessor shall be a citizen and elector of the State and shall have been a resident of the city for the two years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for two years and until his successor has been elected and has qualified. He shall perform all the duties prescribed by this charter or by law for assessing property in the city for purposes of taxation, and shall collect such taxes upon personal property as by this charter are required to be collected by him.

PROPOSED CHARTER AMENDMENT No. 13.

That Section 2, of Article VI, be amended to read as follows:

Section 2. The qualified electors in the city shall nominate and elect seven members of the city council. Each member of the city council shall be a citizen and elector of the State. They shall have been residents of the city for the two years next preceding the day of their election. They shall hold office for two years and until their successors have been elected and qualified.

PROPOSED CHARTER AMENDMENT No. 14.

That Section 8, of Article VI, be amended to read as follows:

Section 8. All ordinances adopted under this charter shall be published in the English language at least once in a bona fide newspaper that has been published or has been in general circulation, in the city of Long Beach, for at least one year prior to the time of being granted the contract for city printing, or at the option of the city council, be posted in three public places in the city of Long Beach.

PROPOSED CHARTER AMENDMENT No 15.

That Section 3, of the department of civil service, be amended to read as follows:

Section 3. Said commission shall classify all the offices and places of employment mentioned in section 11 of this subdivision with reference to examination herein provided for. The offices and places so classified by the commission shall constitute the classified civil service of the city; and no appointment to any such offices or places shall be made except under and according to the rules hereinafter mentioned; *provided, however*, in case a position requires special qualification or expert knowledge, the civil service commission may suspend rules by resolution and recommend appointments outside of the classified civil service lists.

PROPOSED CHARTER AMENDMENT No. 16.

That Section 6, of Article IX, be amended to read as follows:

Section 6. All contracts for official advertising shall be let annually, to go into effect on the first Monday in July in every year, in a like manner, to the lowest responsible bidder, publishing or circulating a daily newspaper of general circulation in the city of Long Beach; *provided*, that the said newspaper shall have been in existence at the time of the award of said contract, at least one year.

PROPOSED CHARTER AMENDMENT No. 17.

That Section 21, of Article XI, be amended to read as follows:

Section 21. Whenever the council shall determine that the public interest requires the construction, acquisition, completion or repair of any public improvement or utility the cost of which, in addition to the other expenditures of the city,

will exceed the income and revenue provided for in any one year, they may, by ordinance, submit a proposition to incur a bonded indebtedness for such purpose and proceed therein as provided in Section 18, of Article XI, of the Constitution of this State and general law, or laws, thereof; *provided*, that such indebtedness shall not bear more than five (5%) per cent interest per annum and no bond issue therefor shall be sold for less than par value and to the highest bidder, after advertising for sealed proposals therefor; *and provided*, that several propositions for the issue of bonds may be submitted at one special or general election and that two thirds of the vote cast on each question of the said issue of bonds shall have been cast in favor thereof.

PROPOSED CHARTER AMENDMENT No. 18.

That Section 24, of Article XI, be amended to read as follows:

Section 24. The said sale shall be made by him in the manner provided in sections thirty-seven hundred and ninety-one, thirty-seven hundred and ninety-two, thirty-seven hundred and ninety-three, thirty-seven hundred and ninety-four, thirty-seven hundred and ninety-five and thirty-seven hundred and ninety-six of the Political Code of the State of California; *provided*, that the newspaper referred to in section thirty-seven hundred and ninety-two shall be a newspaper having a general circulation in the city of Long Beach.

PROPOSED CHARTER AMENDMENT No. 19.

That Section 11, of Article XV, be amended to read as follows:

Section 11. No person shall be eligible to any municipal office under this charter who, at the time of his election, or appointment, is not a qualified elector of this city.

PROPOSED CHARTER AMENDMENT No. 20.

That Sections 1, 2, 3, 4 and 5, of Article XV, be amended to read as follows:

ARTICLE XV.

Section 1. Elections to be held in this city are of three kinds:

1. General municipal elections.
2. Second municipal elections.
3. Special municipal elections.

Section 2. A general municipal election shall be held in said city, on the second Tuesday in November, 1913, and on the second Tuesday in November, every two years thereafter, for the election of

- A mayor.
- Seven members of the city council.
- A clerk.
- An attorney.
- A treasurer.
- A police judge.
- An auditor.
- An assessor.
- A tax and license collector.

Section 3. Candidates for said offices shall be nominated as follows:

1. The name of the candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.
2. The petition of nomination shall contain not less than twenty-five or more than thirty-five individual certificates which shall read substantially as follows:

PETITION OF NOMINATION—INDIVIDUAL CERTIFICATE.

STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES, } ss.
CITY OF LONG BEACH, }

Precinct No. _____

I, the undersigned, certify that I do hereby join in a petition for the nomination of _____, whose residence is at No. _____ street, Long Beach, for the office of _____ to be voted for at the municipal election to be held in the city of Long Beach on the _____ day of _____, 19____, and I further certify that I am a qualified elector and am not at this time a signer of any other petition nominating any other candidate for the above named office, or in case there are several places to be filled in the above named office, that I have not signed more petitions than there are places to be filled in the above named office; that my residence is at No. _____ street, Long Beach, and that my occupation is _____.

(Signed) _____

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES, }
CITY OF LONG BEACH. } ss.

-----, being duly sworn, deposes and says that he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) -----

Subscribed and sworn to before me this ----- day of -----, 19-----.

(Notary Public or Verification Deputy.)

The petition of nomination, of which this certificate forms a part, shall, if found insufficient, be returned to ----- at No. -----

----- street, Long Beach, Cal.

3. It shall be the duty of the city clerk to furnish upon application a reasonable number of official forms of individual certificates of the above character.

4. Each certificate must be a separate paper. Each certificate must contain the name of one candidate and no more, and one signer thereto and no more. Each signer must be a qualified elector and must not at the time of signing have signed his name to the certificate of any other candidate for the same office. Each signer must verify his signature and make oath that the same is true before a notary public or a verification deputy, as provided for in this section.

5. Verification deputies under this section must be qualified electors of the city and shall be appointed by the city clerk upon application in writing, signed by not less than five qualified electors of the city. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal offices at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given, appointed as verification deputies, who shall upon appointment be authorized and empowered to take the oath of verification of the signers of petitions of nomination. Their appointments shall continue only until all petitions of nomination under this section shall have been filed with the city clerk. All verification deputies must, before their appointment, make and file with the city clerk an oath as to their ages, place of residence, occupation and whether or not they are qualified electors of the city of Long Beach, California.

6. A petition of nomination may be presented to the city clerk not earlier than forty-five days nor later than thirty days before the election. The clerk shall endorse thereon the date upon which the petition was presented to him.

7. When a petition of nomination is presented to the city clerk for filing he shall forthwith examine the same and see if it conforms to the provision of this section. If found not to conform thereto he shall then and there in writing designate on said petition the defect or omission or reason why such petition cannot be filed and shall return the petition at once. The petition may then be amended and presented to the clerk as in the first instance.

8. Any signer to any petition of nomination may withdraw his name from same by filing with the city clerk a verified revocation of his signature before the filing of the petition by the clerk and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

9. Any person whose name has been presented under this section as a candidate may, not later than twenty-five days before the date of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot.

10. If either the original or the amended petition of nomination be found sufficiently signed as hereinbefore provided, the clerk shall file the same twenty-five days before the date of the election. When a petition of nomination shall have been filed by the clerk it shall not be withdrawn or added to and no signature shall be revoked thereafter.

11. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates belonging thereto filed under this section.

12. Immediately after such petitions are filed, the clerk shall enter the names of the candidates in a list with the offices to be filled and shall, not later than twenty days before the election, certify such list as being the list of candidates nominated as required by the city of Long Beach, and the council shall cause said certified list of names and the offices to be filled, designating whether for a full term or unexpired term, to be published in the proclamation calling the election, at least ten successive days before the election, in not more than two daily newspapers of general circulation published in the city of Long Beach. Said proclamation shall conform in all respects to the general state law governing the conduct of municipal elections, now or hereafter in force, except as herein required.

13. The city clerk shall cause the ballots to be printed and bound and numbered as provided for by state law, except as otherwise required in this charter. The

ballots shall contain the list of names and the respective offices, as published in the proclamation and shall be in substantially the following form:

GENERAL MUNICIPAL ELECTION, SECOND MUNICIPAL ELECTION, OR SPECIAL MUNICIPAL ELECTION, CITY OF LONG BEACH. (INSERT DATE THEREOF.)

Instructions to Voters: To vote, stamp or write a cross (X) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the inspector of election, and obtain another.

14. All ballots printed shall be precisely of the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another; and the names of all the candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right hand side for charter amendments or other questions to be voted upon at the municipal elections, as provided for under the charter. The names of the candidates for each office shall be arranged by lot by city clerk, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

15. The name of no candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided, shall be omitted from the ballot.

16. The offices to be filled shall be arranged in separate columns in the following order:

For mayor, vote for one.
For councilman, vote for seven.
For clerk, vote for one.
For attorney, vote for one.
For treasurer, vote for one.
For police judge, vote for one.
For auditor, vote for one.
For assessor, vote for one.
For tax and license collector, vote for one.

17. Half inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

18. Half inch squares shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

19. The clerk shall cause to be printed sample ballots identical with the ballot to be used at the election and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three whole days before said election.

20. In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for all the candidates for that office shall be declared elected; in case there are two or more persons to be elected to an office, as that of councilman, then those candidates equal in number to the number to be elected, who receive the highest number of votes for such an office shall be declared elected; *provided, however*, that no person shall be declared elected to any office at such first election unless the number of votes received by him shall be greater than one half the number of ballots cast at such election.

21. If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates, and a second election shall be held to fill said office. The candidates not elected at such first election, equal in number to twice the number to be elected to any given office, or less if so there be, who receive the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election; *provided*, that if there be any person who, under the provisions of this subdivision, would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidates equal in number to the persons to be elected who shall receive the highest number of votes at such second election shall be declared elected to such office.

22. The second election, if necessary to be held, shall be held three weeks after the first election.

23. All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second election, except that notice of election need be published twice only; and *provided, also*, that the same precincts and polling places shall, if possible, be used.

24. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as hereinafter provided.

25. No informalities in conducting municipal elections shall invalidate the same, if they have been conducted fairly and in substantial conformity to the requirements of this charter.

Section 4. The provisions of the state law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections: *provided*, that the council shall meet as a canvassing board and duly canvass the election returns within seven days after any municipal election.

Section 5. All officers provided to be elected by this charter shall take office on the first Monday after the first day of January next after their election. In the case of a special election to fill a vacancy, the person elected shall, after qualifying, as herein provided, enter at once upon the discharge of the duties of the office to which he has been elected and shall serve for the remainder of the term and until his successor shall have been elected and qualified.

Section 6. In the event of a vacancy in the city council, a special election for the purpose of filling the same shall be ordered and held without delay. In the event of a vacancy in any other elective office the council shall fill such vacancy for the unexpired term.

Section 7. The council shall have power to submit to the electors of said city at any election any question required to be so submitted by the Constitution, the law, this charter, or by ordinance; *provided*, that in case such question is required by said Constitution, law, charter or ordinance to be submitted at special or other particular kind of election, it shall be so submitted, and not otherwise.

PROPOSED CHARTER AMENDMENT No. 21.

That Article XV be amended by adding a new section immediately after Section 6c, the same to be numbered 6d.

Section 6d. The petitions provided for in Sections 6a, 6b, and 6c shall not be circulated among the electors for signatures, but may be placed at as many different places within the corporate limits of the city of Long Beach as there shall be county precincts within said limits at the time of using said petitions and the same may be signed by the electors at such places; and the city council shall, by ordinance, with proper penalties, make it unlawful and a misdemeanor for any person to circulate said petitions, or any of them, and shall make it unlawful for any person to receive any compensation or remuneration of any character whatsoever for procuring signatures to such petitions.

PROPOSED CHARTER AMENDMENT No. 22.

That Section 7, of the miscellaneous provisions, be amended to read as follows:

Section 7. All ordinances and resolutions of the city and all regulations or rules prescribed by, or for, the government of its departments, officers or employees which are in force at the time of the taking effect of this charter and of the amendments thereto, and which are not inconsistent with this charter, as amended, shall continue in force until altered, amended or repealed; and all ordinances adopted by the city council or by a vote of the people, prior to the taking effect of amendments to this charter, are hereby preserved and declared to be valid and shall continue to be valid and the same shall be enforced, in all respects, as though adopted under this charter, as amended.

PROPOSED CHARTER AMENDMENT No. 23.

That the charter of the city of Long Beach be amended by adding a new article thereto, to be known as Article No. 16 and to read as follows:

ARTICLE XVI.

Section 1. There is hereby created and established in and for the city of Long Beach an industrial district.

Section 2. Said industrial district is hereby defined to be that portion of the city of Long Beach within which factories may or shall be erected and maintained; and within which buildings for the use and occupation of such factories may or shall be erected; and such avocations and industries may or shall be maintained as are prohibited in all the remaining portions of the city of Long Beach.

Section 3. That said industrial district in the city of Long Beach is hereby limited, bounded and described as follows, to wit: All that portion of the city of Long Beach lying west and north of a line extending from Seaside boulevard on the south to the northerly boundary of the city limits, described as follows, to wit: beginning at the intersection of Seaside boulevard and Alpine avenue; thence north and easterly on Alpine avenue to its intersection with Mendocino avenue; thence north on Mendocino avenue to Ocean avenue; thence east on Ocean avenue to the junction of Ocean avenue and Ocean Park avenue; thence westerly, northerly and easterly along Ocean Park avenue to its intersection with Shanock street; thence northerly on Shanock street to its intersection with the Southern Pacific railroad right of way; thence along said railroad right of way to a point opposite the center of Riverside drive,

where said Riverside drive intersects said railroad right of way; thence northerly across said railroad right of way and Wilmington boulevard to the junction of Wilmington boulevard and Fairbanks avenue; thence westerly and northerly along said Fairbanks avenue to the Cerritos Slough; thence along the said Cerritos Slough with its meanderings to the southwest corner of property of the Soft Water Laundry Company, as said property is shown on map filed with the city clerk of the city of Long Beach for assessment purposes, March, 1911, by the Los Angeles Dock and Terminal Company; thence south 60 degrees 18 minutes 40 seconds east along the southerly boundary of said property of the Soft Water Laundry Company, 52.05 feet; thence north 37 degrees 8 minutes east, along the easterly boundary of said property, 246.12 feet; thence north 208.9 feet to a point in the center line of Anaheim street; thence east on Anaheim street to Daisy avenue; thence north on Daisy avenue to the city limits. Also, all that portion of the city of Long Beach, described as follows, to wit: beginning at a point in the east line of Temple avenue, as said Temple avenue is shown on the map of the Alamitos tract, recorded in book 36, page 27 *et seq.*, miscellaneous records of Los Angeles County, said point being six hundred sixty (660) feet south of the center line of Anaheim street; thence north thirteen hundred twenty (1320) feet; thence east to the west line of Loma avenue; thence south to the south line of Anaheim street; thence east to east line of Ximeno avenue; thence south six hundred twenty (620) feet; thence west to the point of beginning.

PROPOSED CHARTER AMENDMENT No. 24.

Alternative Proposition No. 1.

That Article XIII be amended to read as follows:

Section 1. Any person, firm or corporation that, within the city of Long Beach, establishes, keeps, opens, maintains or carries on a place where spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks are sold, kept for sale, offered for sale, furnished, distributed, divided, delivered or given away, or that, within said city, either as owner, employee, agent, clerk or otherwise, sells, keeps for sale, offers for sale, furnishes, distributes, divides, delivers or gives away any spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks, shall be deemed guilty of a misdemeanor.

Section 2. Every person who shall, directly or indirectly, keep or maintain, by himself, or by associating or combining with others, or who shall in any manner aid, assist or abet in keeping or maintaining any clubroom or other place, within the city of Long Beach, in which any intoxicating liquor is received or kept for the purpose of use, gift, barter or sale, or for distribution or division among the members of any club or association, by any means whatever, and every person who shall use, barter, sell or give away, or assist or abet another in bartering, selling or giving away intoxicating liquors, so received or kept, shall be deemed guilty of a misdemeanor.

Section 3. Every person having in his possession, within the city of Long Beach, any spirituous, vinous, malt or mixed liquors, or any alcoholic or intoxicating drinks, or bottles, barrels, vessels or other articles with the intent to use the same in violation of this article shall be deemed guilty of a misdemeanor; and all such liquors, bottles, barrels, vessels or other articles in the possession of such person shall be and are hereby declared to be nuisances, and the chief of police shall have the right, and it shall be his duty, to abate such nuisances by seizing the same, and upon the conviction of such person for violating this article, all such liquors shall be destroyed.

Section 4. Every person who lets or leases any building, tenement or place, owned by him or under his control, within the city of Long Beach, to be used, or permits the same to be used, in violation of this article, shall be deemed guilty of a misdemeanor.

Section 5. The provisions of this article shall not be deemed to apply to the keeping, furnishing or giving away, of intoxicating liquors in a private residence in a reasonable amount as a means of entertainment or act of hospitality and without compensation.

Section 6. Every person, or any officer, agent, or employee of a railroad company, express company or other common carrier, who shall, within the city of Long Beach, receive, carry or deliver any spirituous, vinous, malt or mixed liquors, or any alcoholic or intoxicating drinks, or vessels for containing the same, to or for any persons, and every person who shall advertise, solicit or take orders, within the said city of Long Beach, for any spirituous, vinous, malt or mixed liquors or any alcoholic or intoxicating drinks, shall be deemed guilty of a misdemeanor; *provided, however,* that the provisions of this section shall not be deemed to apply to a person receiving or carrying liquors to his private residence for his own private use, nor to the receiving, carrying or delivering liquors to regularly licensed druggists.

Section 7. It shall be the duty of the chief of police and all police officers of the city of Long Beach, to put persons suspected of violating this article under police surveillance, and to use all legal means in detecting and convicting persons violating this article, including the exercise of the right of search given by the state

law, and Chapter 3 of Part 2 of Title 12 of the Penal Code of the State of California is hereby, so far as the same may be applicable, made to apply and be in force in the city of Long Beach.

Section 8. Any registered pharmacist, under the laws of this State, holding a druggist's permit obtained from the city council of the city of Long Beach, in the manner herein specified, may sell intoxicating liquors for bona fide medical purposes in accordance herewith upon the written prescription of a practicing physician entitled to practice medicine under the laws of the State of California; *provided, however*, that said prescription shall be written, signed and dated by the physician within twenty-four hours of the date of the sale; that the name of the person applying personally for the prescription, and the name of the person for whose personal use the prescription is made, shall be inserted therein by the physician issuing the same at the time the prescription is made or given; that the prescription shall be presented to and be filed by the druggist before any sale or furnishing is made thereon; that all prescriptions shall be numbered and kept in regular succession by the druggist filling the same, on a separate file, convenient for and open and subject, during all business hours, to the inspection of the chief of police or any police officer, and to any person who may be designated by the city council of the said city; that only one sale shall be made on one prescription; that the prescription shall be given or written only, when, in the opinion of the physician, such liquor is actually necessary as a medicine for the person named therein, and such prescription shall specify the kind and quantity of liquor to be furnished thereon, and any physician who shall give to, or write for, any well person, or persons not in actual need of said liquor as a medicine, any prescription for intoxicating liquors, either separately or compounded with other ingredients, or who shall violate or assist in violating or evading any of the provisions of this article, shall be deemed guilty of a misdemeanor, and upon conviction thereof in addition to the penalty therefor herein specified, no intoxicating liquors shall thereafter be supplied, furnished, sold or delivered to any person, by any holder of a druggist's permit, upon the prescription of such physician.

Section 9. Any registered pharmacist under the laws of this State holding a druggist's permit obtained from the city council of the city of Long Beach, in the manner herein specified, may sell alcohol for mechanical or scientific uses; *provided, however*, that it shall be unlawful to sell, deliver or give away any alcohol for any of such uses without making or causing to be made an entry in a book kept and used for that purpose exclusively, stating the date of the sale, the name and address of the purchaser, the quantity of alcohol sold or given away, the purpose for which it is stated by the purchaser to be required, and the name of the dispenser, and causing the purchaser to sign his name to such entry; said book always to be open for inspection and subject during all business hours to the inspection of the chief of police or any police officer and to the city council of said city and to any one designated by them, and to be preserved for at least five years.

Section 10. In order to obtain a druggist's permit under this article the application shall be filed with the city clerk of said city, signed and duly verified by the applicant, setting forth: The particular place, including street and number, where such business is to be conducted, and that the applicant is a person of good moral character, and that he is a registered pharmacist, under the laws of this State, and is lawfully and in good faith engaged, or is about to become engaged personally in the business of a druggist in said city, as the proprietor or manager thereof, at the place designated in his petition, and that he will not violate or evade, nor allow any of his clerks, servants, agents or employees to violate or evade this article or any ordinance of said city relating to intoxicating liquors.

Said applicant shall accompany his application with a good and sufficient joint and several bond, to the city of Long Beach, in the penal sum of one thousand (\$1,000.00) dollars, executed by himself as principal, and two sureties, with a justification of each surety attached thereto, that he is a resident and freeholder in said city, and worth the amount of said bond, over and above all his debts and liabilities in unincumbered real property situated within the county of Los Angeles, exclusive of property exempt from execution and forced sale; and said bond shall be conditioned that said applicant, and every one in his employ, will well and truly observe and obey this article and all ordinances now, or hereafter, in force in relation to intoxicating liquors in said city, during the time for which the said permit is granted; and on violation of any of the provisions of said bond the same shall thereby become forfeited and the amount thereof shall become due and payable to the city of Long Beach, and may be recovered in a civil action brought in a court of competent jurisdiction in the name of the said city of Long Beach against the persons liable thereon.

Section 11. Said city council shall, if satisfied with the sufficiency of the sureties on said bond, approve the same, and thereupon, unless said applicant or some person in his employ has been convicted of violating the charter, laws or ordinances of said city relating to intoxicating liquors, shall issue to said applicant, upon payment by him of a fee of \$25.00 therefor to the city clerk, a druggist's permit, signed by the mayor and attested by the city clerk under the seal of the said city of Long Beach, which permit shall authorize said registered pharmacist, or assistant pharmacist, under the laws of this State, to sell intoxicating liquors for bona fide medical purposes only, in accordance with this article, upon the written prescription of a physician, as in this article provided; and it shall be unlawful for the holder of any such druggist's

permit to allow the drinking, on his premises, or upon any premises occupied or controlled by him, of any intoxicating liquors, or to permit any violation of this article in or upon any premises owned, occupied or controlled by him. And said permit shall continue in force for the period of one year from the date of its issuance, unless sooner canceled or revoked in the manner herein provided.

Section 12. Whenever any person, either as owner, agent, employee or otherwise, shall have been convicted of violating any of the provisions of this article or any ordinance of the city of Long Beach, relating to intoxicating liquors, any druggist's permit held by the owner or proprietor or manager of any drug store where such violation was committed must thereupon be immediately revoked and canceled by said city council, and no other or further permit shall be issued to such owner or proprietor, or any other person by whom, or for any place where he may be employed.

Section 13. Whenever the father, mother, brother, sister, wife, husband or guardian or any relative of any person, shall notify any holder of a druggist's permit that such person, naming him, uses intoxicating liquors as a beverage, and shall forbid said druggist from selling, bartering or giving to such person any intoxicating liquors, it shall be unlawful for any such holder of a druggist's permit, after such notice, to let such person have any intoxicating liquors upon prescription, or otherwise.

Section 14. Every act in violation of this article shall separately, or for each day of its continuance, be deemed a separate offense, and any person who shall in any manner encourage, aid, abet or assist in the violation of this article, shall be deemed guilty of a misdemeanor, and any clerk, servant, agent or person committing any act in violation of this article shall be deemed guilty as principal.

Section 15. Any violation of this article, or any of the provisions thereof, shall constitute a misdemeanor, and every person found guilty of violating any of the provisions of this article shall, upon conviction thereof, be punished by a fine of not more than five hundred (\$500.00) dollars and not less than one hundred (\$100.00) dollars, or by imprisonment in the city jail of the city of Long Beach for not more than six months, or be punished by both such fine and imprisonment in the discretion of the court in which conviction is had.

Section 16. The council may, by ordinance, provide additional penalties not inconsistent with law for the violation of the provision of this article and may adopt such further restrictions as will make the said provisions effective, and shall have power to adopt ordinances further regulating, restraining and prohibiting the liquor traffic, not inconsistent with this article.

PROPOSED CHARTER AMENDMENT No. 28.

That Section 11 of Article V of the "charter for the city of Long Beach," relating to the qualification and duties of the city attorney, be amended to read as follows:

ATTORNEY.

Section 11. The city attorney shall be a citizen and qualified elector of the State, and shall have been a resident of the city of Long Beach for the two years next preceding the day of his election, and shall be elected by the qualified electors of the city, and shall hold office for two (2) years, and until his successor has been elected, and has qualified. The city attorney must be qualified to practice in all the courts of this State, and he must have been so qualified for at least five (5) years next preceding his election, and he must devote his entire time to the duties of his office; and is not permitted to practice law other than the city business, or to have a partner engaged in the practice of law. The city attorney shall prosecute in behalf of the people all criminal cases arising from violation of the ordinances of the city, and shall attend to all suits, matters and proceedings in which the city may be legally interested; *provided*, that the city council shall have control of all litigation of the city and may employ other attorneys to assist the city attorney therein. The city attorney shall be in attendance at every regular meeting of the council and shall give his advice or opinion in writing whenever requested so to do by the city council or any of the boards, commissions or officers of the city. The city attorney shall approve the forms of all bonds given to the city, and all contracts before the same are entered into by or on behalf of the city; and shall endorse his approval thereon in writing. The city attorney shall, whenever required by the city council or any member thereof, draft any or all proposed ordinances for the city or amendments thereto, and shall do and perform all such things touching his office as the city council or the mayor may require of him. The city attorney shall keep on file in his office, copies of all written communications and opinions given by him to any officer, board or department; copies of all papers, briefs and transcripts used in cases wherein he appears, and books of record and registry of all actions or proceedings in his charge, in which the city, or any officer, board or commission is a party or is interested, and on vacating his office shall surrender all books, files and documents pertaining to the city business to his successor. The city attorney may appoint an assistant city attorney, clerks, stenographers and other persons as the council by ordinance shall prescribe; *provided*, that the assistant city attorney must, at the time of his appointment, have been a resident of the city of Long Beach for the two years next preceding the day of his appointment; and *provided, further*, that the assistant city attorney must, at the time of his appoint-

ment, be qualified to practice in all the courts of the State, and must have been so qualified at least two (2) years next preceding his appointment. The assistant city attorney must devote his entire time to the duties of his office; and shall receive in full compensation for all services rendered by him, payable in equal monthly installments at the end of each calendar month, the sum of eighteen hundred dollars per annum, and is not permitted to practice law other than the city business, or to have a partner engaged in the practice of law.

PROPOSED CHARTER AMENDMENT No. 29.

The subdivision (b) of Section 6a of Article XV of the "charter for the city of Long Beach relating to the initiative be amended to read as follows:

(b) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency, the council shall proceed to call a special election at which said ordinance, without alteration, shall be submitted to a vote of the people. If the petition be signed by electors equal in number to at least ten per cent but less than fifteen per cent of the entire vote cast for all candidates for mayor at the last preceding general election at which a mayor was elected, then such ordinance, without alteration, shall be submitted by the council to a vote of the people at the next general municipal election that shall occur at any time after thirty days from the date of the clerk's certificate of sufficiency attached to the petition accompanying such ordinance. The ballots used when voting upon said proposed ordinance shall contain the words "For the Ordinance" (stating the nature of the proposed ordinance) and "Against the Ordinance" (stating general nature of the proposed ordinance). If a majority of the qualified electors voting on said proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a binding and valid ordinance of the city; and any ordinance proposed by petition, or which shall be adopted by a vote of the people can not be repealed or amended except by a vote of the people. Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section; *provided*, that there shall not be held under this section of the charter, more than one special election within a period of twelve months; except that there shall be no limitation as to time, presentation, or number of elections upon an initiative ordinance proposed under this section for the purpose of regulating or fixing the rates of compensation to be collected by any person, firm, company or corporation for supplying gas, electricity, power, heat, light, water, telephone or telegraph service to the city of Long Beach or the inhabitants thereof. The council may submit a proposition for the repeal of any such ordinance, or for amendments thereto, to be voted upon at any succeeding election; and should such proposition, so submitted, receive a majority of the votes cast thereon at such election, such ordinance shall be repealed or amended accordingly. Whenever any ordinance or proposition is required by this charter to be submitted to the voters of the city at any election, the city clerk shall cause the ordinance or proposition to be printed, and he shall enclose a printed copy thereof in an envelope with a sample ballot, and mail the same to each voter, at least ten days prior to the election, but the city council may order such ordinance or proposition to be printed in the official newspaper of the city and published in like manner as ordinances adopted by the council are required to be published, and may order that such publication shall take the place of the printing and mailing of the ordinance or proposition, and of the sample ballot as first above provided.

PROPOSED CHARTER AMENDMENT No. 30.

That the charter of the city of Long Beach be amended by adding thereto another article to be known as Article XVII, pertaining to common carriers and by repealing certain provisions of said charter in conflict therewith; said Article XVII to read as follows:

ARTICLE XVII.

COMMON CARRIERS.

The Railroad Commission of the State of California is hereby granted and given all the powers, rights and jurisdiction over every common carrier (as defined in Section 2 of the Public Utilities Act, approved December 23, 1911), operating within the city of Long Beach or serving the inhabitants thereof, conferred upon said Railroad Commission by the Constitution, the Public Utilities Act, as approved December 23, 1911, and any other law or statute of the State of California: The provision of section three (3) of Article I of the city charter of the city of Long Beach, and the provisions of section ten (10) of Article VI of the city charter of the city of Long Beach, in so far as the same may be in conflict with, or contrary to this article pertaining to common carriers, are hereby expressly repealed.

In witness whereof, We have hereunto set our hands and affixed the corporate seal of the city of Long Beach this 23d day of January, 1913.

I. S. HATCH,
Mayor of the city of Long Beach.

HARRY B. RILEY,
City clerk of the city of Long Beach.

AND WHEREAS, The said twenty-six proposed amendments, so ratified as hereinabove set forth, have been duly presented and submitted to the Legislature of the State of California, for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein), That the said twenty-six proposed amendments to the said charter of the city of Long Beach, hereinabove set forth, as presented, and as submitted to and adopted and ratified by the qualified electors of said city, be and the same are hereby approved as a whole for and as amendments to the said charter of the city of Long Beach.

SPECIAL ORDER.

The hour of two o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

The question being on adoption of the resolution offered by Mr. Polsley, relating to Fish and Game Commission.

During the consideration of the above resolution, the following substitute was offered by Mr. Polsley:

Resolved by the Assembly of the Legislature of the State of California, That the Fish and Game Commission be requested to furnish to the Assembly at the reconvening of the Legislature at the end of the constitutional recess all information regarding the activities of its attorney in the formation of branches of the Great Fish and Game Protective Association, together with a full accounting of the moneys expended by its attorney, Robert D. Duke, in traveling about the State; and be it further

Resolved, That the Fish and Game Commission furnish a report of the reasons for the increase of its attorney's salary from \$200 a month to \$250; and be it also

Resolved, That the Fish and Game Commission furnish a comparative statement of its overhead and office expenses for the past fiscal year and the two fiscal years immediately preceding.

MOTION.

Mr. McDonald moved that further consideration of the above substitute be laid on the table.

ROLL CALL REGULARLY DEMANDED.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Green, Hayes, Hinkle, Inman, Johnstone, W. A. Killingsworth, Kuck, McDonald, Morgenstern, Mouser, Nolan, Peairs, Roberts, Ryan, Schmitt, Shannon, Shartel, Strine, Sutherland, White, Woodley, and Mr. Speaker—38.

NOES—Messrs. Alexander, Bloodgood, Brown, Dower, Finnegan, Ford, Gabbert, Gelder, Guiberson, Guill, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, McCarthy, Murray, Palmer, Polsley, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Weldon, and Wyllie—27.

NOTICE OF MOTION TO RECONSIDER.

Mr. Killingsworth gave notice that on the next legislative day he would move a reconsideration of the vote whereby the motion to table the above resolution was carried.

QUESTION OF PERSONAL PRIVILEGE.

Mr. Polsley rose to a question of personal privilege, and denied all statements that he was not sincere in supporting his resolution relative to Fish and Game Commission.

SPEAKER PRO TEM. IN THE CHAIR.

At three o'clock and thirty minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Ryan:

Resolved, That the Secretary of State is hereby authorized to compile, publish and distribute ten thousand copies of a roster of state, county, city and federal officials of the State of California, fifty of said rosters to be delivered to each member of the Legislature, the balance at the discretion of the Secretary of State. Payment for the same to be made out of the funds heretofore appropriated for printing, binding and ruling, subject to the order of Secretary of State.

Resolution read, and on motion adopted.

By Mr. Bradford:

WHEREAS, It has pleased the Almighty to call from this earth since the last session of the Legislature the Hon. Edward J. Lynch, who ably represented one of the Sacramento districts in the Assembly; and

WHEREAS, The county and State has in the death of Mr. Lynch lost a valued citizen and a man of integrity who was at all times loyal and devoted to his work in the interests of his constituency and State; therefore, be it

Resolved, That we, the members of the Assembly, in token of our regard for the memory of the deceased, adjourn this day out of respect to the Hon. Edward J. Lynch.

Resolution read, and on motion unanimously adopted.

By Mr. Schmitt:

WHEREAS, Ed E. Reese, Sergeant-at-Arms of the Assembly, has in his possession warrants of Assemblymen which will not be receipted for until after the constitutional recess, also original bills left with him for safe keeping by chairmen of committees of this House, and considerable property belonging to the Assembly and to individual members of the Assembly left in his care; therefore, be it

Resolved, That said Ed E. Reese retain the custody and keys of room 63 of the Capitol building, known as the Sergeant-at-Arms' room, during the constitutional recess.

POINT OF ORDER.

Mr. Smith rose to the following point of order: "That the Legislature has no right to, or control over, any room in the Capitol building during the recess."

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

Resolution read, and on motion adopted.

SPEAKER IN THE CHAIR.

At three o'clock and fifty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

RE-REFERENCE OF BILLS.

On motion of Mr. Sutherland, Assembly Bills Nos. 212, 231, 460, and 463 were recalled from the Committee on Revenue and Taxation and re-referred to Committee on Roads and Highways.

On motion of Mr. Bradford, Assembly Bills Nos. 1467 and 1468 were recalled from the Committee on Public Health and Quarantine and re-referred to Committee on Live Stock and Dairies.

RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Mr. Schmitt:

Resolved, That Assembly Bill No. 3 be and the same is hereby re-referred to the Committee on Judiciary for further hearing and consideration; and that the same do, however, retain its place upon the third reading file.

SPECIAL ORDER SET.

On motion of Mr. Schmitt, further consideration of the above resolution was made a special order for Monday, March 10, 1913, at 2 o'clock p.m.

By Mr. Finnegan:

Resolved, That the Chief Clerk of the Assembly is hereby instructed to procure for this House the following books and place in the Chamber of the Assembly: A complete set of California Supreme Court Reports; complete set of Appellate Court Reports; Digest of said reports; set of Annotated Codes; Notes to California Reports; full set of Statutes, from 1850; Index to Laws in Force; Revised Statutes of the United States; also other reference books and books and treatises on appropriate subjects, said works to be suggested by members of the Assembly; also large map of the State of California showing counties, and map of United States. He shall also secure appropriate book cases for keeping and guarding the same. Said books to be obtained from the State Library or other libraries exchanging books with the same; *provided*, the books may be purchased not to exceed \$200, if such purchase is necessary, and said book cases not to exceed \$——, to be paid out of the contingent expense fund of this House.

The above shall be obtained and placed in the Assembly Chamber during the constitutional recess of the present session, and at each session of the Legislature hereafter the same shall be placed in the Assembly Chamber.

Resolution read, and on motion referred to Committee on Contingent Expenses.

QUESTION OF PERSONAL PRIVILEGE.

Mr. Polsley rose to a question of personal privilege, and denied a statement in the Sacramento *Union* to the effect that he had attended a banquet given by the Fish and Game Commission.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled:

Assembly Joint Resolution No. 10—Relative to Irish home rule.

Assembly Joint Resolution No. 8—Relative to protecting from fire the forested watersheds of navigable streams and requesting the California congressional delegation to use their efforts in securing an additional appropriation under the terms of the Weeks law, known as Chapter 186 of Volume 36, Part 1, U. S. Statutes at Large.

Also: Assembly Bill No. 197—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending sections two, three, four, five, twenty-four and thirty-five.

And were presented to the Governor this third day of February, 1913, at three o'clock and twenty-five minutes p.m.

McCARTHY, Vice-Chairman.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 509—An Act making an appropriation for printing for the State Board of Forestry for the balance of the sixty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 509 passed by the following vote:

AYES—Messrs. Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McCarthy, McDonald, Morgenstern, Mouser, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weldon, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532a.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, line 3 of the printed bill, strike out all after the figures and letter "532a" and insert in lieu thereof: "Any person, firm, corporation or co-partnership who knowingly and designedly offers or gives with winning numbers at any drawing of numbers or with tickets of admission to places of public assemblage, any lot or parcel of real property and charges or collects fees in connection with the transfer thereof, is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 13 of the printed bill, after the semicolon, insert the following words: "by posting notice of the time, place and conditions of the sale, at least three weeks before the date fixed for the same, in a conspicuous place upon the premises to be sold".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 16, after the word "and" insert the word "also."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 16, strike out the semicolon after the word "thereof"; also strike out the word "provided" and the comma following the word "provided" and insert in lieu the word "if" following the word "thereof".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 18, insert a period after the word "trustee"; also on same line strike out the words "and in" and insert in lieu thereof after the period the word "In".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 494—An Act to recognize and declare valid all proceedings in Richmond municipal water district.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Pedic Society of the State of California, a corporation, to assist in the carrying out of the purposes of the Act.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line 2, on page 3, of the printed bill, after the word "or" insert the word "by."

Amendment adopted.

AMENDMENT No. 2.

In line 1, on page 4, of the printed bill, strike out the word "certified" where it first appears.

Amendment adopted.

AMENDMENT No. 3.

In line 35, on page 5, of the printed bill, strike out the words "some reliable bank" and insert in lieu thereof "the state treasury."

Amendment adopted.

AMENDMENT No. 4.

In line 8, on page 7, of the printed bill, strike out the words "Pedic Society" and insert in lieu thereof "board of examiners of chiropody."

Amendment adopted.

AMENDMENT No. 5.

In line 24, on page 8, of the printed bill, after the word "information" insert the word "furnished."

Amendment adopted.

AMENDMENT No. 6.

In line 24, on page 8, of the printed bill, strike out the words "the Pedic Society of" and insert in lieu thereof "any person in."

Amendment adopted.

AMENDMENT No. 7.

Beginning on line 25, on page 9, of the printed bill, strike out all of said line and each line thereafter to and including line 35, and insert in lieu thereof the following:

"SEC. 18. Every chiropodist now practicing chiropody within the State of California must within ninety days after the passage of this Act apply to the board of examiners of chiropody for examination by said board for a license to practice chiropody, and upon making such application must pay to such board a fee of \$5.00. Said board, in passing upon the qualifications of such applicants, must credit such applicant in such examination with two per cent for each one year such applicant shall have been actually engaged in the practice of chiropody; and if such applicant shall successfully pass such examination after having been credited with the per cent as above provided, said board of examiners shall issue to such successful applicant a license to practice chiropody within the State of California."

Amendment adopted.

AMENDMENT No. 8.

Add Section 19 to the printed bill, which shall read as follows:

"SEC. 19. Every person who shall hereafter be licensed to practice chiropody in this State, shall within six months thereafter register in the office of the clerk of the county where his place of business is located, in a book kept by the clerk for such purpose, and called "A Register of Chiropodists," his name, age, office address, the date and number of his license to practice chiropody, and the date of such registration, which registration he shall be entitled to make only upon showing to the county clerk his license or a copy thereof certified by the secretary of the board over its seal, and making an affidavit stating his name, age, birth place, the number of his license and the date of its issue; that he is the identical person named in the license; that before receiving the same he complied with all the preliminary requirements of this statute and the rules of the board of examiners of chiropody as to the terms and the amount of study and examination; that no money other than the fees pre-

scribed by this statute and said rules, was paid directly or indirectly for such license, and that no fraud, misrepresentation or mistake in a material regard was practiced, employed or occurred by any person in order that such license should be conferred. Said person need not personally register before the county clerk but may make the affidavit afore provided before any officer authorized by law to administer oaths, and which affidavit together with the other information and license, of the certified copy thereof as afore provided, shall be forwarded to the said county clerk, who shall act in the manner the same as if the party was personally present. The county clerk shall preserve such affidavit in a bound volume and shall issue to every licentiate duly registering and making such affidavit, a certificate of registration in his county, which shall include a transcript of the registration. Such transcript and license may be offered as primary evidence in all courts of the facts therein stated. A copy of such certificate of registration shall be sent by the county clerk to the secretary of the board within five (5) days after it is made. The county clerk's fees for taking such registration and affidavit and issuing such certificate of registration shall be one dollar (\$1.00). A practicing chiropodist having registered a lawful authority to practice chiropody in one county of the State, and removing such practice or part thereof to another county, shall show or send by registered mail to the clerk of such other county his certificate of registration. If such certificate clearly shows that the original registration was of an authority issued by the board of examiners of chiropody, or if the certificate or registration itself is indorsed by the secretary of the board of examiners of chiropody as entitled to registration, the clerk shall thereupon register the applicant in the "Register of Chiropodists" of the latter county on receipt of a fee of fifty (50) cents, and shall stamp or endorse on such certificate of registration the date and his name preceded by the words "registered also in ----- county," and return the certificate of registration to the applicant. Any lawfully registered person who shall thereafter change his name according to law shall register the new name with a marginal note of the former name with the clerk of the county or counties where he is practicing. The clerk shall forthwith notify the secretary of the board of such change. Any county clerk who knowingly shall make or suffer to be made upon the register of chiropodists kept in his office any entry other than that provided for in this Act, shall be liable to a penalty of fifty (50) dollars to be recovered by and paid to the said state board of examiners of chiropody in a suit in any court having jurisdiction. Any failure, neglect or refusal on the part of any person holding such license to register the same with the clerk of said county as above directed for a period of six months after the issuance thereof shall *ipso facto* work a forfeiture of his license, and it shall not be restored except upon the payment to said board of twenty-five (25) dollars. Any suspension, revocation or reinstatement of a license shall with the date thereof be forthwith noted by the county clerk on the margin of the registration thereof upon receipt of notice from the secretary of the board."

Amendment adopted.

By Mr. Ryan:

Amend Assembly Bill No. 69 by striking out the title and insert in lieu thereof, the following: "An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing it to carry out the purposes of the Act."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

THIRD READING OF SENATE BILL.

Senate Bill No. 477—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870a.

Bill read third time.

The question being upon the adoption of the emergency clause.

The roll was called, and the emergency clause adopted by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Pears,

Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weldon, White, Wyllie, and Mr. Speaker—57.
NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 477 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Mouser, Murray, Palmer, Pairs, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weldon, White, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILL.

On motion of Mr. Johnstone, Assembly Bill No. 247 was recalled from the Committee on Claims, and referred to Committee on Ways and Means.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Judson, Miss Viola Patten was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Polsley, Mr. A. J. Mueller was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. Chas. Cunningham was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nolan, Miss B. Kurpinsky was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Young, Mr. F. W. Foss was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Farwell, Mr. Edward Wall was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mrs. Lillian C. Hough was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mr. Wm. W. Gilmore was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. F. J. Trainor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roberts, Miss Helen Todd was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mr. E. W. Evys was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. J. M. Garoutte was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. William H. Noy and Mr. E. B. Bullock were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. W. F. St. Sure and Mr. I. N. Chapman were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mr. David H. Barry was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. T. Loynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. George Robertson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. Al Berger was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. T. W. Meredith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. W. C. Flinn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dower, Mr. Euell Gray was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mr. W. Francis Ireland was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. W. P. Fishburn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Mouser, Mr. John J. Shields was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. Albert Muller was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Polsley, Mr. Paul Hiller was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. J. F. Pullen was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At four o'clock and fifty-five minutes p.m., on motion of Mr. McDonald, the Speaker declared the Assembly adjourned until nine o'clock a.m., of Tuesday, February 4, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, February 4, 1913.

At nine o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt,

Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—67.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Smith, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Byrnes, Mr. Green was granted leave of absence for the day.

On motion of Mr. Bohnett, Mr. Sutherland was granted leave of absence for the day.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Scott:

Relative to favoring the passage of the bill providing for a new department of affairs of the State of California, to be designated the Commission for the Abolition of Poverty.

(Signed) KARL JOHAN.
T. STOLEY (and others).

By Mr. Bohnett:

To the Honorable Assembly of the Legislature of the State of California:

Pasadena quarterly meeting of Friends' Church, in regular session, comprising a membership of over ten hundred of a membership of over three thousand in the State at large, respectfully petition and earnestly request that the bill now pending, known as the "Kehoe-Benedict Sunday Rest Bill" do pass and become a law.

Adopted by unanimous vote at Pasadena, California, this 25th of January, A. D. 1913, and the clerk directed to forward same.

ELMER H. WHITE, Presiding Clerk.
DOSIA C. W. SYMONS, Recording Clerk.

Also:

1. We, the undersigned, citizens of the State of California, respectfully petition your honorable bodies to enact in the legislative session of 1913, a state law to prevent public or private exhibitions of prize fighting, in California, and affixing penalties for conducting such exhibitions, witnessing such exhibitions or participating in any way in the conduct of such exhibitions.

2. And we further petition that a "red light injunction and abatement law" be enacted by the Legislature of California for the purpose of enabling the citizens of the State to abate the now widely prevalent traffic in girls.

H. N. LEEN (and others).

By Mr. Finnegan:

LINCOLN, PLACER COUNTY, CAL., February 3, 1913.

WHEREAS, The trend of events has rendered it very difficult to enforce criminal law; be it

Resolved by Gold Hill Grange, No. 326, Patrons of Husbandry, in regular meeting assembled:

1. That we endorse the action of the California Bar Association and the Commonwealth Club of California in their efforts to secure simpler methods of procedure in the trial of criminal cases: (a) as to the selection of jurors: (b) as to the number of jurors required to render a verdict: (c) as to the weight to be given the testimony of accomplices; and (d) as to instructions to jurors.

2. That we believe the powers of grand juries should be so enlarged that: (a) they be empowered to initiate needed legislation: (b) they be empowered to order a recall

election against incompetent or unworthy officials; and (c) they be empowered to initiate action under Section 772 of the Penal Code of California for the summary removal from office of officials guilty under that section.

Yours very truly,

J. W. DANIELS, Secretary.

By Mr. Mouser:

Resolutions indorsing Assembly Bill No. 125, by Mr. Mouser, appropriating money for the building of a California state building at the Panama-Pacific International Exposition, adopted by the boards of supervisors of the following counties: Contra Costa, Yuba, Tehama, San Mateo, Alameda, Sutter, Tulare, Siskiyou, Yolo, Glenn, Amador, Stanislaus, Merced, San Joaquin, Napa, and Shasta; also, from the town of Willows, the Oroville Chamber of Commerce, the Business Men's Association of Chico, the Biggs Chamber of Commerce, and the Gridley Board of Trade.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received February 3, 1913, the following: Assembly Bills Nos. 1593 to 1816, inclusive; also Assembly Constitutional Amendments Nos. 56 to 69, inclusive, and returned to the Clerk of the Assembly the same day the following: Assembly Bills Nos. 1406 to 1592, inclusive.

CLARK, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following: Assembly Concurrent Resolution No. 6—Relative to the printing of the report of the State Controller provided for by Section 243 of the Political Code.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above Assembly concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted as amended the following: Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts—and respectfully request your honorable body to concur in the amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 2?"

SENATE AMENDMENT No. 1.

On page 1, line 21, strike out the word "loan," and insert in lieu thereof the words "in this."

SENATE AMENDMENT No. 2.

On page 2, line 1, strike out the words "directly to the various school districts of the nation," and insert in lieu thereof the following: "in school district bonds of the various school districts of the several states."

The roll was called, and Senate amendments to Assembly Joint Resolution No. 2 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

The above Assembly joint resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system—and respectfully request your honorable body to concur in the amendment.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 3?"

On page 1, line 16, strike out the word "instructed," and insert in lieu thereof the following: "requested."

The roll was called, and Senate amendment to Assembly Joint Resolution No. 3 was concurred in by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guiberson, Guill, Hinkle, Johnson, Geo. H., Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Assembly Joint Resolution No. 3 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 31, 1913, adopted Senate Joint Resolution No. 14—Relative to the free passage through the Panama Canal of American ships engaged in the coastwise commerce of the United States and opposing repeal of the Act of Congress providing therefor.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, February 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 477—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be numbered eight hundred and seventy a.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker announced the appointment of the following Special Committee on Bond Issue: Messrs. Chandler, Inman, Ryan, Polsley, and Woodley.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Inman (by request): Assembly Bill No. 1817—An Act to provide for county civil service commissions, who shall have the power to appoint boards of election, and prescribing the qualifications for members of boards of election and the duties of county civil service commissions.

Bill read first time, and referred to Committee on Elections.

Also (by request): Assembly Bill No. 1818—An Act requiring all qualified electors in the State of California to register and to vote at general elections; and prescribing a poll tax upon all electors who fail or neglect so to register or to vote; and prescribing punishment for those persons who swear falsely in such matters; and prescribing certain duties for county clerks, tax collectors and boards of election.

Bill read first time, and referred to Committee on Elections.

Also (by request): Assembly Bill No. 1819—An Act to amend Section 1870 of the Code of Civil Procedure, relating to the facts of which evidence may be given upon a trial.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1820—An Act to amend Section 1483 of the Penal Code, relating to the hearing on the return of habeas corpus proceedings, and providing for transfer thereof from the Superior Court to the District Court of Appeal, where the constitutionality or judicial construction of a statute is involved.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 1821—An Act to amend Section 285 of the Penal Code, relating to the crime of incest and fixing the penalty thereof.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1822—An Act to amend Section 3824 of the Political Code, relating to the payment and recovery of excess amounts of taxes, and limiting the time for demand and suit to recover the same, the apportionment thereof and liability of the treasurer therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also (by request): Assembly Bill No. 1823—An Act to amend Section 1390 of the Penal Code of the State of California, relating to the manner in which corporations are required to appear before a committing magistrate.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1824—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 1390a, relating to the prosecution of corporations in criminal actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1825—An Act to amend Section 1391 of the Penal Code of the State of California, prescribing the form of summons to be issued requiring corporations to appear in criminal actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1826—An Act to amend Section 1396 of the Penal Code of the State of California, relating to the prosecution of corporations in criminal actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1827—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 1398, relating to the prosecution of corporations in criminal actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hinkle: Assembly Bill No. 1828—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase, and appropriating seven thousand five hundred dollars therefor.

Bill read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901, and 1902, of the Political Code of the State of California, relating to making a roll of persons subject to military duty, and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Sutherland: Assembly Bill No. 1830—An Act to amend section three hundred and seven of the Penal Code, relating to the sale and use of opium, and visiting places where opium is smoked, or the fumes of opium inhaled.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Morgenstern: Assembly Bill No. 1831—An Act to amend sections fifteen hundred seventeen, fifteen hundred eighteen, fifteen hundred twenty and fifteen hundred twenty-two of the Political Code of the State of California, relating to the State Board of Education and its powers.

Bill read first time, and referred to Committee on Education.

By Mr. Benedict: Assembly Bill No. 1832—An Act to amend section six hundred and fifty of the Civil Code, relating to the powers of boards of trustees of colleges and seminaries of learning.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1833—An Act to provide for the consolidation of special elections in counties, cities and counties, cities and towns.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1834—An Act to amend Section 1662 of the Political Code of the State of California, defining the length of the elementary school course, school age, and conditions of admission to and exclusion from the day and evening elementary schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1835—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Bill read first time, and referred to Committee on Education.

By Messrs. Gelder and Smith: Assembly Bill No. 1836—An Act to compel every person, company, association or corporation carrying on

or conducting the business of supplying water in any city, city and county, or town, to supply all the inhabitants thereof.

Bill read first time, and referred to Committee on Corporations.

By Mr. Gelder: Assembly Bill No. 1837—An Act to repeal Section 1840 of the Political Code of the State of California, said section relating to the support of schools, estimates of moneys needed, levy of tax and funds, and for what purpose available.

Bill read first time, and referred to Committee on Education.

Also (by request): Assembly Bill No. 1838—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, and amending said Act by adding thereto a new section, to be numbered 6a.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Gelder: Assembly Bill No. 1839—An Act defining the liability of doctors and others who may injure the health of any person by vaccination.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1840—An Act to amend section five hundred and twenty-nine of the Political Code, relating to printing.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1841—An Act to amend Section 528 of the Political Code, relating to the printing of laws and journals.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1842—An Act to repeal Section 533 of the Political Code, relating to ruling and binding contracts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1843—An Act to repeal Section 409 of the Political Code, relating to distribution of state documents.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McDonald: Assembly Bill No. 1844—An Act relating to misrepresentation in regard to employment of labor, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1845—An Act providing for the payment by the county of jury fees in civil cases, and repealing Acts in conflict therewith.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1846—An Act regulating loans of money on assignment of wages and salaries, fixing a maximum rate of interest, and providing penalties thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1847—An Act to amend section one thousand three hundred and eighty-six of the Civil Code of the State of California, relating to the succession and distribution of property of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Tulloch: Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 1849—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section seventy-eight thereof, relating to the exclusion of lands from such districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Simpson (by request): Assembly Bill No. 1850—An Act for the relief of purchasers of school lands.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wall (by request): Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489a, relating to reclamation and swamp land districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Scott: Assembly Bill No. 1852—An Act appropriating money to assist in paying expenses for encampment of the United Spanish war veterans.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Ryan: Assembly Bill No. 1853—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city, or other legal subdivision thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1854—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged, and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Woodley (by request): Assembly Bill No. 1855—An Act to amend section forty-two hundred ninety of the Political Code of the State of California, relating to fees and salaries of county officers.

Bill read first time, and referred to Committee on County Government.

Also (by request): Assembly Bill No. 1856—An Act to amend Sections 1183, 1187, 1190 and 1193 of the Code of Civil Procedure of the State of California, relating to mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Byrnes: Assembly Bill No. 1857—An Act to add a new section to the Political Code of California, to be numbered Section 594*b*, relating to the deposit of securities by foreign insurance companies before transacting any business in the State.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. White: Assembly Bill No. 1859—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1860—An Act to add a new section to the Penal Code of the State of California, to be numbered ten hundred seventy-five *a*, relating to examining, challenging and excusing jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1861—An Act to amend section ten hundred twenty-seven of the Code of Civil Procedure of the State of California, relating to costs on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1862—An Act to amend section six hundred thirty-one of the Code of Civil Procedure of the State of California, relating to waiver of trial by jury.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1863—An Act to add a new section to the Penal Code of the State of California, to be numbered eleven hundred twenty-seven *a*, relating to instructions to juries.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1864—An Act to repeal sections eleven hundred eight and eleven hundred eleven of the Penal Code of the State of California, relating to the corroboration of the testimony of persons upon whom or with whom certain crimes have been committed, and to the corroboration of the testimony of an accomplice.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

By Mr. Moorhouse: Assembly Bill No. 1865—An Act to amend Sections 1, 2, 5, 8 and 11 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors, by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense

to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Ellis: Assembly Bill No. 1866—An Act to amend Section 442 of the Code of Civil Procedure, relating to cross complaints.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1867—An Act to amend section six hundred and twenty-five of the Code of Civil Procedure, relating to verdicts of juries.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1868—An Act to amend Section 1108 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1869—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, relating to the issuance of subpoenas, the disobedience thereof, refusal of a witness to be sworn, to answer as a witness, or to subscribe an affidavit or deposition, and punishment therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1870—An Act to amend Section 413 of the Code of Civil Procedure, relating to service of summons by publication.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1871—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 749, relating to the effect of judgments in actions affecting title to real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1872—An Act to amend Section 407 of the Code of Civil Procedure, relating to the issuance, direction and contents of the summons in civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ellis: Assembly Bill No. 1873—An Act to amend section six-hundred sixty-four of the Code of Civil Procedure, relating to proceedings for the establishment of heirship.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1874—An Act to amend the Civil Code by adding a new chapter, to be known as Chapter VIII, of Title II, Part IV, of Division First, of said Civil Code, relating to mortgage insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Kuck: Assembly Bill No. 1875—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by Section 8 of Article XI of the Constitution, with respect to the assessment of property in such cities for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Palmer: Assembly Bill No. 1876—An Act to authorize and empower the commission constituted by an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 4, 1911; to dispose of lands heretofore purchased or agreed to be purchased by said commission for a site for said California state reformatory. and directing it to select another site.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Johnson: Assembly Bill No. 1877—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to boards of election.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1878—An Act to amend section one of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privileges of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893."

Bill read first time, and referred to Committee on Elections.

By Mr. Bagby: Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d, and 626f of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1880—An Act to amend Section 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Collins: Assembly Bill No. 1881—An Act to compel owners, lessees, proprietors or managers of certain hotels and lodging houses to provide a means of escape from such hotels and lodging houses in case of fire.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Polsley: Assembly Bill No. 1882—An Act to amend section six hundred and thirty-four of the Penal Code, relating to salmon, shad and striped bass.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Peairs: Assembly Bill No. 1883—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1884—An Act concerning neglected, dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with

such persons, and fixing the salaries of probation officers, and also their qualifications; providing for detention homes for such persons; providing for the punishment of persons responsible for, or contributing to, the neglect, dependency or delinquency of such persons, and giving the Superior Court jurisdiction of such offenses, and providing for appeal from any order or judgment of such Superior Court, and repealing inconsistent Acts.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Benedict: Assembly Bill No. 1885—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1886—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Peairs (by request): Assembly Bill No. 1887—An Act to provide for the filling of any vacancy that may occur in any state, county or municipal elective office.

Bill read first time, and referred to Committee on Elections.

By Mr. Johnstone: Assembly Bill No. 1888—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act, which section shall be numbered 6a, relating to the issuance of certificates entitling the owners thereof to practice medicine and surgery within the State of California, without the passing of an examination, but upon certain conditions in said section expressed.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1890—An Act to amend Section 1204 of the Political Code of the State of California, relating to the manner of voting.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1891—An Act to amend Section 1195 of the Political Code, relating to submitting of constitutional amendments.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1892—An Act to amend Section 1359 of the

Political Code of the State of California, relating to primary elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Shartel: Assembly Bill No. 1893—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1894—An Act to amend Section 10u of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also (by request): Assembly Bill No. 1895—An Act to prevent the pollution of streams by sawmill or factory refuse.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1896—An Act to amend Section 374½ of the Penal Code of the State of California, relating to the pollution of streams.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Dower: Assembly Bill No. 1897—An Act to define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business, engaged in and carried on by or through any corporation, firm or person.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1898—An Act relating to the arrangement of names of candidates for President and for Presidential Electors on the official ballot, and providing how an elector may designate his choice for candidates for President and Presidential Electors.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1899—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of superior judges.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1900—An Act to amend section four thousand two hundred and sixty-nine of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fortieth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1901—An Act making an appropriation to pay the claim of Charles E. Hand against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 1902—An Act to amend an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909.'"

Bill read first time, and referred to Committee on Elections.

By Mr. Ryan: Assembly Bill No. 1903—An Act to amend Section 4300e of the Political Code, relating to justices of the peace fees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett: Assembly Bill No. 1904—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered nine hundred and fifty-one, relating to the preparation and service of records on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1905—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered nine hundred and fifty-two, relating to transcript of reporter.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1906—An Act to amend section nine hundred and fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett: Assembly Bill No. 1907—An Act providing for the organization and management of mutual workmen's compensation insurance companies, and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1908—An Act to amend section seventeen hundred fifty-six of the Political Code of the State of California, relating to the maintenance of high schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1909—An Act to amend section four hundred forty-three of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1910—An Act to amend section two of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such works and improvements, and authorizing cities and towns to improve the portion of such highways within their corporate limits

and to issue and sell bonds therefor." approved March 19, 1907, relating to the appointment of a county highway commission.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use, and appropriating money therefor.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1913—An Act to amend Sections 1401 and 1402 of the Civil Code of the State of California, relating to the disposition of community property upon the death of the wife or husband.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1914—An Act to amend section nine hundred and sixty-three of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1915—An Act to repeal sections nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-three *a*, nine hundred and fifty-three *b*, and nine hundred and fifty-three *c* of the Code of Civil Procedure, relating to records on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1916—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered nine hundred and fifty, relating to records on appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1917—An Act providing for the removal of public officials for a violation of official duties and repealing an Act entitled "An Act for the removal of civil officers for a violation of official duties," approved March 30, 1874.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bohnett: Assembly Bill No. 1918—An Act to amend Section 4458 of the Political Code by providing therein for the publication of notices given or made by public officers, or by law, in cities operating under freeholders' charters, wherein a municipal paper is being published by authority of such charter.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1919—An Act to amend Section 10*d* of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving

to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts." approved March 8, 1909, relating to probation officers in counties of the fourth class and their salaries.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 1920—An Act to amend Sections 1094, 1120, and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1921—An Act to add two new sections to the Code of Civil Procedure, to be known and numbered as Sections 1128 and 1129, respectively—each relating to contesting elections.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the County Clerk.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting," in municipal elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Sutherland: Assembly Bill No. 1924—An Act to amend Section 170 of the Code of Civil Procedure of California, relating to the disqualification of judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Inman (by request): Assembly Bill No. 1925—An Act to amend section one thousand four hundred eight of the Penal Code of the State of California, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also (by request): Assembly Bill No. 1926—An Act to amend Section 264 of the Penal Code of the State of California, relating to the punishment of rape.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 1927—An Act to add a new section to the Penal Code, to be known as Section 515, relating to the felonious acquirement and appropriation of money and property, the punishment thereof, and the form of pleading the same.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 1928—An Act to provide for an exposition building in Alameda County, for the use of all of the counties of this State, for the purpose of maintaining permanent exhibits therein of the resources of the different counties, and to make an appropriation for the construction of said building, and for the equipment of the same.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1929—An Act to provide for the purchase or lease of lands or lands and buildings in Alameda County to be used as a place for holding and maintaining permanent exhibit or exhibits showing and displaying the products and resources of the different counties

of this State, and to make an appropriation to buy or lease suitable lands and buildings for the purpose herein set forth.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Clark: Assembly Bill No. 1930—An Act to amend sections twenty-two hundred and ninety-two and twenty-two hundred and ninety-three and twenty-two hundred and ninety-five of the Political Code as to the Board of Trustees of the State Library, and term of office of said trustees, and the general powers and duties of said board, and the general duties of the State Librarian.

Bill read first time, and referred to Committee on Libraries.

Also: Assembly Bill No. 1931—An Act to amend section twelve hundred and eighty-one of the Political Code, relating to the canvass of election returns.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1932—An Act to amend section twelve hundred and sixty-five of the Political Code, relating to the keeping of ballots unopened.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1933—An Act to amend section two hundred and seventy-two *a* of the Political Code, relating to the transfer of compensation by election officers.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill 1934—An Act to amend section eleven hundred and four of the Political Code, relating to the registration of voters.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1935—An Act to amend section eleven hundred and five of the Political Code, relating to the cancellation of registrations.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No 1936—An Act to amend section twelve hundred and ten of the Political Code, relating to sample ballots and instruction cards.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1937—An Act to amend section eleven hundred and fifteen of the Political Code, relating to affidavits of registration.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to election-eering and secrecy of the ballot.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1940—An Act to amend sections ten hundred and ninety-six and ten hundred and ninety-seven of the Political Code of the State of California, relating to elections and the registration of voters.

Bill read first time, and referred to Committee on Elections.

By Mr. Johnston: Assembly Bill No. 1941—An Act to amend Section 131 of the Civil Code of California, relating to interlocutory decrees of divorce.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1942—An Act to ratify and approve an Act entitled "An Act providing for the disposition of certain property," passed April 21, 1851, and to cure and obviate any and all defects therein to the vesting in the town of Martinez of the lands so granted and released.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1943—An Act to amend Section 200 of the Code of Civil Procedure of California, relating to exemption from jury duty.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bradford: Assembly Bill No. 1944—An Act to confer additional powers and duties upon the reclamation board; to provide for the performance of works of reclamation and drainage approved by said board; to provide for the ascertainment by said board of a district of lands to be benefited by the performance of the work specified in the report of the California Débris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the 27th day of June, 1911; to provide for the ascertainment by said board of any district or districts of land lying within the watershed of the Sacramento River and its tributaries which will be benefited by the performance of any unit or units of the system of work specified in said report; to provide alternative methods for assessing the cost of such works upon the property benefited thereby and for the collection of such assessments; to provide for the compensation of the members and the employees of said board; to confer additional duties upon the State Engineer; and making an appropriation to pay the expenses of such examinations and surveys as may be necessary to effect the purposes of this Act.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Schmitt: Assembly Bill No. 1945—An Act to provide for sanitary inspection and investigation in certain foreign and oriental ports from which dangerous diseases may be introduced into California; specifying the general character of this work; and making an appropriation to the State Board of Health therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1946—An Act to amend Sections 9, 10, 11, 15, 33 and 53 of the "Tenement House Act," approved April 10, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Canepa: Assembly Bill No. 1947—An Act appropriating money for constructing a hospital building on site near the ferry building in the city and county of San Francisco; arranging for its upkeep by said city and county.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1948—An Act appropriating money for building and furnishing an observatory at San Francisco.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Scott: Assembly Bill No. 1949—An Act amending section two of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state

improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Bloodgood: Assembly Bill No. 1950—An Act conferring police power upon cities fronting or bordering on state tide lands, for purposes of sanitation.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered 2167*b*, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties and cities and counties of over two hundred thousand population and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1952—An Act requiring telephone corporations to make such physical connection as to enable any patron or subscriber to communicate by telephone system with every other patron or subscriber on any and all telephone systems in any city having more than one telephone system and providing penalties for violation thereof.

Bill read first time, and referred to Committee on Corporations.

By Mr. Fish: Assembly Bill No. 1953—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Fish: Assembly Bill No. 1954—An Act relating to exterior advertising, as in this Act defined, declaring the prohibition of the use of property for such purpose a public use, providing for the acquisition of such use, and prohibiting exterior advertising on property as to which such use has been acquired.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Moorhouse: Assembly Bill No. 1955—An Act creating a bureau to be known and designated as the inspector of county offices of the State of California, providing for the appointment of such inspector, fixing his salary, and prescribing his powers and duties.

Bill read first time, and referred to Committee on County Government.

By Mr. Fish: Assembly Bill No. 1956—An Act to add a new section to the Civil Code, to be known as section three hundred six, relating to the establishing of a quorum at directors' meetings.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1957—An Act to add a new section to the Civil Code, to be known as section three hundred six *a*, relating to voting at directors' meetings.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1958—An Act to add a new section to the Civil Code, to be known as section three hundred eighteen *a*, relating to the notice calling stockholders' meetings, when such notice is not provided for in the by-laws.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1959—An Act to amend section three hundred twenty-one *b* of the Civil Code, relating to proxies at directors' meetings.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1960—An Act to add a new section to the Civil Code, to be known as section three hundred twenty *a*, relating to waiver of notice by directors of directors' meetings of corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1961—An Act to amend section three hundred twelve of the Civil Code, relating to stockholders' meetings, and an adjournment thereof for lack of a quorum.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1962—An Act to provide for the regulation and supervision of investment companies and to create a corporation commission to administer the laws regarding the regulation and supervision of investment companies; providing for the organization of said commission and fixing the penalties for a violation of the provisions hereof.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1963—An Act to amend section nine hundred eighty-seven of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

Also: Assembly Bill No. 1964—An Act to add three new sections to the Code of Civil Procedure to be known as sections twelve hundred forty-eight *b*, twelve hundred forty-eight *c*, and twelve hundred forty-eight *d*, respectively, relating to the referees in proceedings for the taking of private property for public use, to reports of such referees and exceptions thereto, to the hearing of such reports and exceptions, and to judgments thereon in such proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1965—An Act to amend Sections 643, 644, and 645 of the Code of Civil Procedure, relating to the reports of referees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hinkle: Assembly Bill No. 1966—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General, and defining its use and the liability therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Brown: Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1968—An Act to amend section ten of an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the

duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1969—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known as Section 857*a*, relating to redemption from sales of real property made pursuant to the provisions of deeds of trust given to secure the payment of indebtedness.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1970—An Act to amend Section 287 of the Civil Code of the State of California, relating to the continuance of existence of corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1971—An Act to amend Section 648*a* of the Civil Code of the State of California, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Assembly Bill No. 1972—An Act to amend Sections 653*d* and 653*i* of the Civil Code of the State of California, relating to co-operative business associations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1973—An Act to amend Section 425 of the Civil Code of the State of California, relating to fire, marine, and title insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1974—An Act to amend Sections 602 and 605 of the Civil Code of the State of California, relating to religious, social, and benevolent corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1975—An Act to amend Section 587*a* of the Civil Code of the State of California, relating to mining corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1976—An Act to amend Sections 296, 297, 297*a* and 299*a* of the Civil Code of the State of California, relating to the filing of original articles of incorporation, and certified copies thereof.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1977—An Act to amend section 592*e* of the Civil Code of the State of California, relating to corporations for the formation of chambers of commerce, boards of trade, mechanic's institutes, and other kindred associations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1978—An Act to amend section 359 of the Civil Code of the State of California, relating to bonded indebtedness, how created, and increased.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1979—An Act to amend Section 401 of the Civil Code of the State of California, relating to extension of corporate existence, how made.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1980—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amending of articles or certificate of incorporation—filing penalty.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1981—An Act to amend Section 452*a* of the Civil Code of the State of California, relating to mutual benefit and life associations.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1982—An Act to amend Section 440 of the Civil Code of the State of California, relating to mutual, life, health and accident insurance corporations.

Bill read first time, and referred to Committee on Insurance.

By Mr. Johnstone: Assembly Bill No. 1983—An Act to amend the Civil Code by changing the headings of the title to Chapter II, of Title II, of Part IV of Division First of said Civil Code, and to amend Sections 421 and 429 of said Civil Code and to repeal Section 432 of said Civil Code, forming part of said Chapter II, and to add to said Civil Code a new chapter, to be known as Chapter VII, of Title II, of Part IV, of Division First of said Civil Code, relating to title insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1984—An Act to amend an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by adding a new section thereto, to be numbered Section 107, relating to trust companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Dower: Assembly Bill No. 1985—An Act to amend Section 1096 of the Political Code of the State of California, relating to affidavits of registration.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1986—An Act to reimburse the county of Calaveras in the State of California for loss of revenue sustained in the year 1911 and the year 1912, under the provisions of Section 14 of Article XIII of the Constitution of the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1987—An Act to reimburse the county of El Dorado in the State of California for loss of revenue sustained in the year 1911 and the year 1912, under the provisions of Section 14 of Article XIII of the Constitution of the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Farwell: Assembly Bill No. 1988—An Act to add a new section to the Penal Code, to be known and numbered as Section 383*b*, relating to adulteration, misbranding, mislabeling and sale of white

lead, pigments, house, shingle or wood stains of all kinds, kalsomines for walls and ceilings, house paints, roof or floor paints, paint mixtures of all kinds, turpentine, paint oils or compounds used as such, and linseed oil or compound intended to be used as such, and the proper labeling thereof; charging the California State Board of Health with the duty thereof; charging the district attorneys of the different counties of the State with the enforcement hereof; and to repeal an Act entitled "An Act to prevent the adulteration of paints, oils, varnishes, and pigments," approved March 22, 1907.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1989—An Act to add a new section to the Penal Code, to be known and numbered as Section 383*b*, relating to adulteration, misbranding, mislabeling and sale of white lead, pigments, house, shingle or wood stains of all kinds, kalsomines for walls and ceilings, house paints, roof or floor paints, paint mixtures of all kinds, turpentine, paint oils or compounds used as such, and linseed oil or compound intended to be used as such, and the proper labeling thereof; charging the California State Board of Health with the duty thereof; charging the district attorneys of the different counties of the State with the enforcement hereof; and to repeal an Act entitled "An Act to prevent the adulteration of paints, oils, varnishes and pigments," approved March 22, 1907.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1990—An Act to add a new section to the Penal Code of the State of California, to be numbered 650*b*, and relating to remuneration for time lost to prisoners of the State who have been improperly or unjustly incarcerated.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Ellis: Assembly Bill No. 1991—An Act to amend section five hundred eighty-one *a* of the Code of Civil Procedure of the State of California, relating to the dismissal of actions for failure to serve summons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Canepa: Assembly Bill No. 1992—An Act to promote the enforcement of the game laws of the State of California by designating each member of the Legislature as a game warden, with full authority of peace officers for the purposes of this Act.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Clark (by request): Assembly Bill No. 1993—An Act to amend an Act entitled "An Act regulating the employment and hours of employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended, by amending Section 5 thereof.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Hinkle: Assembly Bill No. 1994—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Finnegan: Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies in their own homes and for their free transportation and support while undergoing treatment under the direction and treatment by the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1996—An Act to authorize the State Board of Health to prepare and distribute free of cost anti-rabic virus and other preparations and appliances for the prevention of disease; and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Assembly Bill No. 1997—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and mediums of treating the sick and afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act, such section shall be numbered 16a, relating to the issuance of a license to practice medicine and surgery to any physician and surgeon who was previous to the year 1896 licensed to practice in any other state or territory of the United States.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1998—An Act to amend Section 626 of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1999—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 2000—An Act to be known as the "Corrupt Practices Act," to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 2001—An Act to amend Section 2169 of the Civil Code of the State of California, relating to the duties of common carriers by railroad and carriage of freight thereon.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 2002—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation,"

approved April 1, 1911, by amending sections two, three, four, five, twenty-four, and thirty-five.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 2003—An Act to impose, levy and collect an income tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 2004—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905; amended, approved June 13, 1906; amended, approved, March 19, 1907; amended, approved March 20, 1907; amended, approved March 19, 1909; by providing certain terms and conditions whereby corporations which have failed to pay the license tax mentioned in said Act may pay the same and be restored to their former rights.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Inman (by request): Assembly Bill No. 2005—An Act amending an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission, and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, by adding a section thereto, to be numbered Section 5, relating to the commencement of an action by a land owner against the State of California, whose land may fall within the line of any by-pass or flowage channel, or drainage way or canal, and regulating the procedure in connection therewith.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also (by request): Assembly Bill No. 2006—An Act to add a new section to the Civil Code of the State of California, relative to the duty of telephone companies within the State of California to install necessary instruments and furnish telephone service upon demand.

Bill read first time, and referred to Committee on Corporations.

By Mr. Guill: Assembly Bill No. 2007—An Act relating to the power of boards of supervisors, and giving such boards authority to levy a special tax for the purpose of raising funds for advertising, exploiting and making known the resources of the counties, which tax hereby authorized to be levied shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collecting, preparing and maintaining exhibits at domestic and foreign expositions.

Bill read first time, and referred to Committee on County Government.

By Mr. Farwell: Assembly Bill No. 2008—An Act relating to the use of state funds for the payment of legitimate campaign expenses by any political party of the State.

Bill read first time, and referred to Committee on Elections.

By Mr. Murray: Assembly Bill No. 2009—An Act making an appropriation to pay special premiums on live stock and poultry owned in California and exhibited at the Panama-Pacific International Exposition in the year 1915.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Dower: Assembly Bill No. 2010—An Act empowering the board of supervisors to create a fund, to be known as the contingent expense revolving fund, prescribing the conditions under which moneys set apart for the use of such fund shall be expended, prescribing the duties of certain county officials with reference thereto, and prescribing the method of granting of appropriation for same.

Bill read first time, and referred to Committee on County Government.

By Mr. Guill: Assembly Bill No. 2011—An Act providing for the appointment of an additional deputy by the State Commissioner of Horticulture, to be known as the state bee inspector, and prescribing the qualifications, duties, powers and compensation of said officer, and to appropriate money to carry out the provisions of this Act.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Shearer: Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Benedict: Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Clark (by request): Assembly Bill No. 2014—An Act to amend the Civil Code by adding to Chapter 1 of Title 6 of Part 4 of the Third Division thereof a new article, to be known as Article V, relating to the employment of women, and the minimum wages payable for the service of women.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Fish: Assembly Bill No. 2015—An Act to add a new section to Part I, Title X of the Penal Code, to be known as Section 402*f*, and providing for the regulation of the exhibition of mesmerism, hypnotism, hypnotic suggestion, and any and all forms thereof in the State of California.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Johnstone: Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March

11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending sections two, nine, eleven, twelve, fifteen, sixteen, twenty and twenty-seven, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Messrs. Bagby and Bohnett: Assembly Bill No. 2017—An Act to appropriate the sum of \$14,200 for the purpose of remodeling the Assembly chamber in the State Capitol.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Farwell: Assembly Bill No. 2018—An Act to amend an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator," approved March 24, 1909, amended December 24, 1911, by adding a new section thereto, to be numbered Section 33½.

Bill read first time, and referred to Committee on Elections.

By Mr. Bowman: Assembly Bill No. 2019—An Act to amend sections three thousand nine hundred and forty-nine and three thousand nine hundred and fifty-two of the Political Code of the State of California.

Bill read first time, and referred to Committee on County Government.

By Mr. Scott: Assembly Bill No. 2020—An Act to amend Sections 3462 and 3466 of the Political Code, relating to reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Bowman: Assembly Bill No. 2021—An Act to amend section two of an Act entitled "An Act to create the county of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874.

Bill read first time, and referred to Committee on County Government.

By Mr. Farwell: Assembly Concurrent Resolution No. 18—Relative to memorializing the life deeds and character of Homer Lea, and providing a method of popular subscription for the erection of a suitable monument to his memory.

Read, and referred to Committee on Rules.

By Mr. Inman (by request): Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article II a new section, to be numbered Section 7, relating to compulsory voting.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Ryan: Assembly Constitutional Amendment No. 71—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo, and the annexation of San Mateo County or a

portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3a.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Dower: Assembly Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof by adding a new section thereto, to be numbered Section 2½, relating to sessions of the Legislature.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bohnett: Assembly Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section eight of article eleven thereof, relating to the adoption and amendment of freeholders' charters of the cities containing a population of more than three thousand five hundred inhabitants.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section, to be known and designated as section eight b of said article eleven of the Constitution of the State of California, permitting the amendment of the charter of the city and county of San Francisco, in addition to the method and the times provided in section eight of said article eleven of the Constitution, to provide for the granting of franchises to any person, firm or corporation, to supply the inhabitants of the city and county of San Francisco with light, water, power, heat, transportation, telephone service or other means of communication, and to acquire all works installed under any such franchise, as well as franchises granted in pursuance of such charter amendment.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 75—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section nineteen of article eleven thereof, relating to the establishment and operation of public works in municipal corporations.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Clark: Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Article XXIII providing for the recall by the electors of public officials.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 7 of Article IX thereof, relating to boards of education, free text-books, and minimum use of such text-books.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Fish: Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section thereto, to be known as Section 37 of Article IV thereof, relating to the regu-

lation, prevention or prohibition of the erection, maintenance or display of billboards, signs and all advertising or sign devices.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Farwell: Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California the repeal of Section 19 of Article XX of the Constitution and the substitution in lieu thereof a new section, to be known as Section 19, Article XX, and relating to the use of state funds for the payment of legitimate campaign expenses by any political party of the State.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Fish: Assembly Constitutional Amendment No. 80—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article VI thereof, relating to jurisdiction of Supreme Court and District Courts of Appeal, and appellate districts.

Read, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Chief Clerk of the Assembly is hereby instructed to procure, for the use of the members of this House, the following books and to place the same in the Assembly chamber, namely:

A complete set of California Supreme Court Reports.

A complete set of Appellate Court Reports.

Digest of said reports.

A set of annotated Codes.

Notes to California Reports.

A full set of the Statutes and amendments from 1850.

Index to laws in force.

Revised Statutes of the United States.

Also, other reference books, works, and treatises on appropriate subjects. Said books to be suggested by members of the Assembly. Also, a large map of the State of California, showing counties, and a large map of the United States. He shall also secure appropriate book cases for keeping and guarding the above. The books above mentioned are to be obtained, as far as possible, from the State Library, State Printer, and other libraries exchanging books with the State Library; *provided*, that books may be purchased to the amount of not to exceed \$400.00, and for the purchasing of the said book cases there shall be paid a sum not to exceed \$300.00, said sums to be paid out of the Contingent Expense Fund of the Assembly or other available sources. The above shall be obtained and placed in the Assembly Chamber during the constitutional recess of the present session, and at each session of the Legislature hereafter the same shall be placed in the Assembly Chamber.

Have had the same under consideration, and beg leave to report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Resolution withdrawn, by consent of author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That eighty (80) new mahogany desks be purchased for the use of the Assemblymen, to match in finish and style with our present chairs; also such other new and appropriate furnishings as may be required to complete the furnishings of the Assembly Chamber, including desks and chairs that will match the other furniture, such as desks and chairs, of the room, and will properly accommodate the duly accredited press representatives in the Assembly. Said purchases to be made by and under the direction of the Committee on Contingent Expenses. Said desks and furnishings shall be purchased from the appropriation made by the Legislature of 1909,

Statutes of California, Chapter 6, for the purchase of furniture and furnishings of the Senate and Assembly chambers and committee rooms, upon the approval in writing of the President of the Senate and the Speaker of the Assembly. The order for said furniture shall be placed with the warden of San Quentin Prison, John E. Hoyle, or with the warden of Folsom Prison, Mr. James A. Johnston, so that the material and labor shall be furnished by whichever institution in the opinion of the committee in charge believes best fitted to carry out the work.

Recommend that the above resolution be amended as follows: Strike out the period after the word "work," in last line of resolution, and insert the following: "And also that prices for the work be secured from regular firms engaged in that kind of work if necessary."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

FARWELL, Chairman.

Amendment adopted.

The question being upon the adoption of the resolution.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Messrs. Johnston, T. D., and Ryan—2.

NOES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Ford, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A. Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weldon, White, Wyllie, and Mr. Speaker—54.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution, have had the same under consideration, and report the same back, with amendment, and recommend that it be adopted as amended.

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of two thousand seven hundred eighty and eight one-hundredths dollars (\$2,780.08) in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, the same being for the payment of the following bills attached:

U. S. Post Office.....	\$3 60
Wahl Stationery Co.....	365 38
Wahl Stationery Co.....	51 00
Kilgore & Tracy Co.....	10 95
The Nonpareil	58 10
Kane & Trainor Ice Co.....	15 40
Whisky Hill Water Co.....	36 00
Mrs. McCall	14 50
Pacific Telephone & Telegraph Co.....	17 20
Wm. Eberhardt	66 20
American Type Founders Co.....	82 00
Sacramento Glass & Crockery Co.....	3 60
A. S. Hopkins Co.....	2 50
R. O. Kimbrough.....	2 50
Lavenson's, Inc.	1 00
Bender-Moss Co., Inc. (Codes).....	1,977 00
Sleeper & Stever.....	51 70
Shasta Aristo Water Co.....	21 50
	<hr/>
	\$2,780 13

Amend by striking out the following:

Wahl Stationery Co.....	\$365 00
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FARWELL, Chairman.

Amendment adopted.

Mr. Farwell moved the adoption of the report and resolution as amended.

The roll was called, and the report and resolution, as amended, adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Farwell,

Finnegan, Fish, Gabbert, Gelder, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Tulloch, Walsh, Weldon, Wyllie, and Mr. Speaker—51.
 NOES—None.

REPORT OF SPECIAL COMMITTEE.

The following report of the special committee on acoustics, made by U. Corbley Pool to W. F. McClure, State Engineer, was received, and ordered printed in the Journal:

REPORT ON ACOUSTICS.

MR. SPEAKER: Your Special Committee on Acoustics beg leave to submit the following as our report:

"SACRAMENTO, CAL., February 3, 1913.

MR. W. F. MCCLURE, *State Engineer, State Capitol, Sacramento, Cal.*

SIR: In accordance with your request and the resolution passed in the Assembly on Tuesday, January 28th, I have made a thorough investigation of the acoustic properties of the Assembly Chamber and herewith report my findings and estimated cost of correction.

In acoustics a number of elements must be considered—the most common are direct and indirect echo, reverberation and resounding, each requiring separate and distinct treatment.

The chief difficulty lies in the proportions of the room. I also find some reverberation which creates rarification of sound in certain sections of the room. Correction may be made by some alterations of the interior of the chamber, principally lowering the ceiling of room and making some changes in the gallery. The difficulties have been magnified by an erroneous attempt to correct the same through the use of felt and heavy carpets.

The present difficulty is greatly increased by the fact that the parties failing to hear well become uninterested and contribute to the already defective acoustics of the room by talking and rattling of papers.

My estimate of cost to correct the acoustic properties of the Assembly Chamber is \$12,200.00, not including commission. I will undertake the work, if commissioned to do so, for \$2,000 commission.

Respectfully,

J. CORBLEY POOL."

INMAN, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Guiberson:

WHEREAS, A bill has been introduced in the Senate of the United States by Honorable Francis G. Newlands of Nevada, which, according to its title, proposes "to create a board of river regulation and to provide a fund for the regulation and control of the flow of navigable rivers in aid of interstate commerce; and as a means to that end to provide for flood prevention and protection and for the beneficial use of flood waters and for water storage and for the protection of watersheds from denudation and erosion and from forest fires and for the co-operation of government services and bureaus with each other and with states, municipalities, and other local agencies;" and

WHEREAS, It has been proposed by the leading supporters of said bill that it be amended so as to provide for an appropriation of five million dollars annually for ten years for the control of the Sacramento and San Joaquin rivers and their tributaries, and for a like appropriation for the control of the Colorado River; and

WHEREAS, This Legislature is in hearty accord with the principles embodied in said bill, and believes that the money proposed to be expended under it and the co-operation provided for in it will promote the general welfare; and

WHEREAS, The vastness and variety of the interests that will be benefited by the expenditures contemplated in the proposed amendments fully justify such participation by the national government in the work of making the navigable streams of California as useful as possible to the public; therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States be, and both branches of said body hereby are, requested to pass said bill, with the amendments aforesaid, and that the representatives of California in the Senate and the House of Representatives be requested to use their best efforts to that end; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he hereby is, directed to send a copy of this resolution to each Senator and Representative in Congress

from this State, to Honorable Francis G. Newlands, to the Vice President of the United States, and to the Speaker of the House of Representatives.

Resolution read, and, on motion, adopted.

By Mr. Scott:

WHEREAS, The Building and Loan Commissioner of the State of California has recently seen fit to close the Continental Building and Loan Association, on the grounds that it is hazardous and unsafe for the public to invest their funds therein; and

WHEREAS, The books of the corporation have been placed without the jurisdiction of said commissioner; and

WHEREAS, It is the duty of the Legislature to protect the people of this State and their investments as well as in their other rights; therefore, be it

Resolved, That a special committee of three Assemblymen be appointed by the Speaker of the Assembly to cause a thorough audit to be made of the books and accounts of the said Continental Building and Loan Association during the recess period of this session of the Legislature, and to report their findings back to the Assembly upon its reconvening on March 10, 1913.

Resolved, That the said committee have power to send for persons and papers, to issue subpoenas whenever necessary, and to enforce attendance, and to employ for that purpose and the purpose of the aforesaid investigation such clerical and other help as may be necessary; and there is hereby provided out of the Contingent Fund of the Assembly such sum or sums as may be necessary to defray the traveling and contingent expenses connected with said investigation.

Resolution read, and, on motion, referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Revision and Printing returned to the Clerk of the Assembly this day, February 4, 1913, the following: Assembly Bills Nos. 1593 to 1816, inclusive; also, Assembly Constitutional Amendments Nos. 56 to 69, inclusive.

CLARK, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 109—An Act to provide for the payment by the State of counties or cities or cities and counties of the premium or charges on official bonds when given by surety companies that have deposited securities with the State Treasurer, and regulating the deposit, management and disposition of such bonds.

Assembly Bill No. 494—An Act to recognize and declare valid all proceedings in Richmond Municipal Water District.

Also: Assembly Joint Resolution No. 4—Relative to national forests situated within the State of California, and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months.

And report that the same have been correctly engrossed.

McCARTHY, Vice-Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 9—Relative to the continuance by the United States of the government line of steamers from eastern seaports to Colon, in the "canal zone," and the extension thereof to Pacific seaports, on the western coast of the United States, on the completion of the Panama Canal.

Also: Senate Joint Resolution No. 14—Relative to the free passage through the Panama Canal of American ships engaged in the coastwise commerce of the United States and opposing repeal of the Act of Congress providing therefor.

Also: Senate Joint Resolution No. 20—Relative to aid from the government of the United States for industrial education and the inauguration and establishment of a national university and department of education.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

Senate Joint Resolution No. 9 read.

The roll was called, and Senate Joint Resolution No. 9 was adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Pears, Roberts, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—52.

NOES—None.

Senate Joint Resolution No. 9 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 9,

Relative to the continuance by the United States of the government line of steamers from eastern seaports to Colon, in the "canal zone," and the extension thereof to Pacific seaports, on the western coast of the United States, on the completion of the Panama Canal.

WHEREAS, There is maintained and operated by the United States from eastern seaports of our country to Colon, in the "canal zone," a government line of steamers for the transportation of freight consisting of supplies for use in the construction of the Panama Canal, and of certain merchandise for the Pacific Coast States; the latter transshipped from Avon on the western end of the government railways across the Isthmus of Panama, to steamers operated by private corporations, plying between Avon and Pacific coast ports;

WHEREAS, On the completion of said canal, public interests and the necessities of those interested in western commerce, demand that the government-owned vessels now in the service on the Atlantic side, be not only continued in operation as now, but extended to Pacific seaports, on the western coast of the United States;

WHEREAS, The failure to so continue and extend such government service would reopen the struggle between the producers and shippers of California and sister states, on the one side, and the steamship companies acting in concert with the transcontinental railways on the other; and thus, to a great extent, restore the unfavorable conditions, that will, in the future, and as they were, in the past, be manipulated and controlled by transcontinental railways and their allies;

WHEREAS, The experience of our producers and shippers in the past and recently in connection with a steamship line not enjoying the favors of the transcontinental railway lines and their allies, doing business on the Pacific side of the canal, should warn those in authority and the people, to avoid a similar danger in the future; particularly when its repetition will greatly impair the benefits that should accrue to them and to the country at large, by the construction and operation of such canal under the auspices of the Government of the United States.

WHEREAS, The early completion of the Panama Canal should urge early action on the subject-matter of these resolutions; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California, respectfully urge the Congress of the United States, to enact such legislation as will continue, after the completion of the Panama Canal, such government line of steamers, and extend their service, with such additional steamers and facilities as may be necessary, to Pacific seaports, on the western coast of the United States; be it further

Resolved, That our Senators in Congress be instructed, and our Representatives in Congress requested, to use all honorable means to secure the enactment of the aforesaid legislation; be it further

Resolved, That duly authenticated copies of these resolutions be transmitted by the Governor of the State of California to the President and the President-elect of the United States, and the presiding officers of the respective houses of the sixty-second and sixty-third sessions of Congress, and also to each of our Senators and Representatives in Congress in said sessions of Congress.

Senate Joint Resolution No. 14 read.

The roll was called and Senate Joint Resolution No. 14 adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Nolan, Palmer, Pears, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Walsh, Weldon, White, Wyllie, and Mr. Speaker—52.

NOES—None.

Senate Joint Resolution No. 14 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 14.

Relative to the free passage through the Panama Canal of American ships engaged in the coastwise commerce of the United States and opposing repeal of the Act of Congress providing therefor.

WHEREAS, The Panama canal, constructed by the United States in American territory, is a project belonging to the American people; and

WHEREAS, The power to provide for the management, use and control of said canal, is an attribute of sovereignty, and as such, is subject to exercise only by the the Government of the United States, as provided in the Constitution and laws thereof; and

WHEREAS, In the exercise of such power, the Congress of the United States has enacted a law granting to American ships, engaged in coastwise commerce of the republic, free passage through said canal; and

WHEREAS, An attempt is being made to repeal said Act; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby respectfully memorializes the Congress of the United States to defeat all attempts to repeal said Act; and

Be it further resolved, That our Senators in Congress be instructed, and our Representatives in Congress requested, to use all honorable means to defeat the repeal of said Act, and that duly authenticated copies of these resolutions be transmitted by the Governor of the State of California to the President and the President-elect of the United States, and the presiding officers of the respective houses of the sixty-second and sixty-third sessions of Congress, and also to each of our Senators and Representatives in Congress in said sessions of Congress.

Senate Joint Resolution No. 20 read.

The roll was called, and Senate Joint Resolution No. 20 adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bradford, Bush, Clark, Wm. C., Collins, Cram, Dover, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Walsh, Weldon, White, Wyllie, and Mr. Speaker—51.

NOES—None.

Senate Joint Resolution No. 20 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 20,

Relative to aid from the Government of the United States for industrial education and the inauguration and establishment of a national university and department of education.

WHEREAS, The perpetuity of our form of government depends on the intelligence of a free and independent electorate and the ability of the people to meet the obligations of good citizenship in every sphere of human endeavor; and

WHEREAS, The people of the several states, firm in this belief, have established and maintained at great cost public school systems, including normal and technical schools and universities, for the education and training of the youth of the republic; and

WHEREAS, The preservation of and the progress made under our free institutions have been largely due to the education and training thus given; and

WHEREAS, There exists throughout the land a growing demand for more instruction in branches that will prepare pupils for industrial pursuits; and

WHEREAS, As results of education among the people are the mutual benefits conferred upon all by an ideal American citizenship, so the expense attending its achievement should be proportionately shared by the nation and the several states; and

WHEREAS, The national government should directly aid by a per capita appropriation to such grammar, secondary and technical schools in the several states as furnish instruction in industrial branches prescribed by Congress, and by inaugurating and endowing at Washington, District of Columbia, a national university, to head the educational system of the Union; and

WHEREAS, The time is at hand in our history when the cause of education should be advanced to a paramount position in the Government of the United States by the creation of a department of education and the appointment of a secretary thereof with a seat in the cabinet; therefore, be it

Resolved by the Senate and the Assembly, jointly, That our Senators in Congress

be instructed and our Representatives in Congress requested to use all honorable means to secure the aid set forth in the foregoing preamble and also the inauguration and establishment of a national university and department of education at Washington, District of Columbia; be it further

Resolved, That the Governor be and he is hereby directed to transmit a certified copy of these resolutions to the President of the United States, the President and Speaker, respectively, of the Senate and House of Representatives of the United States, the Commissioner of Education and to each of our Senators and Representatives in Congress; be it further

Resolved, That the Governor be and he is hereby further directed to transmit a like copy to the Governor and Superintendent of Public Instruction, respectively, of each state and also to the presiding officers of the respective houses of the Legislature of each state.

WITHDRAWAL OF BILLS.

Mr. Ellis asked for and was granted unanimous consent to withdraw Assembly Bills Nos. 1521 and 1525.

Bills withdrawn and ordered stricken from the file.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 847—An Act defining the term “quasi-public uses,” as applied to grants, leases, or approval of leases, heretofore made by the State to tide or submerged lands.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, line 4 of the title, after the comma which follows the word “State,” strike out the word “or” and insert in lieu thereof the word “of.”

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

Assembly Bill No. 552—An Act to amend an Act entitled “An Act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870a.

Assembly Bill No. 110—An Act to amend section seven of the Civil Code, relating to holidays.

And report that the same have been correctly engrossed.

MCCARTHY, Vice-Chairman.

MOTION.

Mr. Schmitt moved that when the Assembly adjourn this day it adjourn out of respect to the memory of the late ex-Assemblymen Mullaly, Walker and Lynch, and to the wife of Senator Beban, and the little child of Senator Gerdes.

Motion unanimously carried.

RECESS.

At eleven o'clock and forty-five minutes a.m., on motion of Mr. Bohnett, the Assembly was declared at recess until eleven o'clock and fifty-five minutes a.m. of this day.

REASSEMBLED.

At eleven o'clock and fifty-five minutes a.m., the Assembly reconvened. Speaker Young in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Revision and Printing received, February 4, 1913, from the Clerk of the Assembly, the following: Assembly Bills Nos. 1817 to 2021, inclusive; Assembly Constitutional Amendments Nos. 70 to 80, inclusive; and Assembly Concurrent Resolution No. 18—and returned the above listed Assembly bills and Assembly constitutional amendments and Assembly concurrent resolution to the Clerk of the Assembly the same day, without action thereon.

CLARK, Chairman.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled:

Assembly Joint Resolution No. 3—Relative to the establishment of a postal telegraph system.

Assembly Concurrent Resolution No. 13—Relative to appointing a committee to investigate the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County.

Assembly Concurrent Resolution No. 6—Relative to the printing of the report of the State Controller provided for by Section 243 of the Political Code.

Assembly Joint Resolution No. 2—Relative to requesting the United States Congress to authorize and direct the postal savings system to loan its funds to school districts.

And were presented to the Governor this fourth day of February, at eleven o'clock and fifty-five minutes a.m.

PALMER, Vice-Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Clark:

Resolved, That the thanks of the Assembly are hereby expressed to those who have aided the Committee on Revision and Printing, and especially to Miss Eddy, of the staff of the State Librarian.

Resolution read, and, on motion, adopted.

By Mr. Peairs:

Resolved, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body the Assembly is ready to adjourn for the constitutional recess, and ask if the Senate has any further communication to make to the Assembly.

Resolution read, and, on motion, adopted.

In accordance with the above resolution, the Speaker appointed Messrs. Peairs, Murray, and Simpson as such committee.

By Mr. Brown:

Resolved, That the Speaker appoint a committee of three to wait upon his Excellency, the Governor, and inform him the Assembly is ready to adjourn for the constitutional recess, and awaits his further pleasure.

Resolution read, and, on motion, adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Brown, Scott, and Strine as such committee.

REPORTS OF SELECT COMMITTEE.

The committee appointed to wait upon the Governor, relative to adjournment, appeared before the bar of the House and reported that they had carried out the instructions of the Assembly, and that the Governor had no further communication to make to the Assembly.

The committee to wait upon the Senate appeared before the bar of the House, and reported that the instructions of the Assembly had been carried out, and that the Senate would communicate its wishes through a committee from that body.

COMMITTEE FROM THE SENATE.

A committee from the Senate, comprising Senators Wright, Grant, and Anderson, appearing before the bar of the Assembly and reported that the Senate was ready to adjourn.

ADJOURNMENT.

At twelve o'clock m., the Hon. C. C. Young, Speaker of the Assembly, declared the Assembly adjourned until twelve o'clock m., of Monday, March 10, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, March 10, 1913.

At twelve o'clock m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—76.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Hinkle, Mr. Judson was granted leave of absence for the day.

On motion of Mr. Bloodgood, Mr. Fish was granted leave of absence for the day.

On motion of Mr. Palmer, Mr. Guiberson was granted leave of absence for the day.

On motion of Mr. Chandler, Mr. Sutherland was granted leave of absence until Wednesday, March 12, 1913.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Fitzgerald, its further reading was dispensed with.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Mr. Smith:

Resolved, That the following named officers, attachés and employees of the Assembly, whose names were heretofore stricken from the roll by resolution of February 3, 1913, are hereby restored to the roll, and the Controller is hereby authorized and directed to draw his warrant upon the appropriation for officers and employees of the Assembly for compensation for said officers, attachés and employees for the per diem as provided by law, and the State Treasurer is hereby directed to pay the same: Said employment to begin Monday, March 10, 1913.

L. B. Mallory	Chief Clerk
T. G. Walker	First Assistant Chief Clerk
H. A. Harper	Minute Clerk
Ed E. Reese	Sergeant-at-Arms
R. L. Estes	Bookkeeper to Sergeant-at-Arms
Victor Almon	Assistant Sergeant-at-Arms
Rev. Frank K. Baker	Chaplain
Mabel E. Guild	Stenographer
Frank W. Smith	Bill Clerk
Earl Smith	Page
Mrs. Addie Peaslee	Postmistress

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Labby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—71.

NOES—None.

By Mr. Bohnett:

Resolved, That the Chief Clerk of the Assembly be directed to notify the Senate that the Assembly has reconvened, pursuant to adjournment taken February 4, 1913, and is ready to proceed with the business of the session, with all officers heretofore elected on January 6, 1913, present, to wit:

Speaker	Hon. C. C. Young
Speaker pro tempore	Hon. W. A. Johnstone
Chief Clerk	L. B. Mallory
First Assistant Chief Clerk	T. G. Walker
Minute Clerk	H. A. Harper
Sergeant-at-Arms	Ed E. Reese
Chaplain	Frank K. Baker

Resolution read, and, on motion, adopted.

Also :

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for the sum of six hundred ninety-five dollars (\$695), the said amount being to pay for additional postage used during the constitutional recess in connection with the mailing department, as per receipts hereto attached, and the State Treasurer is directed to pay the same; and, further

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as may be necessary to continue the work of the mailing department, postage, expressage, etc., said amount not to exceed the sum of five hundred dollars (\$500) and the State Treasurer is hereby directed to pay the same.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgestern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—64.

NOES—None.

Also :

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for the sum of one hundred fifty-seven and 62/100 dollars (\$157.62), same being for payment of expressage upon printed matter shipped to the members, public institutions, and other sources during the constitutional recess, as per vouchers attached, and the State Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

By Mr. Brown :

Resolved, That a committee of three be appointed by the Speaker to wait upon his Excellency, the Governor, and inform him that the Assembly has reassembled pursuant to adjournment after the constitutional recess and awaits any communication he may have to make to it.

Resolution read, and, on motion, adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed the following as such committee: Messrs. Brown, Benedict and Stuckenbruck.

ANNOUNCEMENTS.

The following announcements were made :

By Mr. Speaker :

To the Members of the Assembly, State of California :

I beg leave to announce that, pursuant to Section 247 of the Political Code, I have today appointed the following Page at the per diem provided for by law: Earl Smith.

By Chief Clerk L. B. Mallory :

MR. SPEAKER: I desire to announce that, in accordance with the power vested in me by the Political Code, Sections 246, I hereby appoint T. G. Walker as First Assistant Chief Clerk of the Assembly, and ask that your honorable body confirm said appointment.

By Sergeant-at-Arms Ed E. Reese :

MR. SPEAKER: Pursuant to Section 246 of the Political Code, I have this day appointed R. L. Estes, bookkeeper to the Sergeant-at-Arms, and respectfully request the Assembly to confirm the appointment.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Mouser:

WHEREAS, There are only two systems of appointments in the public service, viz: the political system and the merit system; and

WHEREAS, The political system inevitably degenerates into the spoils system and in any case is unfair to the individuals who have no pull; and

WHEREAS, The merit system gives a square deal, first, to the community, in that it furnishes the best available service and equality of opportunity to all applicants; second, to the heads of departments, in that it emancipates them from the army of "job hunters" and gives them time for their duties; third, to the employees, in that it delivers them from political obligations and opens to them a career through promotion; and

WHEREAS, The women through the suffrage share in the responsibilities of government, and should have equal consideration in public employment, which they would receive under the merit system; and

WHEREAS, The Federation of Women's Clubs has long had a standing committee for the purpose of securing the adoption of civil service principles; therefore, be it

Resolved, That the Friday Morning Club declares itself in favor of the merit system and urges upon the Governor and the members of the Legislature the passage of a thorough-going civil service law.

Respectfully,

FRIDAY MORNING CLUB.

Mrs. DAVID C. McCAN, President.

Dr. AMELIA L. GATES, Chairman Public Affairs.

Also:

WHEREAS, It has been brought to our attention the proposed bill of segregation of the schools of Los Angeles; and

WHEREAS, Our schools in their present condition are the best in the country maintained for the production of citizenship of highest order and greatest ideals; and

WHEREAS, Wherever the separate school is maintained, the darker races suffer by lower standards of efficiency than that recognized by the educational world, so we, the negro women of Los Angeles, known as the "Women's Civic and Protective League," esteem it your highest duty as the lawmakers of this great commonwealth to see to it that nothing supplants the peaceable relationship of the races within this city and State; so, therefore, be it

Resolved, That we as individuals, as a race, as taxpayers and as American citizens, are entitled to the same consideration in public life as our worthy contemporaries, the Caucasian race, especially in regard to schools and proper school training and affiliations;

Resolved, That we do vigorously and bitterly protest against the passage of Senate Bill No. 468 and its companion, Assembly Bill No. 467, and the second Assembly Bill No. 1539, as most unjust in its purpose of race segregation and discrimination;

Resolved, That we denounce said bills as most inhuman and despicable and that we do indignantly protest against this outrageous purpose to be forced upon the negro race of our city and State.

Respectfully,

WOMEN'S CIVIC PROTECTIVE LEAGUE OF LOS ANGELES.

Mrs. N. M. Read, President; Mrs. Katherine Barr, 1st Vice-President; Mrs. Morgan Robinson, 2d Vice-President; Mrs. B. Thompson, Recording Secretary; Mrs. L. A. Oliver, Corresponding Secretary; Mrs. J. H. Shackelford, Treasurer; Mrs. L. G. Slaughter, Chairman Executive Committee; Mrs. M. A. Patton, Chairman Resolution Committee.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1913.

MR. SPEAKER: Your Committee on Mileage beg leave to report that they have computed the mileage according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and

members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less.	Total mileage.	Mileage of 10 cents per mile.
48	Alexander	Salinas	208			416	\$41 60
66	Ambrose	Los Angeles	447			894	89 40
59	Bagby	Santa Maria	460		85	750	75 00
34	Beck	Livermore	84	16		184	18 40
63	Benedict	Los Angeles	447			894	89 40
62	Bloodgood	Inglewood	447	12		918	91 80
44	Bohnett	San Jose	128			256	25 60
43	Bowman	Ben Lomond	198		3	390	39 00
42	Brown	Colma	119		20	198	19 80
26	Bush	San Francisco	90			180	18 00
17	Byrnes	San Rafael	105			210	21 00
33	Canepa	San Francisco	90			180	18 00
52	Cary	Reedley	169	24		386	38 60
50	Chandler	Fresno	169			338	33 80
37	Clark	Oakland	84			168	16 80
47	Clarke	Bishop	418	6		848	84 80
24	Collins	San Francisco	90			180	18 00
58	Cram	Highland	447	79		1,052	105 20
16	Dower	San Andreas	73			146	14 60
77	Ellis	Riverside	512			1,024	102 40
71	Emmons	Los Angeles	447			894	89 40
75	Farwell	Los Angeles	447			894	89 40
38	Ferguson	Oakland	84			168	16 80
67	Fish	Pasadena	447	9		912	91 20
9	Finnegan	Nevada City	77			150	15 00
39	Fitzgerald	Oakland	84			168	16 80
22	Ford	San Francisco	90			180	18 00
60	Gabbert	Ventura	490			980	98 00
69	Gates	South Pasadena	447	8		910	91 00
40	Gelder	Berkeley	84			168	16 80
53	Green	San Luis Obispo	343			686	68 60
49	Griffin	Merced	114			228	22 80
54	Guiberson	Corcoran	214	17		462	46 20
7	Guill	Chico	91			182	18 20
45	Hayes	San Jose	128			256	25 60
79	Hinkle	San Diego	573			1,146	114 60
57	Johnson	San Bernardino	508			1,016	101 60
18	Johnston	Richmond	62	15		154	15 40
68	Johnstone	San Dimas	447	31		956	95 60
80	Judson	Escondido	572		8	1,108	110 80
10	Killingsworth	Vacaville	40		6	68	6 80
65	Kingsley	Los Angeles	447			894	89 40
72	Kuck	Los Angeles	447			894	89 40
12	Libby	Sebastopol	90	7		194	19 40
25	McCarthy	San Francisco	90			180	18 00
21	McDonald	San Francisco	90			180	18 00
78	Moorhouse	Heber	669	17		1,338	133 80
35	Morgenstern	Alameda	84	5		178	17 80
74	Mouser	Los Angeles	447			894	89 40
8	Murray	Woodland	23			46	4 60
2	Nelson	Eureka	312			624	62 40
30	Nolan	San Francisco	90			180	18 00
11	Palmer	Napa	61			122	12 20
73	Peairs	Los Angeles	447			894	89 40
5	Polsley	Red Bluff	135			270	27 00
29	Richardson	San Francisco	90			180	18 00
61	Roberts	Los Angeles	447			894	89 40
23	Ryan	San Francisco	90			180	18 00
31	Schmitt	San Francisco	90			180	18 00
28	Scott	San Francisco	90			180	18 00
32	Shannon	San Francisco	90			180	18 00
4	Shartel	Alturas	324			648	64 80
1	Shearer	Yreka	295			590	59 00
56	Simpson	Bakersfield	278			556	55 60
13	Slater	Santa Rosa	90			180	18 00
36	Smith	Oakland	84			168	16 80
70	Strine	Downey	447	11		916	91 60
19	Stuckenbruck	Acampo	48	9	9	78	7 80
51	Sutherland	Fresno	169			338	33 80

District	Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less.	Total mileage.	Mileage of 10 cents per mile.
46	Tulloch -----	Oakdale -----	77	-----	5	144	\$14 40
20	Wall -----	Stockton -----	48	-----	-----	96	9 60
37	Walsh -----	San Francisco -----	90	-----	-----	180	18 00
76	Weisel -----	Anaheim -----	481	-----	7	948	94 80
6	Weldon -----	Ukiah -----	150	-----	-----	300	30 00
3	White -----	Weaverville -----	217	-----	-----	434	43 40
64	Woodley -----	Los Angeles -----	447	-----	-----	894	89 40
55	Wyllie -----	Dinuba -----	206	-----	7	398	39 80
41	Young -----	Berkeley -----	84	-----	-----	168	16 80

OFFICERS.

L. B. Mallory-----	Los Gatos -----	128	10	-----	276	\$27 60
H. A. Harper-----	El Dorado -----	56	-----	-----	116	11 60
Ed E. Reese-----	Sacramento -----	1	-----	-----	2	20

MOUSER, Chairman.
 RYAN.
 FERGUSON.
 SHARTEL.
 COLLINS.

The above report ordered printed in the Journal.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following resolution:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate has reconvened after the constitutional recess, in accordance with Senate Concurrent Resolution No. 15, and is ready to proceed with the business of the State.

W. N. PARRISH, Secretary of Senate.
 By W. H. WRIGHT, Assistant Secretary.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of Messrs. Bohnett, Clark, and Johnstone as a committee on the introduction of bills.

RESOLUTION.

Resolution read, and on motion adopted.

By Mr. Bohnett:

Resolved, That the Sergeant-at-Arms of the Assembly, or the bookkeeper to the Sergeant-at-Arms, be and is hereby authorized to receipt to the Controller for all warrants for payment to members, officers, and attachés of the Assembly.

Resolution read, and on motion adopted.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Governor appeared before the bar of the Assembly and reported that it had performed its duty and that the Governor had no communication to make to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1913.

MR. SPEAKER: Your Committee on Attachés begs leave to report that it has examined the statement of L. B. Mallory, Chief Clerk, showing expenditures for labor employed during the constitutional recess, and finds that the amount expended for that purpose was \$1,958; and

WHEREAS, The appropriation for the above purpose was the sum of \$1,000, leaving a deficiency of \$958; therefore,

Resolved, That the Controller be and is hereby directed and authorized to draw his warrant in favor of L. B. Mallory, upon the appropriation for officers and employees of the Assembly, for the sum of \$958, and the State Treasurer is hereby directed to pay the same.

SMITH, Chairman.

HELP EMPLOYED DURING CONSTITUTIONAL RECESS.

Name.	Number of days.	Per diem.	Total.
Allen, Newton M.	1	\$4 00	\$4 00
Almon, Victor	12	4 00	48 00
Bevins, W. E.	26	4 00	104 00
Brown, W. E.	16	2 50	40 00
Bush, Geo. J.	1	4 00	4 00
Castro, M. J.	9	4 00	36 00
Cole, W. J.	4	4 00	16 00
Emanuel, A.	9	4 00	36 00
Haggerty, Ben	7	2 50	17 50
Hestwood, J. O.	9	4 00	36 00
Kinney, H. H.	2	4 00	8 00
Knight, Sam	10	4 00	40 00
Lewis, R. T.	9	4 00	36 00
Logomasino, L.	9	4 00	36 00
McColgan, E.			
Mallory, L. B.	33	10 00	330 00
Sherman, Frank	9	4 00	36 00
Smith, Earl	13	2 50	32 50
Smith, Frank W.	28	4 00	112 00
Smith, R. R.	13	4 00	52 00
Weger, F. M.	6	3 00	18 00
Young, John T.	9	4 00	36 00
Loverich, Joe	3	4 00	12 00
Allen, Maude	12	4 00	48 00
Conner, Evelyn	14	4 00	56 00
Dufort, Olive	6	4 00	24 00
Fortna, Mrs. M.	12	4 00	48 00
Guild, Mabel E.	28	4 00	112 00
Johnson, Jean	17	4 00	68 00
Johnston, Mrs. Ada	9	4 00	36 00
Lathrop, Mrs. E. T.	14	4 00	56 00
Loofbourrow, Agnes	1	4 00	4 00
Martin, Anna	3	4 00	12 00
Palmer, Mrs. F. O.	5	4 00	20 00
Pick, Mrs. F. H.	10	4 00	40 00
Shartel, Mrs. A. F.	17	4 00	68 00
Simpson, Mrs. W. E.	9	4 00	36 00
Strouse, Vera	17	4 00	68 00
Stuckenbruck, Mrs. Olive	19	4 00	76 00
Tulloch, Mrs.	8	4 00	32 00
Van Fleet, Maggie	1	4 00	4 00
Wall, Mrs.	14	4 00	56 00
Washburn, Effie A.	1	4 00	4 00
Total			\$1,958 00

Mr. Smith moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—66.

NOES—None.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m. the Assembly reconvened.
Speaker Young in the chair.

SPECIAL ORDER WITHDRAWN.

The special order heretofore set for two p.m. of this day was withdrawn by unanimous consent.

RE-REFERENCE OF BILL.

Mr. Benedict asked for, and was granted, unanimous consent to have Assembly Bill No. 3 re-referred to Committee on Judiciary.

INVITATION.

The following invitation was presented:
By Mr. Murray:

WOODLAND, CAL., March 10, 1913.

Mr. Speaker, Hon. C. C. Young, gentlemen of the Assembly—Greetings:

The people of Yolo extend a most cordial invitation to your honorable body to participate in a little excursion to Yolo County on Sunday, March 16th, as the guests of the organizations signed hereto, who represent the people of every section of Yolo County.

The itinerary of the trip is as follows: A special train will leave the Northern Electric depot, 803 J street, Sacramento, at 9.30 a.m., arriving at Woodland at 10 a.m., where autos will be in waiting to proceed to beautiful Capay Valley, where a picnic dinner-barbecue will be served in a pretty foothills park.

After an hour's rest, you will take up the return trip via Winters, the orchard section, the California State University Farm, Davis, thence to Woodland, where your train will be in waiting to transport you to Sacramento, from whence you came.

It is the earnest wish of the people of Yolo County that your lady accompany you, and that you leave your money at home.

Kindly report to Assemblyman Murray, that we may make final arrangements for your entertainment while with us.

J. A. MURRAY,

Assemblyman District No. 8.

A. E. BOYNTON,

Senator District No. 6.

M. H. STITT,

Chairman Board of Supervisors.

G. H. HECKE,

Chairman Panama-Pacific Exposition Commission.

H. H. GABLE,

President Yolo County Board of Trade.

Invitation, read, and, on motion, accepted.

REQUESTS FOR PERMISSION TO INTRODUCE CONCURRENT RESOLUTIONS.

The following requests for permission to introduce concurrent resolutions were filed:

By Committee on Ways and Means:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1913.

MR. SPEAKER: We ask permission to introduce the accompanying Assembly concurrent resolution, which reads as follows, viz: Relating to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

Read, and referred to Committee on Introduction of Bills.

By Mr. Weldon:

MR. SPEAKER: I ask permission to introduce the following concurrent resolution: Relating to revenue and taxation.

Read, and referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

SACRAMENTO, March 10, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the request of the Committee on Ways and Means for permission to introduce the accompanying concurrent resolution, have had the same under consideration, and respectfully report the same back with recommendation that the request be granted.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—69.

NOES—Mr. Brown—1.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced:

By Committee on Ways and Means: Assembly Concurrent Resolution No. 19—Relative to adjournment *sine die*.

MOTION.

Mr. Chandler moved that the rules be suspended, and Assembly Concurrent Resolution No. 19 taken up for consideration.

POINT OF ORDER.

Mr. Schmitt rose to the following point of order: That a motion to suspend the rules requires one day's notice.

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Gabbert, Gates, Gelder, Green, Hayes,

Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Ryan, Scott, Shearer, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—59.

NOES—Messrs. Bradford, Brown, Farwell, Finnegan, Polsley, Shannon, Shartel, Simpson, Weldon, and White—10.

The question being on the adoption of the concurrent resolution.

During the consideration of the concurrent resolution the following amendment was submitted by Mr. Bohnett:

Strike out the figures "19th" and insert in lieu thereof the following: "26th."

The following amendment to the amendment was submitted by Mr. Brown:

Amend the amendment by striking out the word and figures "April 26" and insert in lieu thereof the following: "May 3."

Amendment lost.

Amendment of Mr. Bohnett adopted.

The following amendment was submitted by Mr. Schmitt:

Amend by striking out the figures and letters "10 p.m." and inserting in lieu thereof the following: "12 m."

Amendment adopted.

The following amendment was submitted by Mr. Brown:

Amend by adding the following: "No bills shall be considered by the House after twelve o'clock noon on April 25."

Amendment lost.

The question being on the adoption of the concurrent resolution, as amended.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Eminous, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Richardson, Roberts, Ryan, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—60.

NOES—Messrs. Bradford, Brown, Farwell, Kingsley, Peairs, Schmitt, Scott, Shannon, Shartel, Simpson, Weldon, and White—12.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Concurrent Resolution No. 19 was this day adopted.

NOTICE OF INTENTION TO MOVE TO AMEND RULES.

Mr. Schmitt gave notice that on next legislative day he would move to amend Rule 75, to read as follows:

INTRODUCTION OF BILLS AFTER CONSTITUTIONAL RECESS.

75. Immediately upon convening after the constitutional recess the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the

question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and any other member may have not more than five minutes to speak to the question.

COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1913.

MR. SPEAKER: Pursuant to your instruction, the following named persons have signed the accompanying application and are recognized as the duly accredited representatives of the newspapers set opposite their names: F. R. Hinkle, *San Diego Union and Tribune*; Edward H. Hurlbut, *Evening Post*; W. A. Fitzgerald, *Fresno Republican*.

APPLICATION.

Representatives of the Press in the Assembly.

HON. C. C. YOUNG, *Speaker of the Assembly*:

I, -----, a duly accredited representative of the ----- hereby apply for recognition as, and the privilege of, a press representative in the Assembly, and I hereby declare that I am not engaged, and will not during the legislative session of 1913, become engaged as a lobbyist for any person, copartnership, corporation, or interest; that I am not, and will not become, the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, and that I am not employed in any executive, administrative or legislative department of the state government and will not accept such employment while enjoying the privilege and rights of a press representative assigned to legislative work during the legislative session of 1913.

Sacramento, Cal., March 10, 1913.

L. B. MALLORY, Chief Clerk.

ADJOURNMENT.

At four o'clock and twenty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, March 11, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk T. G. Walker, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farvell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill,

Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hayes, its further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Mouser:

SAN FRANCISCO, March 6, 1913.

To the Members of the Legislature of the State of California:

The San Francisco Labor Council, in regular session assembled Friday evening, February 28th, unanimously adopted the following resolutions:

"WHEREAS, Senate Bill No. 905 has the indorsement of organized labor in its main features, and is the most comprehensive plan ever introduced into a State Legislature to cover the workmen's compensation problem, and in addition provides for a state insurance fund to enable employers to protect themselves against the cost of compensation, and a safety department which gives to the workers the hope of reducing the excessive number of deaths and personal injuries sustained in the industrial world; and

WHEREAS, It is known that the compensation schedule has been carefully worked out and will not prove detrimental to the industries of the State, and that insurance for the social need represented by thousands of injured men and women and their dependents is absolutely necessary and has not heretofore been provided; and

WHEREAS, Notwithstanding the urgent need of such legislation, a number of insurance companies doing business in this State have inaugurated a state-wide campaign of misrepresentation against said Senate Bill No. 905, their motives being obviously of a purely selfish nature; therefore, be it

Resolved by San Francisco Labor Council, in regular session assembled this 28th day of February, 1913. That we indorse Senate Bill No. 905 and urge labor throughout the State to express approval of the proposed measure; further

Resolved, That copies of these resolutions be submitted to Governor Hiram W. Johnson, each Senator and Assemblyman, and to every central labor body in the State, as well as the press."

Trusting you will give these resolutions your most earnest consideration, I remain,
Very truly yours.

JOHN A. O'CONNELL,

Secretary San Francisco Labor Council.

Also:

Resolved, That Roosevelt Camp No. 9, United Spanish War Veterans, Department of California, from considerations of true patriotism and of public interest, is, and all of its members are, keenly interested in each of the proposed legislative enactments hereafter referred to, and earnestly request the hearty support of all members of the Legislature, and particularly of the Senators and Assemblymen from the county of Los Angeles in securing, if possible, the amendments and the final passage of said bills as hereinafter suggested:

(1) That Senate Bill No. 1084, introduced by Senator Finn, be passed without amendment.

This bill is in aid of the National Encampment of the United Spanish War Veterans to be held at San Francisco. Every consideration of loyal patriotism, of love of the history and institutions of our country, of gratitude for the defenders of the country's flag, and every consideration of public welfare and of local state interest, makes urgent appeal for the passage of this bill.

(2) That Senate Bill No. 413, introduced by Senator Curtin, be passed without amendment.

This bill amends the present law only by adding the following words: "And it

shall be the duty of the board of supervisors to perpetually thereafter suitably and properly maintain each of said graves." Surely no one will raise voice against such legislation which provides for so slight a public token of reverence and regard for our soldier dead.

(3) That Assembly Bill No. 483, introduced by Mr. Smith, be passed without amendment.

This bill is for the protection of "Old Glory" against insult by those enjoying its protection. Insult by foreign foe would bring military rebuke regardless of the cost in blood or treasure. Surely, it should be made at least a misdemeanor for a citizen or resident to insult the flag of our country. Human history shows that love for and reverence of the national emblem must be preserved in the lives of its citizens and instilled in the hearts of its young, or else the nation forfeits foreign respect and falls under alien domination.

(4) That Assembly Bill No. 51, introduced by Mr. Stuckenbruck, be amended so as to include within its benefits "every honorably discharged soldier, sailor, or marine who served in the Spanish-American war, or the Philippine insurrection in the California regiments; or in the navy quota from this State," and that, as so amended, the bill should pass. Be it also further

Resolved, That copies of these resolutions be properly authenticated under the seal of the camp and forwarded to the Senators and Assemblymen from Los Angeles County and to the chairman and members of the Committee on Judiciary and of the Committee on Military Affairs of both the Senate and the Assembly.

[SEAL]

P. C. MULQUEENNEY,

W. Y. STEVENS,

D. R. WELLER,

Committee on Legislation.

Also:

The Negro Federated Council, meeting in regular weekly session on Thursday, January 29, 1913, adopted the following resolution, offered by Attorney W. B. Coleman:

WHEREAS, Certain bills have been introduced in the Assembly and Senate of the Legislature of the State of California containing provision which, if enacted into law, will virtually exclude the children of the negro citizens from the public schools of this State; and

WHEREAS, Negroes, being native-born American citizens, are entitled to every, all, and equal opportunity of education, and the equal protection of law to which all other citizens are entitled, and are possessed with the same consciousness of right and wrong, of justice and injustice, as all other American citizens; and

WHEREAS, Negroes have no race representation in either of the said legislative bodies, and are at present without other means of redress; and

WHEREAS, Negroes demand for their possession and enjoyment equal opportunity of every kind and character that all other citizens possess and enjoy; and

WHEREAS, The said bills are fraught with dangerous consequences, and designed to retard the progress and advancement of negro citizenship of this State; and

WHEREAS, It is believed that the said certain bills contain international complications with which this resolution is not hereby concerned, by this body, acting for and on behalf of the negro citizens of the city of Los Angeles, county of Los Angeles and State of California: be it hereby earnestly and solemnly

Resolved, first, That it is the sense of this body, in public meeting, assembled, that the bill now before the Legislature known as Assembly Bill No. 467, and its companion in the Senate, Bill No. 468, and Assembly Bill 1539, in so far as it pertains to negroes, if enacted into law, is un-American, unprogressive, fraught with consequences inimical to the educational and just social advancement and progress of the children of every loyal, patriotic and law-abiding citizen of African descent in the State of California;

Resolved, second, That we urge the amendment of said bills so that upon final reading or passage, should they pass, the term "negro," and any and all synonymous words, terms or expressions, be expunged and eliminated therefrom. That no bill be passed and enacted into law creating conditions whereby inferior school facilities may be imposed upon the children of persons of African descent who are citizens of the United States and of the State of California;

Resolved, third, That as native-born American citizens, we demand every, all, and equal opportunity of education; we demand the equal protection of the law; we demand protection from the onslaught of designing persons whose highest ambition is to retard the progress and advance of humanity by oppressing the weaker elements of society and denying equal opportunity to those who most need encouragement;

Resolved, fourth, That the members of both houses from this, Los Angeles County, are hereby called upon to oppose and defeat said bill in so far as it pertains to negroes, and in so unfortunate an event as its passage, our progressive Governor is called upon to exercise the executive veto and prevent its becoming a law;

Resolved, fifth, That a petition in due and legal form be circulated for signatures

of negro citizens and voters opposing the passage of said measure, as aforesaid, for transmission to the proper persons and committees at Sacramento.

(Approved): E. W. KINCHEN,
President Negro Federated Council.

MRS. GEO. M. WARNER,
Secretary Negro Federated Council.

By Mr. Slater:

SAN LORENZO, CAL., February 24, 1913.

To the Legislature of the State of California:

GENTLEMEN: We, the undersigned women of Alameda County, who have worked in the harvesting, cutting, packing, handling, and canning of fresh fruits and vegetables, believe it is our right and privilege to work more than eight hours a day if we so desire.

We find the work is not unpleasant, and it is remunerative, the work usually being conducted in the open air or in well ventilated buildings. The season of the various varieties is short, the product perishable, and the pay is good.

We feel it would be unjust to restrict us to a limit of eight hours a day, and we petition your honorable body to enact no laws that will restrict us from working more than eight hours a day if we so desire.

MRS. NELLIE NIELSON (and others).

By Mr. Richardson:

To the Honorable Senate and the Assembly of the State of California:

At a convention of delegates, representing thirty-five churches with a membership of twenty-five hundred, constituting the Fourth California Conference of Seventh-Day Adventists, which meeting was held in Oakland, California, January 26, 1913, the following resolution was adopted by a unanimous vote in the affirmative:

WHEREAS, The enactment of any law for the compulsory cessation of labor on Sunday is religious in its character, in that it is designed to foster the religious observance of Sunday, and would be detrimental to the welfare and prosperity of the State, and an infringement of the natural rights of mankind; therefore,

Resolved, That we urge your honorable body to refrain from the enactment of any Sunday law, or other statute whereby the compulsory observance of any weekly day of rest might be attempted by the representatives of the State.

E. W. FARNSWORTH,
President California Conference of Seventh-Day Adventists.
CLAUDE CONARD,
Secretary California Conference of Seventh-Day Adventists.

ANNOUNCEMENTS.

The following announcements were made:

To the Members of the Assembly, State of California:

Pursuant to Section 246 of the Political Code, I have this day appointed F. W. Cooke, F. J. Trude and Moses Stern as assistants to the Chief Clerk, and respectfully request that the Assembly confirm said appointments, at the per diem as required by law.

L. B. MALLORY, Chief Clerk.

The roll was called, and the above appointments were confirmed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, George A., Collins, Cram, Dover, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Pears, Polesy, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—72.

NOES—None.

Also:

To the Members of the Assembly, State of California:

I beg leave to announce that, pursuant to Section 247 of the Political Code, I

have to-day appointed the following Porters and Pages at the per diem provided for by law:

Huntington, G. W., Porter	\$3 00
Berry, John, Porter	3 00
Giles, W., Porter	3 00
Harlow, W. S., Porter	3 00
Howard, W. A., Porter	3 00
Kofod, John, Porter	3 00
Manning, M., Porter	3 00
Ellis, Dave, Porter (Gatekeeper)	3 00
Smith, C. C., Porter (Gatekeeper)	3 00
Weger, F. M., Porter (Gatekeeper)	3 00
Chambers, Ben, Porter (Watchman)	3 00
Brown, W. E., Page	2 50
Duhain, C. E., Page	2 50
Fraser, James, Page	2 50
Haggerty, Elwood, Page	2 50
Hayes, John, Page	2 50

C. C. YOUNG, Speaker of Assembly.

The roll was called, and the appointments were confirmed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—64.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés:

Resolved, That the name of Frank W. Smith, heretofore appointed as Bill Clerk at a per diem of \$4, be stricken from the roll, to date from March 11, 1913.

Resolution read, and on motion adopted.

Also:

WHEREAS, R. S. Gray, legislative expert, is serving the Committee on Revision and Printing as adviser without compensation;

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the contingent expense fund of the Assembly, and the Treasurer is hereby directed to pay the same for the amount of \$6 per day, said amount to pay the expenses of the said R. S. Gray while serving in the above capacity, to date from March 11, 1913.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shattel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—72.

NOES—None.

REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ATTACHÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: Your Committee on Attachés begs leave to submit the following report:

Resolved, That the following named persons be, and they are hereby, appointed and employed for the positions and at the per diem set opposite their respective names, said per diem to be paid out of the appropriation for the pay of officers and employees of the Assembly, and the Controller is hereby authorized and directed to draw his warrants upon the said fund in favor of the following named persons for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same—namely:

McLaughlin, J. W., Assistant Minute Clerk	\$6 00
Moore, A. S., Assistant Minute Clerk	6 00
Kinney, H. H., History Clerk	6 00
Langworthy, R. E., Assistant History Clerk	5 00
Thomas, C. G., Journal Clerk	6 00
Friel, L. V., Assistant Journal Clerk	5 00
Hestwood, J. O., Engrossment and Enrollment Clerk	6 00
Castro, J., Assistant Engrossment and Enrollment Clerk	5 00
Rideon, Gilbert, Assistant Engrossment and Enrollment Clerk	5 00
Hoffman, M. I., Assistant Engrossment and Enrollment Clerk	5 00
Guirey, W. C., File Clerk	6 00
Powers, J., Assistant File Clerk	5 00
Rayner, Chas., Assistant File Clerk	5 00
Ellison, Leon E., Clerk to Ways and Means	6 00
Wood, Percy A., Clerk to Judiciary	6 00
Wendering, Arthur A., Stenographer	5 00
Alberry, Hiram, Assistant to Revision and Printing	5 00
Kramer, E. C., Assistant to Revision and Printing	5 00
Bruce, L. R., Stenographer	5 00
Bush, Geo. J., Stenographer	5 00
Christiansen, Clara, Stenographer	5 00
Conner, Evelyn M., Stenographer	5 00
Deitch, Mary, Stenographer	5 00
Hayes, Gertrude, Stenographer	5 00
Hood, Florence, Stenographer	5 00
Johnson, Jean, Stenographer	5 00
Koester, Ruth, Stenographer	5 00
Lathrop, Mrs. E. T., Stenographer	5 00
Liston, Mary, Stenographer	5 00
Loofbourrow, Agnes, Stenographer	5 00
Martin, Anna, Stenographer	5 00
McDonnell, C. M., Stenographer	5 00
Pick, Mrs. F. H., Stenographer	5 00
Strouse, Vera, Stenographer	5 00
Tabor, Faith, Stenographer	5 00
Washburn, Effie A., Stenographer	5 00
Johnstone, Walter, Assistant Sergeant-at-Arms	5 00
Jones, D. R., Assistant Sergeant-at-Arms	5 00
Keith, D. E., Assistant Sergeant-at-Arms	5 00
McColgan, Chas., Assistant Sergeant-at-Arms	5 00
Smith, R. R., Assistant Sergeant-at-Arms	5 00
Smith, F. W., Assistant Sergeant-at-Arms	5 00
Smith, Vincent, Assistant Sergeant-at-Arms	5 00
Chalfont, Blanche, Assistant Postmistress	4 00
Fortna, Mrs. M., Matron	4 00
Stuckenbruck, Mrs. Olive, Mailing Clerk	4 00
Wall, Mrs. L. G., Assistant Mailing Clerk	4 00
Bevine, W. E., Bill Clerk	4 00
Allen, Newton M., Bill Clerk	4 00
Crossman, Edgar, Bill Clerk	4 00
Sherman, Frank C., Bill Clerk	4 00
Smith, Earl, Bill Clerk	4 00
Lewis, R. T., Bill Filer	4 00
Sparling, Wayne H., Bill Filer	4 00
Logomasino, L., Bill Filer	4 00
McColgan, E. J., Bill Filer	4 00
McKiernan, Wm., Bill Filer	4 00

Allen, Maude F., Committee Clerk	\$4 00
Cunningham, J. H., Committee Clerk	4 00
Ellis, B. H., Committee Clerk	4 00
Emanuel, A., Committee Clerk	4 00
Guiberson, Claire, Committee Clerk	4 00
Haslett, Nat, Committee Clerk	4 00
Dufort, Olive, Committee Clerk	4 00
Ireland, Nellie, Committee Clerk	4 00
Johnston, Mrs. Adah, Committee Clerk	4 00
Kilgariff, Regina, Committee Clerk	4 00
Knight, Sam, Committee Clerk	4 00
Laing, Gordon B., Committee Clerk	4 00
Monahan, Wm. E., Committee Clerk	4 00
Naylor, H. B., Committee Clerk	4 00
Nichols, Mabel, Committee Clerk	4 00
Palmer, Mrs. J. F., Committee Clerk	4 00
Regan, Conrad, Committee Clerk	4 00
Reynolds, J. E., Committee Clerk	4 00
Shartel, Mrs. A. F., Committee Clerk	4 00
Simpson, Mrs. Ethel, Committee Clerk	4 00
Thompson, Roland, Committee Clerk	4 00
Tulloch, Mrs. D. W., Committee Clerk	4 00
Young, John T., Committee Clerk	4 00

SMITH, Chairman.

Mr. Smith moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—64.

NOES—None.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution—

Resolved. That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for the sum of one hundred fifty-seven and 62/100 dollars (\$157.62), same being for payment of expressage upon printed matter shipped to the members, public institutions, and other sources during the constitutional recess, as per vouchers attached, and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farrell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—65.

NOES—None.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Also: Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Also: Assembly Bill No. 746—An Act to amend Section 459 of the Penal Code of the State of California defining burglary.

Also: Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Also: Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York in the State of New York and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 330—An Act to amend Section 980 of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

Also: Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 422, and relating to threats against life and providing a punishment therefor.

Also: Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Also: Assembly Bill No. 1942—An Act to ratify and approve an Act entitled "An Act providing for the disposition of certain property," passed April 21, 1851, and to cure and obviate any and all defects therein to the vesting in the town of Martinez of the lands so granted and released.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass, as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess tidal lands, or the title thereto, of any harbor or other navigable waters, therein to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 556—An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases—have had the same under consideration, and respectfully report the same back with amendments, and recommend it do pass as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bills Nos. 1355 and 1367, having had the same under consideration, hereby join with Mr. Weisel, and respectfully request that said bills be withdrawn.

SCOTT, Chairman.

WITHDRAWAL OF BILLS.

Mr. Weisel asked for and was granted unanimous consent to withdraw Assembly Bills Nos. 1355 and 1367.

Bills withdrawn, and ordered stricken from the file.

MOTION TO AMEND RULES.

In accordance with previous notice, Mr. Schmitt moved to amend Rule No. 75 of the Standing Rules, to read as follows:

INTRODUCTION OF BILLS AFTER CONSTITUTIONAL RECESS.

75. Immediately upon convening after the constitutional recess the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three fourths of the members of the Assembly:

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and any other member may have not more than five minutes to speak to the question.

Motion duly seconded.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgens-tern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stucken-bruck, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—68.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were filed:
By Mr. Ryan:

MR. SPEAKER: I ask permission to introduce the accompanying Assembly bill, which reads as follows, viz: An Act appropriating money to pay the claim of Vincent Bona against the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Bohnett:

MR. SPEAKER: I ask permission to introduce the accompanying Assembly concurrent resolution: Relating to white slave traffic.

Referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 214—An Act to amend Section 3247a of the Political Code, relating to the purchase of supplies for the State by boards, committees and other persons.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill, as follows:

Amend by inserting after the word "article," in line 12, page 1, of bill, the words "of equal value, utility and merit."

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 214, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendment adopted.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill, as follows:

On page 2, line 1, strike out the word "or," and insert in lieu thereof the word "and."

Also: On page 2, line 6, strike out the word "or," and insert in lieu thereof the word "and."

Motion carried.

The Speaker appointed Mr. Schmitt as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 214, with instructions, do now report that the instructions of the Assembly have been carried out.

SCHMITT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction on the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 649 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A.,

Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

Amend by striking out of Section 1, line 7, the words "or oral."

Also: Strike out the words "or other labor disturbance," in line 8, Section 1.

Also: Insert the word "or" after the word "strike" in line 8, Section 1.

Also: Strike out in line 3, Section 1, the words "or other labor trouble."

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

On motion of Mr. Ryan, further consideration of the above bill, and the proposed amendments, was postponed until next legislative day.

Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

During third reading of the bill, Mr. Bradford moved that the Speaker appoint a select committee of one to amend the bill, as follows:

Amend by adding a new section thereto, to be numbered Section 3, to read as follows: "Sec. 3. The State Treasurer or other treasurer or official performing the duties of treasurer shall be entitled for so registering a bond or bonds to charge and collect a fee of fifty cents for every \$1,000 of the par value thereof for the purposes of providing the additional supplies and clerical help necessary in complying with this Act."

Motion carried.

The Speaker appointed Mr. Bradford as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 184, with instructions, do now report that the instructions of the Assembly have been carried out.

BRADFORD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

Bill re-referred to Committee on Municipal Corporations.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Bill re-referred to Committee on Municipal Corporations.

Assembly Bill No. 283—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by

the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 283 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Walsh, Weldon, White, Woodley, and Mr. Speaker—66.

NOES—Messrs. Johnson, Geo. H., Polsley, and Stuckenbruck—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 76—An Act to amend Section 1490 of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 76 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 310 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 3—Relative to the purchase and use by counties, cities and counties, cities and other political subdivisions of the State of California, of goods, wares, merchandise, manufactures, produce, and other articles which are grown, prepared, manufactured or produced within the State of California.

Assembly Concurrent Resolution No. 3 read, and on motion adopted and ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 3.

Relative to the purchase and use by counties, cities and counties, cities and other political subdivisions of the State of California, of goods, wares, merchandise, manufactures, produce, and other articles, which are grown, prepared, manufactured or produced within the State of California.

Resolved, by the Assembly of the State of California, the Senate concurring, That the governing body of every county, city and county, town and other political subdivision of the State of California, be and they are hereby respectfully requested and urged to purchase and use only articles, goods, wares, manufactures, merchandise and produce which are grown, prepared and manufactured or produced within the State of California, unless the article desired is not either grown, prepared or produced within the State of California: *provided, however,* that the article desired to be purchased and used by such particular subdivision of the State can be purchased at no greater price than a similar article which is grown, prepared, manufactured or produced outside the State of California. It is the intention of the Legislature of the State of California to take such steps as will stimulate and increase the consumption by the people of the State of articles which are either grown, prepared, manufactured or produced in California, to the end that our home industries may increase, thrive and prosper and that the labor occupied in the growing, manufacturing, preparing and producing of such articles will be performed by the people of the State of California.

Assembly Bill No. 75—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

During the consideration of Assembly Bill No. 75, Mr. Fitzgerald moved that the bill be re-referred to the Committee on Labor and Capital.

HOOR OF RECESS EXTENDED.

During the consideration of the motion, Mr. Killingsworth moved the following amendment: "That the bill be re-referred to the Committee on Public Health and Quarantine."

On motion of Mr. Brown, the hour of recess was extended until the business before the House be disposed of.

POINT OF ORDER.

During the consideration of the amendment, Mr. Inman rose to the following point of order: "That a motion to re-refer a bill was not debatable."

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

Roll call regularly demanded.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Fish, Gabbert, Gates, Green, Griffin, Guiberson, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, Palmer, Polsley, Shartel, Smith, Strine, Wyllie, and Mr. Speaker—32.

NOES—Messrs. Ambrose, Bloodgood, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Power, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Guill, Hayes, Inman, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgen-

stern, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Woodley—45.

Motion to re-refer to Committee on Labor and Capital put and carried.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk and ordered printed in the Journal:

I voted this morning for the re-reference of Assembly Bill No. 75 from the Committee on Labor and Capital to the Committee on Public Health and Quarantine for the reason that after getting opportunity to read the bill I had become convinced that it was essentially a health measure, and as such should have been referred to the health committee, as was done in the Senate with its companion bill.

I desire to make this statement in justice to Mr. McDonald, chairman of the Committee on Labor and Capital, since my vote for re-reference was prompted solely by a feeling that I had erred in my original reference of the bill, and not by any doubt as to the fairness of Mr. McDonald or his committee.

C. C. YOUNG.

RECESS.

At twelve o'clock and fifty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m. the Assembly reconvened.
Speaker Young in the chair.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 255—An Act to amend Section 1584 of the Political Code, relating to the government of school districts by municipal charter.

During third reading of the bill, Mr. Tulloch moved that the Speaker appoint a select committee of one to amend the bill, as follows:

On page 2, line 11, after the word "district," add the following: "or portion of school district."

Motion carried.

The Speaker appointed Mr. Tulloch as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 255, with instructions, do now report that the instructions of the Assembly have been carried out.

TULLOCH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 328—An Act to amend Section 876 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 328 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder,

Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—61.

NOES—Mr. Brown—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 329—An Act to amend Sections 757 and 857 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 329 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Strine, Tulloch, Wall, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—65.

NOES—Messrs. Bloodgood, Brown, and Farwell—3.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Polsley gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 329 was this day passed.

Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 563 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 377—An Act to amend Sections 1, 2, 8, and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood or snow water for

beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 377 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 597—An Act to provide for the accounting by employers for all sums of money deducted from the wages of employees for use in the care and treatment of such employees during sickness or disability.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 597 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 103—An Act to amend section four hundred sixty-five of the Civil Code of the State of California, relating to powers of railroad corporations.

During third reading of the bill, Mr. Finnegan moved that the Speaker appoint a select committee of one to amend the bill, as follows:

After line 30, paragraph 5, add the following: "*provided*, that nothing in this Act shall be held to permit the substitution, by any railroad corporation, of a grade crossing for an undertrack or overtrack crossing where such may be provided for by contract or judgment, or by municipal, county, district or state regulation."

Motion carried.

The Speaker appointed Mr. Finnegan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 103, with instructions, do now report that the instructions of the Assembly have been carried out.

FINNEGAN, Select Committee.

Report of select committee and amendment refused adoption.

During third reading of the bill, Mr. Wyllie moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 17, after the word "highway," insert the following: "or highway hereafter established."

Motion carried.

The Speaker appointed Mr. Wyllie as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 103, with instructions, do now report that the instructions of the Assembly have been carried out.

WYLLIE, Select Committee.

Report of select committee and amendment adopted.

During third reading of the bill, Mr. Wyllie moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, Section 1, line 3, strike out the word "and," and insert in lieu thereof the word "or."

Also: On page 4, Section 1, line 4, strike out the word "and," and insert in lieu thereof the word "or."

Also: On page 4, Section 1, line 6, strike out the words "with full power to sell the same."

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 103, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the requests of Assemblymen Weldon and Bohnett for permission to introduce the accompanying concurrent resolutions, and the request of Assemblyman Ryan for permission to introduce the accompanying bill, have had the same under consideration, and report the same back, and recommend that each of the said requests be granted.

BOHNETT, Chairman.

CLARK.

JOHNSTONE.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Pairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Shartel,

Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—63.
NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Ryan: Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Weldon: Assembly Concurrent Resolution No. 20—Relative to revenue and taxation.

Read, and referred to Committee on Revenue and Taxation.

By Mr. Bohnett: Assembly Concurrent Resolution No. 21—Relative to the white slave traffic.

Read, and referred to Committee on Public Morals.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Brown moved that the vote whereby Assembly Concurrent Resolution No. 19 was adopted, be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Brown moved a call of the House.

Motion lost.

The roll of absentees was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bowman, Bradford, Brown, Clarke, Geo. A., Dower, Emmons, Farwell, Finnegan, Fish, Ford, Guiberson, Guill, Killingsworth, Kingsley, Libby, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Shartel, Simpson, Weldon, White, and Woodley—32.

NOES—Messrs. Ambrose, Beck, Bohnett, Bush, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnstone, W. A., Kuck, McCarthy, McDonald, Moorhouse, Richardson, Ryan, Scott, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Wyllie, and Mr. Speaker—36.

Title read and approved.

Assembly concurrent resolution ordered transmitted to the Senate.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Stuckenbruck, Mr. E. A. Speede was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. R. H. Morey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Beck, Mr. George E. Tucker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Polsley, Mr. W. W. Brown was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. White, Mr. C. A. Allen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shearer, Mr. F. A. Johnson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McDonald, Bishop Moreland was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. B. C. Brier was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. C. Conover was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Mr. J. B. Dusenbury was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Mr. E. F. Lacour was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mr. L. V. Hatch was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mrs. R. R. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Emmons, Mr. C. Olives was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mrs. W. G. Berry was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Dr. H. P. Miles, Dr. L. R. Daniels were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mr. R. B. Griffin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. J. W. W. Botts was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. T. E. Lynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Collins, Mr. W. B. Lawson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. C. P. Deal was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Richardson, Mr. P. L. Ennor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. White, Mr. George W. Perry was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Mr. F. S. Brittan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. C. H. Wenton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. W. T. Plunkett was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At four o'clock and twenty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, March 12, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Gee, H. L., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuck-enbruck, Tulloch, Wall, Walsh, Weisel, Welden, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ryan, its further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Slater:

WHEREAS, The harvesting, cutting fresh fruit, packing and canning, is done out of doors, or in sanitary, well ventilated buildings;

WHEREAS, The season of harvest is short, in most localities less than sixty days;

WHEREAS, The work is light, being principally piecework, which does not necessitate our working long hours unless we so desire;

WHEREAS, The work being light and no great strain on body or mind, is pleasant and remunerative, and from our knowledge of the business we believe it would be a needless and unjust restriction to limit us to eight hours of labor;

Now, we, the undersigned women of Sonoma County, who have worked in occupations above referred to, respectfully urge that the handling of perishable products be excepted as the law now stands, and we urge our representatives in the Legislature to see that any legislation whose purpose is to restrict hours of labor, and particularly Senate Bill No. 466, be amended accordingly.

DOLLIE O'LEARY (and 300 others).

By Mr. Ellis:

To the Assembly of the State of California:

The undersigned hereby earnestly petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors, within or contiguous to certain state buildings and grounds, and to the State University.

We favor Assembly Bill No. 615, introduced by Assemblyman Ellis, which makes no exemption as to territory.

The above was indorsed by vote by the congregation of the Tenth Avenue Baptist Church, in the city of Oakland, county of Alameda, State of California, on the ninth day of March, A.D. 1913, and the undersigned was authorized to so attest.

ORVILLE COATS, Presiding.

By Mr. Cram:

WHEREAS, Innocent women and children of our land are the greatest sufferers from venereal diseases in the marriage relation; be it therefore

Resolved, That the Colton Woman's Club of Colton, California, put itself on record as believing in properly indorsed certificates of health or freedom from venereal diseases of all applicants for marriage licenses; and be it further

Resolved, That the Colton Woman's Club urge our representative, the Honorable James E. Cram, to do all in his power to make such a measure a law.

MRS. D. N. WILLETS (and others).

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 945—An Act appropriating money for constructing, equipping and furnishing three patients' cottages at Southern California State Hospital.

Also: Assembly Bill No. 1273—An Act appropriating money for the purchase and installation of electric units and distributing lines for a lighting system at the Southern California State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, with the further recommendation that they be re-referred to the Committee on Ways and Means.

CRAM, Chairman.

The above reported bills ordered on file for second reading, and referred to Committee on Ways and Means.

ON LIBRARIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Libraries, to whom was referred Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing section sixteen thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees instead of establishing a separate free library, and by amending section seventeen thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CLARKE, Chairman.

The above reported bill ordered on file for second reading:

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred fifty a, relating to exposure or threats of exposure of paroled or discharged prisoners.

Also: Assembly Bill No. 694—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their skill and labor."

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

Also: Assembly Bill No. 365—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons—have had the same under consideration, and respectfully report the same back and recommend that it do pass and be re-referred to the Committee on Ways and Means.

ELLIS, Chairman.

The above reported bills ordered on file for second reading and Assembly Bill No. 365 re-referred to Committee on Ways and Means.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 340—An Act to amend section sixty-nine of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895.

Also: Senate Bill No. 282—An Act to amend Section 339 of the Code of Civil Procedure, relating to the time of commencing certain actions.

Also: Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond municipal water district.

Also: Senate Bill No. 688—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending Section 2 thereof, relating to the proceedings for the calling of an election therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 340 read first time, and referred to Committee on Judiciary.

Senate Bill No. 282 read first time, and referred to Committee on Judiciary.

Senate Bill No. 542 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 688 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Also: Senate Bill No. 38—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Also: Senate Bill No. 28—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Also: Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of, prescribing the penalties for the violation of any of the provisions thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 232 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 38 read first time, and referred to Committee on Judiciary.

Senate Bill No. 28 read first time, and referred to Committee on Judiciary.

Senate Bill No. 154 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 690—An Act to amend Section 875 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers

of the president and presidents pro tem. of boards of trustees of cities of the sixth class.

Also: Senate Bill No. 215—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

Also: Senate Bill No. 211—An Act to amend an Act entitled "An Act providing for the management of the California Redwood Park and creating a board of five commissioners with power to manage said California Redwood Park," approved February 6, 1911, by adding a new section granting to the board of commissioners the power to acquire property by gift, bequest, donation, contribution, devise, purchase, condemnation, and otherwise.

Also: Senate Bill No. 383—An Act providing for the acceptance of the U. S. ship Portsmouth by the State of California from the government of the United States, and providing for the care and preservation of the same.

Also: Senate Bill No. 390—An Act to amend Section 1 of an Act entitled "An Act in relation to pandering; to define and prohibit the same, to provide for punishment thereof; for the competency of certain evidence at the trial thereof," approved February 8, 1911.

Also: Senate Bill No. 119—An Act to amend Section 452a of the Civil Code, relating to the incorporation of mutual benefit associations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 211 read first time, and referred to Committee on State Grounds and Parks.

Senate Bill No. 383 read first time, and referred to Committee on Federal Relations.

Senate Bill No. 390 read first time, and referred to Committee on Public Morals.

Senate Bill No. 119 read first time, and referred to Committee on Insurance.

UNFINISHED BUSINESS.

The question being upon the adoption of the report of the Committee on Mileage.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1913.

MR. SPEAKER: Your Committee on Mileage beg leave to report that it has computed the mileage according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less	Total mileage.	Mileage of 16 cents per mile.
48	Alexander -----	Salinas -----	208	-----	-----	416	\$41 60
66	Ambrose -----	Los Angeles -----	447	-----	-----	894	89 40
59	Bagby -----	Santa Maria -----	460	-----	85	750	75 00
34	Beck -----	Livermore -----	84	16	-----	184	18 40
63	Benedict -----	Los Angeles -----	447	-----	-----	894	89 40
62	Bloodgood -----	Inglewood -----	447	12	-----	918	91 80
44	Bohnett -----	San Jose -----	128	-----	-----	256	25 60
43	Bowman -----	Ben Lomond -----	198	-----	3	390	39 00
42	Brown -----	Colma -----	119	-----	20	198	19 80
26	Bush -----	San Francisco -----	90	-----	-----	180	18 00
17	Byrnes -----	San Rafael -----	105	-----	-----	210	21 00
33	Canepa -----	San Francisco -----	90	-----	-----	180	18 00
52	Cary -----	Reedley -----	169	24	-----	386	38 60
50	Chandler -----	Fresno -----	169	-----	-----	338	33 80
37	Clark -----	Oakland -----	84	-----	-----	168	16 80
47	Clarke -----	Bishop -----	418	6	-----	848	84 80
24	Collins -----	San Francisco -----	90	-----	-----	180	18 00
58	Cram -----	Highland -----	447	79	-----	1,052	105 20
16	Dower -----	San Andreas -----	73	-----	-----	146	14 60
77	Ellis -----	Riverside -----	512	-----	-----	1,024	102 40

MEMBERS—Continued.

District	Assemblymen.	Address.	Distance of county seat.	Miles from county seat, more	Miles from county seat, less	Total mileage.	Mileage of 10 cents per mile.
71	Emmons -----	Los Angeles -----	447	-----	-----	894	\$89 40
75	Farwell -----	Los Angeles -----	447	-----	-----	894	89 40
38	Ferguson -----	Oakland -----	84	-----	-----	168	16 80
67	Fish -----	Pasadena -----	447	9	-----	912	91 20
9	Finnegan -----	Nevada City -----	77	-----	-----	150	15 00
39	Fitzgerald -----	Oakland -----	84	-----	-----	168	16 80
22	Ford -----	San Francisco -----	90	-----	-----	180	18 00
60	Gabbert -----	Ventura -----	490	-----	-----	980	98 00
69	Gates -----	South Pasadena -----	447	8	-----	910	91 00
40	Gelder -----	Berkeley -----	84	-----	-----	168	16 80
53	Green -----	San Luis Obispo -----	343	-----	-----	686	68 60
49	Griffin -----	Merced -----	114	-----	-----	228	22 80
54	Guiberson -----	Corcoran -----	214	17	-----	462	46 20
7	Guill -----	Chico -----	91	-----	-----	182	18 20
45	Hayes -----	San Jose -----	128	-----	-----	256	25 60
79	Hinkle -----	San Diego -----	573	-----	-----	1,146	114 60
57	Johnson -----	San Bernardino -----	508	-----	-----	1,016	101 60
18	Johnston -----	Richmond -----	62	15	-----	154	15 40
68	Johnstone -----	San Dimas -----	447	31	-----	956	95 60
80	Judson -----	Escondido -----	572	-----	8	1,108	110 80
10	Killingsworth -----	Vacaville -----	40	-----	6	68	6 80
65	Kingsley -----	Los Angeles -----	447	-----	-----	894	89 40
72	Kuck -----	Los Angeles -----	447	-----	-----	894	89 40
12	Libby -----	Sebastopol -----	90	7	-----	194	19 40
25	McCarthy -----	San Francisco -----	90	-----	-----	180	18 00
21	McDonald -----	San Francisco -----	90	-----	-----	180	18 00
78	Moorhouse -----	Heber -----	669	17	-----	1,338	133 80
35	Morgenstern -----	Alameda -----	84	5	-----	178	17 80
74	Mouser -----	Los Angeles -----	447	-----	-----	894	89 40
8	Murray -----	Woodland -----	23	-----	-----	46	4 60
2	Nelson -----	Eureka -----	312	-----	-----	624	62 40
30	Nolan -----	San Francisco -----	90	-----	-----	180	18 00
11	Palmer -----	Napa -----	61	-----	-----	122	12 20
73	Peairs -----	Los Angeles -----	447	-----	-----	894	89 40
5	Polsley -----	Red Bluff -----	135	-----	-----	270	27 00
29	Richardson -----	San Francisco -----	90	-----	-----	180	18 00
61	Roberts -----	Los Angeles -----	447	-----	-----	894	89 40
23	Ryan -----	San Francisco -----	90	-----	-----	180	18 00
31	Schmitt -----	San Francisco -----	90	-----	-----	180	18 00
28	Scott -----	San Francisco -----	90	-----	-----	180	18 00
32	Shannon -----	San Francisco -----	90	-----	-----	180	18 00
4	Shartel -----	Alturas -----	324	-----	-----	648	64 80
1	Shearer -----	Yreka -----	295	-----	-----	590	59 00
56	Simpson -----	Bakersfield -----	278	-----	-----	556	55 60
13	Slater -----	Santa Rosa -----	90	-----	-----	180	18 00
36	Smith -----	Oakland -----	84	-----	-----	168	16 80
70	Strine -----	Downey -----	447	11	-----	916	91 60
19	Stuckenbruck -----	Acampo -----	48	9	9	78	7 80
51	Sutherland -----	Fresno -----	169	-----	-----	338	33 80
46	Tulloch -----	Oakdale -----	77	-----	5	144	14 40
20	Wall -----	Stockton -----	48	-----	-----	96	9 60
37	Walsh -----	San Francisco -----	90	-----	-----	180	18 00
76	Weisel -----	Anaheim -----	481	-----	7	948	94 80
6	Weldon -----	Ukiah -----	150	-----	-----	300	30 00
3	White -----	Weaverville -----	217	-----	-----	434	43 40
64	Woodley -----	Los Angeles -----	447	-----	-----	894	89 40
55	Wyllie -----	Dinuba -----	206	-----	7	398	39 80
41	Young -----	Berkeley -----	84	-----	-----	168	16 80

OFFICERS.

L. B. Mallory -----	Los Gatos -----	128	10	-----	276	\$27 60
H. A. Harper -----	El Dorado -----	56	-----	-----	116	11 60
Ed E. Reese -----	Sacramento -----	1	-----	-----	2	20

Mr. Mouser moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Richardson, Roberts, Ryan, Scott, Simpson, Slater, Smith, Strine, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—53.

NOES—Messrs. Schmitt, Stuckenbruck, White, and Wyllie—4.

THIRD READING OF BILLS.

Assembly Bill No. 81—An Act to amend section three hundred ninety-six of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

During third reading of the bill, Mr. Johnson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On line 8, page 1, of the amended printed bill, before the word "any" insert the following: "upon any public street, road or highway in this state."

Also: On line 10, page 1, of the amended printed bill, strike out the period and insert in lieu thereof a colon, followed by the words: "provided, that this section shall not be construed as limiting the legislative board or body of any municipal corporation in this State from granting to any person, company or corporation the right to conduct and carry on, over or upon the streets, roads or highways within the municipal corporation governed by such legislative board or body and in accordance with such rules and regulations as may be prescribed by such legislative board or body, a race or races or other contest or contests of speed or endurance or both, by or between any or either of the vehicles or conveyances mentioned in this section, and no person or persons who shall participate in any such duly authorized race or contest shall be deemed to have violated any of the provisions of this section."

Motion carried.

The Speaker appointed Mr. Johnson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 81, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 374—An Act to amend Section 1 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and April 14, 1911.

During third reading of the bill, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill, as follows:

AMENDMENT No. 1.

On page 1, line 18, strike out "or" where it first appears in said line, and insert in lieu thereof the following: "in any."

AMENDMENT No. 2.

On page 1, line 11, strike out the words "or other places of labor."

Motion carried.

The Speaker appointed Mr. Weldon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 374, with instructions, do now report that the instructions of the Assembly have been carried out.

WELDON, Select Committee.

The question being upon the adoption of the report.

Division of the question demanded.

Amendment No. 1 adopted.

Amendment No. 2 refused adoption.

During further consideration of bill, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 11, strike out the word "places," and insert in lieu thereof the word "place."

Motion carried.

The Speaker appointed Mr. Weldon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 374, with instructions, do now report that the instructions of the Assembly have been carried out.

WELDON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 88—An Act to amend Section 1 of an Act entitled "An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this State," approved March 23, 1901, relating to the employment of citizens of the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 88 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mosser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—73.

NCES—Messrs. Benedict, Johnston, W. A., and Peairs—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 482—An Act to amend sections three and five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 482 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Stuckenbruck, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 4—Relative to national forests situated within the State of California and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months.

The question being on the adoption of the joint resolution.

The roll was called, and Assembly Joint Resolution No. 4 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pears, Polsley, Roberts, Ryan, Scott, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

Joint Resolution No. 4 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 4.

Relative to national forests situated within the State of California, and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months.

WHEREAS, There are situated within the State of California great national forests comprising in area over twenty-seven million acres; and

WHEREAS, The protection and preservation of these forests is of great benefit to the citizens of this State and of the whole United States; and

WHEREAS, Each year during the months of July, August and September, forest fires threaten partial or total destruction of these forests; and

WHEREAS, These forests are not sufficiently protected from fire during such months; now, therefore, be it

Resolved, by the Assembly of the State of California, and the Senate, jointly, That the Secretary of War of the United States be and he hereby is, requested to station Federal troops in the national forests within the State of California during the months of July, August and September each year for the purpose of preventing and fighting forest fires and protecting such national forests; and be it further

Resolved, That a copy of this joint resolution be sent to the Secretary of the War Department of the United States.

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances.

During third reading of the bill, Mr. Scott moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, Section 1, after the comma at the end of line 2, insert the following: "the Spanish-American war, or the Philippine insurrection."

Motion carried.

The Speaker appointed Mr. Scott as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 51, with instructions, do now report that the instructions of the Assembly have been carried out.

SCOTT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

LEAVES OF ABSENCE.

On motion of Mr. Dower, Mr. Murray was granted leave of absence for the day.

On motion of Mr. Chandler, Mr. Sutherland was granted leave of absence for the day.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 109—An Act to provide for the payment by the state or counties or cities or cities and counties of the premium or charge on official bonds when given by surety companies that have deposited securities with the State Treasurer and regulating the deposit, management and disposition of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 109 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgens-tern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—64.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond municipal water district—have had the same under consideration, and respectfully report that Senate Bill No. 542 is identical with Assembly Bill No. 494.

MOORHOUSE, Chairman.

Senate Bill No. 542 ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situated in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911—have had the same under consideration, and respectfully report that Senate Bill No. 232 is not identical with Assembly Bill No. 295.

MOORHOUSE, Chairman.

Senate Bill No. 232 referred to Committee on Commerce and Navigation.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 417 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Polsley moved that the vote whereby Assembly Bill No. 329 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Brown, Byrnes, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gates, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Mouser, Nolan, Pairs, Polsley, Richardson, Roberts, Shannon, Shartel, Smith, and Weldon—34.

NOES—Messrs. Bagby, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Ellis,

Ford, Gabbert, Griffin, Guiberson, Johnson, Geo. H., Libby, McDonald, Moorhouse, Morgenstern, Palmer, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Wall, Walsh, Weisel, White, Wyllie, and Mr. Speaker—31.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 110—An Act to amend Section 7 of the Civil Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 110 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 364 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, White, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 552—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class, by adding a new section thereto, to be designated as Section 870a.

Mr. White asked for and was granted unanimous consent to withdraw Assembly Bill No. 552.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

During third reading of the bill, Mr. Alexander moved that the Speaker appoint a select committee of one to amend the bill as follows:

After the words "female prisoners," in line 14, page 1, insert the following: "for such service she shall receive such compensation as shall be designated by the board

of supervisors for the county for which the service is rendered not to exceed three dollars per day for such service."

Also: Strike out the words "for such service," in line 17, page 1, and lines 1, 2 and 3, and the words "per day for each day of actual service," in line 4, on page 2.

Also: After the word "asylum," line 6, page 2, strike out the balance of line 7, page 2, and add the following: "payable as other state charges."

Motion carried.

The Speaker appointed Mr. Alexander as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 653, with instructions, do now report that the instructions of the Assembly have been carried out.

ALEXANDER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure, to be numbered Section 1810*b*, relating to contracts for attorneys' fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 485 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

COMMUNICATION.

The following communication was presented, and ordered printed in the Journal:

MR. SPEAKER: I note by the report of the Committee on Mileage that, according to law, my name was included among the number to be allowed mileage. As I was employed by the Assembly during the constitutional recess, I deem it proper not to draw the amount set after my name. I therefore desire it understood that the warrant for the above will not be drawn, but be properly canceled.

Very truly yours,

L. B. MALLORY, Chief Clerk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 1556—An Act to amend Section 10*g* of an Act entitled

"An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," as amended April 5, 1911, relating to probation officers in counties of the seventh class and their salaries—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

ELLIS, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 154—An Act to amend Section 103½ of the Code of Civil Procedure of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 79—An Act to amend Section 607c of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Also: Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Also: Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

Also: Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

RYAN, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 1305—An Act to amend section ten k of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911.

Also: Assembly Bill No. 1658—An Act to amend Section 15 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for

the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the duties of probation officers.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

RYAN, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 1659—An Act to amend Section 10 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the appointment of probation officer and his assistants.

Also: Assembly Bill No. 1660—An Act to amend Section 21 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the payment of the expenses of a delinquent person.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

RYAN, Chairman.

The above reported bills ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 330—An Act to amend Section 980 of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 16, strike out the word "twenty" and insert in lieu thereof the word "forty."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 17, strike out the comma following the word "clerk" and insert the following words: "and notice thereof mailed to the appellant by the clerk."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, relating to threats against life, and providing a punishment therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 7, after the first word "or," strike out the words "do any" and insert in lieu thereof the following: "to do great bodily."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, after the word "prison," insert the following words: "or the county jail."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 9, after the word "not," strike out all that follows and insert in lieu thereof the following: "more than one year or by fine not to exceed one thousand dollars, or by both."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 15, strike out all after the word "neglect" down to and including the word "citation," in line 24.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 28, after the word "society," insert a semicolon and the following words: "provided, that the judge of the juvenile court making a finding of dependency on the ground of cruelty or neglect of such parent or parents, has declared such child to be eligible for adoption, and such parent or parents have been present in court on the day when such declaration of such eligibility for adoption has been made, or have been duly cited and have failed to appear in court, or, in case the party serving such citation, after due and diligent search, has been unable to find such parent or parents and to make service upon them of such citation, then after publication of such citation as is provided for the publication of summons in section four hundred and thirteen of the Code of Civil Procedure and failure of the parties thus cited to appear."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1942—An Act to ratify and approve an Act entitled "An Act providing for the disposition of certain property," passed April 21, 1851, and to cure and obviate any and all defects therein to the vesting in the town of Martinez of the lands so granted and released.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, in the enacting clause, strike out the comma following the word "California;" also all the words following same, up to and preceding the word "do."

Amendment adopted.

AMENDMENT No. 2.

Strike out all of line 11.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 746—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 556—An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out the words "to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases," and insert in lieu thereof the following: "to amend an Act entitled 'An Act to establish a Civil Code,' approved March 21st, 1872, by adding a new section thereto, to be designated and known as Section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, lines 1, 2 and 3, strike out the words "An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases," and insert in lieu thereof the following: "An Act entitled 'An Act to establish a Civil Code,' approved March 21st, 1872, is hereby amended by adding a new section thereto, to be known and designated as Section 1716, and to read as follows, to wit:":

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 1, line 4, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 4.

On page 2, Section 1, line 26, strike out the word "or," and insert in lieu thereof the following: "unconstitutionality or non-ownership."

Amendment adopted.

AMENDMENT No. 5.

On page 2, Section 1, line 27, strike out the word "or," and insert in lieu thereof the following: "unconstitutionality or non-ownership."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled “An Act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled “An Act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess tidal lands, or title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

Bill read second time, and ordered to engrossment and third reading.

USE OF ASSEMBLY CHAMBER GRANTED.

Upon the request of Mr. Ryan, the use of the Assembly chamber was granted for the evenings of Monday, March 17th, and Tuesday, March 18th, for the purpose of holding public hearings on “The Mothers’ Pension Bill,” and on Assembly Bill No. 1025.

Upon the request of Mr. McDonald, the use of the Assembly chamber was granted for the evening of Thursday, March 20, for the purpose of holding a public hearing on the eight-hour law for women.

ANNOUNCEMENT.

The following announcement was sent to the desk by Mr. Guill, and ordered printed in the Journal:

SCHEDULE OF MEETINGS OF THE FISH AND GAME COMMITTEE.

(First hearing Monday, March 17th, at 3 p.m.)

Game Districts—1545, Weldon; 1444, Guill; 862, Clarke; 578, Nelson; 287, Weldon; 280, Byrnes.

Refuge—747, Clark; 474, Weldon.

Game warden—1992, Canepa; 1456 (amending Section 642), Guill; 812 (amending Section 635), Scott.

(Second hearing Tuesday, March 18th, 7:30 p.m.)

Shrimp, lobster, abalone, crabs, catfish, etc.—1442 (amending Section 628), Guill; 1395, Johnson; 1254, Strine; 1055, Byrnes; 981, Canepa; 202, Bowman; 76, Richardson.

Abalone—165 (amending Section 628g), Green.

Paranzella nets and trammel nets—201 (amending Section 626½), Bowman; 1440 (amending Section 635½), Guill; 206 (amending Section 635½), Bowman; 96 (amending Section 636), Bowman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Weldon, Mr. R. D. Weldon and Mr. R. G. Stewart were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. J. M. Botts was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. A. L. Shinn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mrs. Harry Gundelfinger was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McCarthy, Mrs. Wm. C. McCarthy was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mr. W. J. Rankin, Jr., was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Col. H. G. Burton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mr. Hugh Hogan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Simpson, Mr. Wm. B. Cowan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Collins, Mr. Dick Quang was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Collins, Mr. W. Bode was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. G. W. Purcell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. J. J. Backus was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. Chas. B. Rosendale was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. Milton T. Uren was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Miss Blanch Morse was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. T. E. Loynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. Wm. Embden was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. Wm. Anderson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Emmons, Mr. C. Oliver was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Collins, Mr. E. Teesdale was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Simpson, Mr. A. H. Swain was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. Francis I. Dwyer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. F. S. Brittian was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. Joseph Shaw was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mrs. Sarah J. Dorr was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wyllie, Miss Anna E. Chase was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. H. S. Maddocks was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mrs. A. C. Fleming was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. Gibson Berry was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mrs. F. L. Sanders was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. T. E. Ketcham was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. J. V. Logan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gates, Mr. C. Martin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. Joe Fong was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Dr. and Mrs. Tucker were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. J. M. Fly was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. D. R. Rees was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Beck, Mrs. Daisy Courvoisier was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Green, Mr. A. M. Allen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. C. A. Tuttle was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mrs. H. W. Colson and Miss Colson were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. Chas. Cunningham was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. J. Shaw was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. Chas. W. Thomas was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Mr. C. H. Bulson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. W. B. Gray was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shearer, Mr. F. W. Hooper was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. J. H. Shelly was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. M. F. Shelley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Green, Mr. A. M. Allen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. J. Poundstone was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. Smario was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. F. R. Zumwalt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. Drury and Mr. H. Houston were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. White, Mr. R. A. Draper was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guill, Mr. J. H. Hoerl was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mrs. Ida Jasper was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mrs. C. H. Robertson was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, March 13, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, its further reading was dispensed with.

PETITIONS.

The following petitions were received and ordered printed in the Journal:

By Mr. Smith:

To the Assembly of the State of California:

The undersigned hereby earnestly petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the

Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

The above was indorsed by a vote by a meeting of the Epworth League of St Andrew's M. E. church in the city of Oakland, State of California, on the second day of March, A'D., 1913, and the undersigned was authorized to so attest.

VIRTUE E. REES, presiding (and others).

By Mr. Cary:

WHEREAS, It is proposed to amend the eight-hour labor law so as to include female employees in perishable fruits, we, the undersigned, desire to present the following facts for your consideration:

We are paid by the piece for all packing-house, cannery and fruit-shed work. We are not compelled to work any stated number of hours. The season for handling fruit is short and unless we are allowed to work more than eight hours we cannot afford to leave our homes to handle fruit. To curtail our time means loss to us. We are satisfied with the conditions as they now exist in packing-houses, canneries and fruit-sheds and we hereby petition our honorable law-making bodies to exempt the fruit business from the proposed amendment to the eight-hour labor law.

MRS. NELLIE PHILLIPS (and others).

Also:

WHEREAS, It has been proposed to amend the eight-hour labor law so as to include in its scope female workers in perishable fruits; and

WHEREAS, The enactment of such an amendment will cause great loss to the fruit-grower on account of his inability to have crop taken care of when in proper state. The fruit season being short and the supply of help limited it will be impossible to take care of, dry or prepare for shipping our perishable crops in the eight-hour day.

We, the undersigned, fruitgrowers, therefore earnestly petition and urge that the handlers of perishable fruits be exempted from the workings of this law, and the amendment be not passed.

WALTER BENNETT (and others).

By Mr. Mouser:

WHEREAS, Michigan, Rhode Island, Wisconsin, Maine, and Kansas have abandoned capital punishment fifteen years ago; and

WHEREAS, Crimes of violence are less frequent in those than other states; therefore, be it

Resolved, As the sense of this meeting that the interests of society can be served best by the abolition of capital punishment in California; be it further

Resolved, That our Senators and Assemblymen be urged to vote for Senate Bills Nos. 9, 129, 130 and 131, which provide for the abolition of capital punishment, and Senate Bill No. 35, for intermediate sentence.

The above resolutions were approved by the following Los Angeles societies: The Church Federation, The Los Angeles Fellowship, Institution Reform League, Anti-Capital Punishment League, Prison Reform League, and Browning Club, Pasadena.

V. O. HILEMAN.

Also:

WHEREAS, The board of supervisors of Placer County, recognizing the necessity of co-operation in presenting to the world at the Panama-Pacific International Exposition at San Francisco, in 1915, an exhibit that will be an honor to our State and county; and

WHEREAS, The representatives of the counties of this State, in meeting assembled, have declared in favor of a state appropriation for the construction and maintenance of a California state building at the Panama-Pacific International Exposition wherein each and every county of California may have space for an exhibit and headquarters; and

WHEREAS, The funds of Placer County, which may be lawfully raised for exposition purposes, will not be sufficient to enable this county to join with the other counties of the State in paying the cost of erection of a suitable state building at such exposition; therefore, be it

Resolved, That the board of supervisors of Placer County in regular meeting assembled this seventh day of January, 1913, believing it would be impossible to take from the funds levied by this county and other counties of the State for exposition purposes sufficient money to erect an adequate state building where California and the counties thereof may act as the host of the world; therefore, we strongly urge and favor an appropriation by the State of California, out of the funds of the state treasury, in the sum of one million dollars, or as much thereof as may be necessary, for the construction and maintenance of a California building at the Panama-Pacific International Exposition; and be it further

Resolved, That we call upon our representatives in the State Legislature to give their strong and hearty support to the bill which will be introduced at the next

Legislature looking to the appropriation of a sum sufficient for the construction and maintenance of the California state building, and the clerk of this board be instructed to immediately mail a copy of this resolution to his Excellency, Honorable Hiram W. Johnson, Governor or the State of California, and to Hon. E. S. Birdsall, Senator of this district, and Hon. G. B. Finnegan, Assemblyman from this district, and to O. H. Miller, Box 775, Sacramento, California, Secretary of the Counties Executive Committee.

Attest: MARSHALL Z. LOWELL, Clerk.

By Mr. Richardson:

Protesting against the passage of the "Kehoe-Benedict Sunday Rest Bill."

(Signed by)

W. M. HEALEY, San Diego, Cal.

JOHN F. BLUNT, Los Angeles, Cal.

By Mr. Fitzgerald:

To the Assembly of the State of California:

The undersigned hereby earnestly petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

The above was indorsed by a vote at a meeting of the voters of the Fruitvale M. E. Church, in the city of Oakland, State of California, on the second day of March, A. D. 1913, and the undersigned was authorized to so attest.

BEECHER B. CONNER, presiding.

By Mr. Alexander:

We, the undersigned, taxpayers of the State of California and business men of the city of Monterey, county of Monterey, State of California, do hereby petition your honorable body as follows:

That you represent the district within which the city of Monterey lies in the Legislature. We ask of you that you oppose the passage of any bill which prohibits any person, firm, company, corporation or association from selling, giving away or keeping for sale or distribution alcoholic liquors of any nature in any town or city, except cities of the first class, in the State of California, within four miles of the limits of any federal military post or reservation. And we respectfully pray that you do all that in your power lies to defeat any such bill for the following reasons, to wit:

1. That the passage of any such bill will result in depriving many law-abiding citizens of valuable property, acquired and invested under the laws of the State of California, without due compensation.

2. That said measure will interfere with a legitimate business now being conducted under the provisions of the Constitution of the State of California, and in accordance with ordinances of the said city of Monterey.

3. That said measure is in effect a measure of prohibition. We respectfully urge upon your honorable body that such measures in the past have failed in their purpose, and that it does not redound to the credit of the Legislature of a state of the first class to enact measures without a reasonable probability of their enforcement in letter as well as in spirit.

4. That the aforesaid measures discriminate against the city of Monterey, inasmuch as the said city of Monterey is one of the few cities in the State of California to be affected by the hereinbefore mentioned measures.

5. That the taxpayers and residents of the city of Monterey have expressed no dissatisfaction with the conditions now prevailing in the said city of Monterey, one of the few communities which will be affected by the said measure.

Respectfully submitted.

FRANK HELLAM (and others).

Also:

At the regular meeting of the Monterey Chamber of Commerce, held on Monday evening, March 3, 1913, the following resolution was passed:

Resolved, That Assembly Bill No. 1631, forbidding the sale of liquor within a certain radius of any army or navy post (in the case of Monterey within four miles of the Presidio of Monterey) is, in its application to this municipality, unfair, unjust, destructive to the business interests of Monterey and harmful from a moral point of view;

That such legislation, applied to this community, which has not at this time an active, preponderant prohibition sentiment, would result in replacing the open-front door, restricted and well regulated saloons with illegal, back-door, unregulated and non-licensed saloons whose influence would be vicious;

That this body, believing that Monterey can and will best regulate its own affairs, does protest the adoption of such legislation, and asks that your honorable body does not pass Assembly Bill No. 1639.

C. W. SALTERBACH, President.
WM. SANDHOLDT, JR., Secretary.

[SEAL]

By Mr. Slater:

Away back in 1846, a band of Americans, who later became known as the Bear Flag party, declared at Sonoma the freedom of California from Mexican rule. They created a flag, known as the Bear Flag, and which has been officially designated as the state flag of California. Desiring to appropriately mark the birthplace of the state's flag, Sonoma Parlor, No. 111, N. S. G. W., has launched a movement looking to the early erection of an appropriate monument on the historic spot, and seeks, at the hands of the State, an appropriation to help carry out the project.

WHEREAS, There have been introduced in the Senate and Assembly of the Legislature bills calling for an appropriation of \$5,000 with which to erect, in the city of Sonoma, California, a monument commemorating the raising of the Bear Flag; and

WHEREAS, Said proposed monument is to be erected in the old Sonoma plaza on the very spot where the historic Bear Flag party first flung our now state flag to the breezes of California; now, therefore, be it

Resolved, By the Associated Parlors, Native Sons of the Golden West, representing the combined membership of all the Parlors of N. S. G. W. in the city of Los Angeles, that we heartily endorse the bills calling for the appropriation for a Bear Flag monument;

Resolved, That we do earnestly urge upon the Senate and Assembly the passage of these bills; that we ask the favorable consideration of the appropriation by the State Board of Control; and that we solicit the Governor's signature to the bills after their passage;

Resolved, That our representatives in the Legislature be requested to use every honorable means within their power to secure the passage of these bills.

Resolved, That a copy of these resolutions be sent to Governor Hiram W. Johnson, to the secretary of the State Board of Control, to the Los Angeles County representatives in the Legislature, and to the chairman of the Bear Flag Monument Committee.

SONOMA PARLOR, No. 111, N. S. G. W.
SANTA ROSA PARLOR, N. S. G. W.
BEAR FLAG COMMITTEE, Sonoma.
WHEATLAND PARLOR, N. S. G. W.
PRESIDIO PARLOR, N. S. G. W.
AUBURN PARLOR, N. S. G. W.
ASSOCIATED PARLORS, N. S. G. W., Los Angeles, and
OAKLAND PARLORS (2,500 members).

By Mr. Bloodgood:

SAN FRANCISCO, CAL., March 5, 1913.

The Woman's Political League of California decided at its last meeting to stand for the following measures now before the California Legislature. We shall do all in our power to create public sentiment in favor of this legislation and hope you will vote for all these bills. This does not mean that we are not in favor of some other things, but we must specialize.

We also indorse one bill that is to be introduced after the recess *in re* vocational training school for non-committed girls, which we trust you will notice and approve when it is presented.

Senate Bill No. 515, the Jane Brownlee bill; Senate Bill No. 7, home rule in taxation; Senate Bill No. 1096, social hygiene; Senate Bill No. 913, health certificate for marriage; Senate Bill No. 620, mother's pension; Senate Bill No. 19, school houses for social centers; Senate Bill No. 633, an Act compelling fathers to support their illegitimate children; Senate Bill No. 79, raising the majority of girls to 21 years; Senate Bill No. 30, joint guardianship; Senate Bill No. 46, training school for committed girls; Senate Bill No. 980, state investigation of tuberculosis; Senate Bill No. 990, weights and measures; Senate Bill No. 1200, prison reform; Senate Bill No. 1358, medical freedom; Senate Bill No. 906, psychopathic parole.

Very respectfully yours,

MARY FAIRBROTHER, President.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 746—An Act to amend Section 459 of the Penal Code of the State of California defining burglary.

Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Assembly Bill No. 847—An Act defining the term "quasi public uses," as applied to grants, leases, or approval of leases, heretofore made by the State, of tide or submerged lands.

Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532a.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing it to carry out the purposes of the Act.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON ATTACHÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Attachés beg leave to report the following resolution and recommend its adoption:

Resolved, That the name of Earl Smith, heretofore employed as Page, be stricken from the roll to date from and to include Tuesday, March 11, 1913; and further

Resolved, That the following named person be and he is hereby employed for the position of bookkeeper of Ways and Means Committee at per diem of \$6, to date from and to include Tuesday, March 11, 1913, and the Controller is hereby authorized and directed to draw his warrant upon the appropriation for the pay of officers and employees of the Assembly, and the Treasurer is hereby directed to pay the same: Fred C. Scott.

SMITH, Chairman.

Mr. Smith moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—59.

NOES—None.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 696—An Act to amend Section 1723 of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owners' death in certain cases.

Also: Assembly Bill No. 958—An Act to amend Section 367c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Also: Assembly Bill No. 964—An Act to add a new section to the Political Code of the State of California, to be designated as Section 3081, relating to the issuance of burial permits.

Also: Assembly Bill No. 1149—An Act to amend Section 80 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909.

Also: Assembly Bill No. 1231—An Act to add a new section to the Penal Code of the State of California to be numbered Section 159b, relating to advertising for sale judgments against any person rendered in any court in the State of California.

Also: Assembly Bill No. 1282—An Act to add a new section to the Penal Code of the State of California, to be numbered 159c, relating to sending by mail or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Also: Assembly Bill No. 1507—An Act to amend Section 293 of the Civil Code of the State of California, relating to pre-requisite to filing articles and amounts to be subscribed and to be fixed.

Also: Assembly Bill No. 1508—An Act to amend Section 295 of the Civil Code of the State of California, relating to oath of officer to subscription of stock and payment of ten per cent.

Also: Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relating to certain corporations to state further facts in articles.

Also: Assembly Bill No. 1656—An Act to amend an Act entitled "An Act to regulate and license the conducting and operating of employment agencies and to provide a revenue therefrom, for the enforcement of the provisions of this Act and other Acts, relating to employment agents and employment agencies," approved March 6, 1909.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 9—An Act to regulate the receiving and keeping of food in cold storage and regulating the sale of said food, and providing a penalty for the infringement and violation of said act:

Also: Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties for the violation thereof.

Have had the same under consideration, and respectfully report the same back and recommend that they be re-referred to the Committee on Public Health and Quarantine.

BENEDICT, Chairman.

The above reported bills re-referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 545—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known and numbered Section 171a, relating to husband's liability for wife's torts.

Also: Assembly Bill No. 1067—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 422, relating to the possession of firearms by minors.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass, as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 688—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending section two thereof, relating to the proceedings for the calling of an election therefor.

Also: Senate Bill No. 690—An Act to amend section eight hundred and seventy-five of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees of cities of the sixth class.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 875—An Act to amend Section 288 of the Penal Code, relating to lewd and lascivious acts against children—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 1113—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Also: Assembly Bill No. 1114—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of seventy-five thousand dollars therefor.

Also: Assembly Bill No. 1828—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating seven thousand five hundred dollars therefor.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass, and be re-referred to the Committee on Ways and Means.

HINKLE, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 1368—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

Also: Assembly Bill No. 1966—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General and defining its use and the liability therefor.

Also: Assembly Bill No. 1994—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass, and be re-referred to the Committee on Ways and Means.

HINKLE, Chairman.

The above reported bills ordered on file for second reading.

Assembly Bills Nos. 1966 and 1994 re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1949—An Act amending section two of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876." approved March 22, 1909—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 224—An Act to amend section seven hundred and thirty-seven of the Political Code, relating to the salary of superior judges—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Judiciary.

CHANDLER, Chairman.

The above reported bill referred to Committee on Judiciary.

MOTION.

Mr. Bohnett moved that further consideration of committee reports be temporarily postponed.

Motion carried.

REPORT OF SPECIAL COMMITTEE.

The following report of the special committee upon the investigation of the Stockton State Hospital was received and ordered printed in the Journal:

SACRAMENTO, CAL., March 13, 1913.

MR. SPEAKER: After a thorough investigation of the grounds and buildings at Stockton by the Stockton State Hospital Commission, acting under the provisions of Assembly Concurrent Resolution No. 13, an executive meeting was called to order by the Lieutenant Governor, A. J. Wallace, acting as chairman, at 2.30 p.m., at the office of the superintendent of the hospital.

At the suggestion of the chairman, a motion was made that we approve of the transfer of the Stockton State Hospital and its inmates from the present site, covering thirty-eight city blocks within the city limits of Stockton, to the State Agricultural Farm on the Lower Sacramento road about two and one half miles outside the city at as early a date as possible. The motion was duly seconded and unanimously carried.

A motion was made by Assemblyman J. W. Stuckenbruck to the effect that the permanent buildings hereafter be established on the said state farm, and that only necessary temporary buildings shall be approved of in the present location within the city. This motion was duly seconded and unanimously carried.

A motion was made by Assemblyman W. C. Wall that this commission approve of the bill to appropriate sixty thousand dollars for the purchase of four hundred eighty-two acres adjoining the present state farm, as per the option held by the State Hospital Board of Directors. The motion was duly seconded and unanimously carried.

Those in attendance were: Lieut. Gov. A. J. Wallace, Chairman; J. E. Cram, Chairman Assembly Hospitals and Asylums Committee; B. F. Rush, Chairman Senate Hospitals and Asylums Committee; J. W. Stuckenbruck, Assemblyman Nineteenth District; W. C. Wall, Assemblyman Twentieth District; A. Caminetti, Senator Tenth District (by proxy).

The meeting adjourned to reconvene in Sacramento and consider the findings of the visiting commission.

LIEUT. GOV. A. J. WALLACE, Chairman.
By W. C. WALL, Secretary.

SENATE MESSAGES.

The following messages from the Senate were taken up and read :

SENATE CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following Assembly bill, as amended, and respectfully request your honorable body to concur in said amendment:

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 68?"

On pages 1 and 2, of the printed bill, strike out all of Section 2.

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 68 by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—71.

Bill ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 72—An Act to amend section one hundred and sixty-seven of the Penal Code of California, relating to false certificates and acknowledgments of notaries public and other officers.

Also: Senate Bill No. 409—An Act to amend section five hundred and eighty-three of the Code of Civil Procedure, relating to the dismissal of actions in certain cases.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 72 read first time, and referred to Committee on Judiciary.

Senate Bill No. 409 read first time, and referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were filed:

By Mr. Libby:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying Assembly bill, the title of which is as follows: An Act to amend sections twenty-seven hundred and sixty-one and twenty-seven hundred and sixty-four of the Political Code of the State of California, relating to permanent road divisions.

Referred to Committee on Introduction of Bills.

By Mr. Schmitt:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which is as follows: An Act to add a new section to the Political Code of the State of California, to be known and numbered Section 633a, relating to the licensing of insurance brokers.

Referred to Committee on Introduction of Bills.

By Mr. Stuckenbruck:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying Assembly bill, the title of which is as follows, viz: An Act to provide for the regulation of smelters and the maintenance and operation thereof in the State of California, and for the licensing and supervision thereof.

Referred to Committee on Introduction of Bills.

RE-REFERENCE OF BILL.

On motion of Mr. Bowman, Assembly Bill No. 1635 was recalled from Committee on Commerce and Navigation and referred to Committee on Drainage, Swamp and Overflowed lands.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro irrigation district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 687 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 596 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, lines 11, 12 and 15, strike out the words "three months," and insert in lieu thereof "one year."

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 510, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendment adopted.

During further consideration of the bill, Mr. Fish moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 5, insert between the words "mailed" and "to" the words "duly registered."

Motion carried.

The Speaker appointed Mr. Fish as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 510, with instructions, do now report that the instructions of the Assembly have been carried out.

FISH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 48 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—59.

NOES—Messrs. Cary, Chandler, Johnstone, W. A., and Wyllie—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 692 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shartel, Shearer,

Simpson, Slater, Smith, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 746—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 746 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Smith, Tulloch, Weisel, Woodley, and Mr. Speaker—53.

NOES—Messrs. Finnegan, McCarthy, and Wall—3.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. McDonald gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 746 was this day passed.

Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1094 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

WITHDRAWAL OF BILL.

Assembly Bill No. 494, being identical with Senate Bill No. 542, was withdrawn and ordered stricken from the file.

SECOND READING OF SENATE BILL.

Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond municipal water district.

Bill read second time, and ordered on file for third reading.

LEAVE OF ABSENCE.

On motion of Mr. Bohnett, Mr. Sutherland was granted leave of absence for the day.

RECESS.

At eleven o'clock and fifty-five minutes a.m., on motion of Mr. Bohnett, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker pro tem. Johnstone in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, after the word "possesses," insert the following: "or may hereafter hold or possess."

Motion carried.

The Speaker appointed Mr. Schmitt as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 849, with instructions, do now report that the instructions of the Assembly have been carried out.

SCHMITT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 847—An Act defining the term "quasi-public uses," as applied to grants, leases, or approval of leases, heretofore made by the State to tide or submerged lands.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, after the word "of," insert the following: "or which may hereafter grant, lease or approve the leasing of."

Motion carried.

The Speaker appointed Mr. Schmitt as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 847, with instructions, do now report that the instructions of the Assembly have been carried out.

SCHMITT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing section sixteen thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees, instead of establishing a separate county free library, and by amending section seventeen thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred fifty *a*, relating to exposure or threats of exposure of paroled or discharged prisoners.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 694—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their skill and labor."

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1556—An Act to amend Section 10*g* of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," as amended April 5, 1911, relating to probation officers in counties of the seventh class and their salaries.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No 1.

In line 1 of the title strike out the word "section" and insert in lieu thereof the word "sections."

Amendment adopted.

AMENDMENT No. 2.

In line 1 of the title, after the figures and letter "10g," insert the following: "and 10k."

Amendment adopted.

AMENDMENT No. 3.

In line 16 of the title, after the word "seventh," insert the following: "thirteenth and twenty-third."

Amendment adopted.

AMENDMENT No. 4.

After line 18, on page 2 of the printed bill, insert the following:

"Section 2. Section 10k of an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909, is hereby amended to read as follows:

Section 10k. In each of the counties of the eleventh, twelfth, thirteenth, seventeenth, twenty-third, twenty-fifth, twenty-seventh and thirty-third classes there shall be one probation officer. The salary of each of said probation officers shall be one hundred dollars per month. In counties of the thirteenth class there shall be one assistant probation officer, whose salary shall be fifty dollars per month, and in counties of the twenty-third class there shall be one assistant probation officer, whose salary shall be fifty dollars per month."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 154—An Act to amend Section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justice courts in cities or towns of the second and one-half and third classes, and appointments, salaries and duties of same.

During second reading of the bill, the following amendment was submitted by committee:

On page 1, commencing in line 13, strike out the words "writs, summons, and other processes in any action or proceeding in said justice's court with the exception of warrants for the arrest of any person. He shall," and insert in lieu thereof the following: "process ordered by the justice of said court, and."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 79—An Act to amend Section 607e of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1305—An Act to amend Section 10k of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1658—An Act to amend Section 15 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the duties of probation officers.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1659—An Act to amend Section 10 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the appointment of probation officer and his assistants.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1660—An Act to amend Section 21 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one

years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts." approved March 8, 1909, relating to the payment of the expenses of a delinquent person.

Bill read second time, and ordered to engrossment and third reading

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 625—An Act to amend section two thousand six hundred ninety-two of the Political Code of the State of California, relating to private roads and private ways for canals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 1603—An Act to amend Section 325 of the Code of Civil Procedure, relating to claim of title to land, water rights and water, based on adverse possession not founded upon a written instrument, judgment, or decree—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be re-referred to Committee on Judiciary.

MURRAY, Chairman.

The above reported bill ordered on file for second reading, and referred to Committee on Judiciary.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor—have had the same under consideration, and respectfully report the same back and recommend that it do pass, and that it be re-referred to the Committee on Ways and Means.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

Also: Assembly Bill No. 1523—An Act to amend Section 1083 of the Political Code, relating to the qualifications of electors.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass, as amended.

BOHNETT, Chairman.

The above reported bills ordered on file for second reading.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Richardson, Mr. F. E. Gresham and W. J. O'Brien were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Mouser, Mrs. Tucker and Miss Hyatt were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. White, Mr. Frances White was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Brown, Rev. Wm. Rader was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Collins, Mr. E. Teesdale was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. White, Mr. G. W. Pellthran was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. Ben. Blow was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. L. S. Calkins was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Geo. A. Clarke, Mr. C. Hasbury was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mrs. Sara J. Dorr was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Miss Anna E. Chase was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. J. Magnin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Brown, Mr. A. McLennan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. A. N. Bullock was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. W. B. Gray was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mr. H. D. Johnson and Mr. George Robbins were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. Jack McClure was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. P. Zeigler was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. Gibson Bevan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mr. W. G. Barry was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. F. H. Wilson and John Vallance were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. N. Crane was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mrs. Ruby Strieberg was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gelder, Mr. C. M. Hansen was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At two o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Speaker declared the Assembly adjourned until ten o'clock a.m., of Friday, March 14, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, March 14, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Bagby, Mr. Killingsworth was granted leave of absence for the day.

PRAYER.

Upon invitation of the Speaker, prayer was offered by Rev. Wm. Rader, of San Francisco.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ryan, its further reading was dispensed with.

PETITIONS.

The following petitions were received and ordered printed in the Journal:

By Mr. Ellis:

To the Assembly of the State of California:

We, the undersigned citizens of Beaumont, California, respectfully petition your honorable body to pass the pending bill known as Assembly Bill No. 353, the red light and abatement bill, which we believe to be an effective agency for the protection of our domestic and municipal life against the encroachments of commercialized vice.

R. A. GOODALE (and others).

By Mr. Murray:

We, the undersigned, hereby request that you give your active support in the Legislature to the following four bills:

First—Assembly Bill 535 (Guiberson), or Senate Bill 570 (Cogswell).

Second—Assembly Bill 536 (Guiberson), or Senate Bill 569 (Cogswell).

Third—Assembly Bill 537 (Guiberson), or Senate Bill 572 (Cogswell).

Fourth—Assembly Bill 538 (Guiberson), or Senate Bill 571 (Cogswell).

And we request that you actively oppose the passage of the following bills and all other bills similar in nature or import, to wit:

First—Senate Bill 152 (Finn).

Second—Assembly Bill 575 (Inman).

Third—Assembly Bill 573 (Inman), or Senate Bill 757 (Finn).

Fourth—Assembly Bill 663 (Richardson), or Senate Bill 566 (Regan).

Fifth—Assembly Bill 232 (McDonald).

Sixth—Assembly Bill 241—(Benedict), or Senate Bill 207 (Kehoe).

Seventh—Assembly Bill 493 (Walsh), or Senate Bill 140 (Regan and Lyon).

Eighth—Assembly Bill 31 (Kingsley).

Ninth—Assembly Bill 1493 (Hayes).

Tenth—Assembly Bill 921 (Roberts).

GEO. H. HOPPIN (and others).

Dated this 20th day of February, 1913.

By Mr. Guill:

CHICO, CAL., January 29, 1913.

To the Senate and Assembly of the State of California.

GENTLEMEN: The undersigned women and girls, residents of Chico and vicinity, who work in orchards and in fruit-cutting sheds during the harvesting and curing of fruits, do most respectfully ask that you do not pass the Lyon bill or any other law which would limit us to eight hours work per day.

We consider such restriction unreasonable when applied to the saving of perishable crops. It would limit our earnings without reason in a healthful occupation which is regarded by many women and girls as profitable recreation during the busy harvesting season.

ALICE BARHAM (and others).

Also:

CHICO, CAL., January 27, 1913.

To the Members of the Legislature of the State of California:

We, the undersigned, voters and producers, demand that the Lyon bill, or any other bill limiting the employment of females to eight hours per day, be amended or so drawn as to specifically exempt from its operation females who work in handling and saving fruit and other perishable products.

GEO. W. WEAVER (and others).

By Mr. Slater:

To the legislative bodies of California:

WHEREAS, It is proposed to amend the eight-hour labor law so as to include female employees working in perishable fruits,

We, the undersigned, desire to present the following facts for your consideration: We are paid by the piece for all packing-house, cannery and fruit shed work. We are not compelled to work any stated number of hours. The season for handling fruit is short and unless we are allowed to work more than eight hours we cannot afford to leave our homes to handle fruit. To curtail our time means loss to use. We are satisfied with the conditions as they now exist in packing-houses, canneries and fruit sheds, and we hereby petition our honorable lawmaking bodies to exempt the fruit business from the proposed amendments to the eight hour labor law.

MRS. L. MARQUAND (and others).

Also:

We, your petitioners, would most respectfully ask that you use all honorable means to defeat any law that would in any way restrict the number of hours of labor given in one day to women while handling the products of our orchards and vineyards.

Respectfully submitted.

J. E. METZGER (and others).

Also:

CLOVERDALE, CAL., March 10, 1913.

To the Hon. L. W. Juilliard, State Senator, and the Hon. Herbert W. Slater and George W. Libby, members of the Assembly, and the Honorable Senators and Assemblymen of the California Legislature in session in Sacramento, Cal.

GENTLEMEN: We most respectfully request your honorable body to consider the protests that are being forwarded to you in petition and otherwise against the extending of the eight-hour law to the fruit industry of the State. As most of you are aware, during the fruit harvest, whether picking or handling in cannery or packing-house, time and help are the essence of operation. The fruit growers and packers need all the help they can possibly get and there never is sufficient during the fruit harvest. Any curtailing of help during the two or three months when the season is at its height and fruit is ripening fast means a serious injury and loss to the farmer, consequently we sincerely trust that no impediment will be put in the way. An investigation has shown that the women themselves prefer to work as they do now at piece work, rather than be restricted to a specific number of hours.

As members of the Cloverdale Grape Growers' Protective Association we respectfully protest against the extending of the eight hour law to the women employed in handling of the fruit crops of the State.

ITALIAN SWISS COLONY.

EDMUND A. ROSSI, Gen. Supt.

WALTER SINK, President.

E. G. FURBER, Vice-President.

A. J. SMITH, Secretary.

Also:

To the Honorable Legislature of the State of California, Sacramento, Cal.

GENTLEMEN: We, the undersigned officers and directors of the Clover-Leaf Pharmacy, Inc., earnestly request your honorable body to consider well the enactment of an eight hour law which would affect the fruit, the horticultural and agricultural interests of our State by cutting down the hours of labor in the orchards and fields to an eight hour schedule.

We are indirectly interested in this, being large consumers of California olive oil. As to the hours of labor in our factory, we even go the eight hour law one better, and work our help seven hours.

As there is a great difference between work within closed walls and that in the open fields and under the blue sky, we believe that an eight hour law would seriously affect the important industries of our State.

Respectfully submitted.

CLOVER-LEAF PHARMACY, INC.

W. C. SHIPLEY, President.

H. F. BARKER, Vice-President.

C. S. SIDGLEY, Secretary.

W. B. SHAW, Treasurer.

ANNA G. SHIPLEY.

E. SENTER.

Also:

To the Honorable the Members of the California Legislature:

GENTLEMEN: We, the officers and members of the Cloverdale Citrus Fair Association of Cloverdale, Sonoma County, most respectfully petition your honorable body

not to impose additional restrictions on the harvesting of the fruit crops of the State by extending the eight hour law to the women who earn large sums of money by working at "piece work" during the few brief weeks during which the canneries and fruit-packing establishments are operated. We believe that such enactment as proposed will work a serious injury, not only upon the farmer and fruit grower and handler, but upon those who depend upon the harvesting of the fruit crop for a livelihood during a greater part of the year.

And your petitioners will ever pray.

C. E. HUMBERT, President.
E. A. COOLEY, Vice-President.
W. C. SHIPLEY, Secretary.
J. B. COOLEY, Director.
C. A. YARD, Director.

By Mr. Clarke:

To the Members of the Legislature of the State of California:

We, the undersigned taxpayers and citizens of Tuolumne County, respectfully petition you to take no action nor endorse any legislative measure that has for its end the raising of the salaries of any public officials in Tuolumne County.

We take this action in opposition to the recommendation of the last grand jury that the salaries of four county officials be raised.

We take this position because the population of Tuolumne County is gradually decreasing as is also the value of property. The volume of business transactions is less than five years ago, as is also the number of real estate transfers.

Under such conditions we do not feel that the county is justified in increasing the pay of its county officials and protest against any action being taken to that end.

A. E. POOR (and others).

By Mr. Guiberson:

TULARE, February 22, 1913.

To the Members of the Legislature of the State of California:

At a special meeting called for the purpose of investigating and discussing the numerous bills that are now pending in the State Legislature relative to the dairy industry, and after a full and thorough examination of said bills were made, the following resolutions were unanimously adopted.

Resolved, That we, the members of the Tulare County Dairymen's Association and dairymen of Tulare County here assembled, do find that bills known by their respective numbers as follows:

Assembly Bill No. 535 (Guiberson), or Senate Bill No. 570 (Cogswell).

Assembly Bill No. 536 (Guiberson), or Senate Bill No. 569 (Cogswell).

Assembly Bill No. 537 (Guiberson), or Senate Bill No. 572 (Cogswell).

Assembly Bill No. 538 (Guiberson), or Senate Bill No. 571 (Cogswell).

Are for the best interests of the dairyman, for the protection and advancement of the dairy industry and also for safeguarding the health and welfare of the consuming public. It is further

Resolved, That we, the members of the Tulare County Dairymen's Association and dairymen of Tulare County, use our utmost endeavor and lend every assistance to Hon. J. W. Guiberson, President of the California State Dairy Association to secure the passage of the above bills; it is also

Resolved, That a copy of these resolutions be mailed the members of the Senate and Assembly from our district now in the California Legislature.

Very respectfully yours,

S. O. WALKER, President.

GUY CLARK, Secretary.

Also:

To the Members of the California Legislature:

The Dairymen's Association of Alameda, at their last regular meeting, unanimously decided to call on you for your support and favorable consideration of Assembly Bills Nos. 535, 536, 537 and 538.

These bills are of vital importance to the dairy industry of California, and we, as producing dairymen, are very desirous of seeing them become laws.

Hoping you will give them your earnest support, as the dairy industry is second only in importance in California.

Very sincerely yours,

THE ALAMEDA DAIRYMEN'S ASSOCIATION.

SMITH ANDERSON,
E. S. HUBER,
F. H. DANIELS,
Committee.

By Mr. Emmons:

State Assembly of California, Sacramento, Cal.

GENTLEMEN: We, the undersigned members of the San Pedro branch of the International Longshoremen's Association of the United States, No. 38-18, and residents of Los Angeles city, county and state, and being affiliated members of the said local, No. 38-18, I. L. A., hereby petition your honorable body that we, and each of us whose names are hereunto signed, set forth and subscribed, request an immediate enactment and passage of such laws as will compel the use of dust-proof sacks for the handling and loading and unloading of cement at and from vessels, as the quality of sacks that are now used in the handling, loading and unloading of cement from vessels is of such a deleterious nature and character as to cause ourselves to become ill and subjects each of us to intense physical suffering in pursuing our employment as longshoremen, in the handling of said cement in sacks of the character above referred to.

JOHN E. GRONWALL (and others).

Also:

State Assembly of California, Sacramento, Cal.

GENTLEMEN: We, the undersigned members of the San Pedro branch of the International Longshoremen's Association of the United States, No. 38-18, and residents of Los Angeles city, county and state, and being affiliated members of the said local, No. 38-18, I. L. A., hereby petition your honorable body that we, and each of us whose names are hereunto signed, set forth and subscribed, request an immediate enactment and passage of such laws as will compel the use of dust-proof sacks for the handling and loading and unloading of cement at and from vessels, as the quality of sacks that are now used in the handling, loading and unloading of cement from vessels is of such a deleterious nature and character as to cause ourselves to become ill and subjects each of us to intense physical suffering in pursuing our employment as longshoremen, in the handling of said cement in sacks of the character above referred to.

J. CLASSON (and others).

By Mr. Gelder:

The undersigned ask that you in your best judgment will see fit to use your earnest endeavors for the enactment by the Legislature of the "red light injunction and abatement law."

When the roll is called and the vote taken we hope that your name will be recorded among those who favor the enactment of this bill.

Sincerely, in the best interests of our State,

H. FRANCK (and others).

By Mr. Bloodgood:

Meeting of special appointees from the beach resorts of southern California, held at the rooms of the Chamber of Commerce Building, Los Angeles, at 2 p.m., Wednesday, January 27, 1913.

Resolved, That it is the sense of this meeting that we are opposed to the adoption of the Kehoe Sunday law now before the California State Legislature, for the chief reason that such legislation is contrary to the fundamental principles of our government, and in every instance Sunday laws work injustice to one or another class of citizens, invariably discriminating for one class against another class. Being religious in character, this kind of legislation is unconstitutional, as several of the Supreme Courts of various states have decided, chief of these decisions being that of the California Supreme Court in the case of California, *Ex parte Newman*, 9th California, page 502, which has decided:

"If the Legislature could prescribe the days of rest for them (the people), then it would seem that the same power could prescribe the hours to work, rest and eat. If the Legislature has the authority to appoint a time of compulsory rest, it is without limit, and may extend to the prohibition of all occupations at all times." There could be no clearer definition of the question involving the inalienable right of the people than this, and we are emphatically opposed to any deviation from the principle so well laid down by the higher judicial authority of our State and absolutely in line and in accord with the fundamental doctrines of our system of government. Sunday laws, in our estimation, are not alone unconstitutional; they are as well un-American, uncivil and, we may add, unchristian. They are a species of legislation which, followed to the ultimatum, are invariably dangerous in character, working various hardships to certain business interests and particularly communities, and, in the last analysis of their operation, they have, in every age, worked injustice and persecution to the dissenting minority. Such a Sunday law as proposed by the Kehoe measure, basing its demand upon religious expediency, and therefore without warrant in our system of government, would work irreparable injury to the business interests of our community.

Our government is for the whole people and not for the classes, whether religious or otherwise.

If California is to remain a free state—a commonwealth in which the inalienable rights of all shall be preserved—it behooves us to make an emphatic and determined protest against this, or any other measure that threatens the liberties, political, civil and religious, of the people.

We should solidly unite in preventing, if possible, the passage of any bill in our State Assembly that will interfere with, abridge, or annul the rights that we now enjoy.

Also:

Resolutions unanimously adopted by Beach Resort Association January 22, 1913.

Resolved. That, owing to the drastic provisions and lack of discrimination of Senate Bill No. 140, Assembly Bill No. 31 and Senate Bill No. 207, regarding hours of labor and Sunday closing, it is the sense of this meeting that they do not meet with the approval of the Beach Resort Association and that their passage be opposed.

Resolved. That this association is not opposed to the principles of the eight hour law, but opposes the bills in question because their drastic provisions will interfere seriously with amusement resorts and transportation facilities which are conducted mainly for the benefit of the laboring people who have very little opportunity for recreation except Sunday.

Resolved. That each resort be invited to designate one representative to act as a member of a legislative committee, this committee to have full power to act for this association upon legislative matters, and that the first meeting of the legislative committee be held in the committee room of the Chamber of Commerce Building, Los Angeles, January 27th, at 2 p.m.

Resolved. That each member of the legislative committee shall have his expenses paid by the resort he represents.

Resolved. That the president and secretary be ex officio members of the legislative committee.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will not exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Also: Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

I have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GABBERT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Also: Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near the summit station.

Also: Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Also: Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Also: Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Also: Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Also: Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bills ordered on file for second reading, and referred to Committee on Ways and Means.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 92—An Act to provide for prompt relief and medical attention in case of accidents to employees and travelers upon railroads by compelling common carriers by railroads to maintain hospital cars.

Also: Assembly Bill No. 1109—An Act to amend sections one and seven of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and to add a new section thereto, to be designated as section three *a*, relating to the duties and powers of the commissioner and his appointees.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass, as amended.

McDONALD, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1328—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

Also: Assembly Bill No. 1330—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426*a*, relating to the complaint in actions for divorce.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McDONALD, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics, and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof.

Also: Assembly Bill No. 1329—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

McDONALD, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was re-referred Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Also: Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass, as amended.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1567—An Act to amend an Act entitled "An Act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts, and to fix the compensation of certain officers thereof," which Act became a law under constitutional provision, without the Governor's approval, March 5, 1901: by adding a new section thereto, to be numbered 10½, relating to the selection of jurors and the impaneling of juries in such courts—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Concurrent Resolution No. 1—Approving seventeen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

SCOTT, Chairman.

The above reported resolution ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Assembly Bill No. 1422—An Act to provide for the washing and cleaning of raw material used in the manufacture of shoddy, and for the inspection of machinery used in the manufacture of shoddy and of places where the same is manufactured, stored or sold and for the inspection of shoddy manufactured without this State and offered for sale herein, and to provide penalties for the violation thereof.

Also: Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BUSH, Chairman.

The above reported bills ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to whom was referred Assembly Bill No. 186—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Also: Assembly Bill No. 2009—An Act making an appropriation to pay special premiums on live stock and poultry owned in California and exhibited at the Panama-Pacific International Exposition in the year 1915.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and the same be re-referred to Committee on Ways and Means.

BYRNES, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 580—An Act to amend Section 628c of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams.

Also: Assembly Bill No. 1896—An Act to amend Section 374½ of the Penal Code of the State of California, relating to the pollution of streams.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GUILL, Chairman.

The above reported bills ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 1—Relative to the continuation by the United States of surveys for the construction of storage reservoir sites for the impounding of flood waters in the Sierra Nevada Mountains in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

Also: Senate Joint Resolution No. 12—Relative to action by Congress in directing an investigation through the Department of Agriculture of measures for protection of fruit from frost damage.

Also: Senate Bill No. 383—Providing for the acceptance of the U. S. ship Portsmouth by the State of California from the Government of the United States, and providing for the care and preservation of the same.

Also: Senate Joint Resolution No. 2—Relative to national forests situated within the State of California, and requesting the War Department of the United States to station and maintain Federal troops in such national forests during certain months.

Also: Senate Joint Resolution No. 11—Relative to requesting our Senators in Congress to support "A bill, H. R. No. 22871," pending in the Senate of the United States.

Also: Assembly Joint Resolution No. 16—Relative to the endorsement of Newlands Regulation Bill as introduced in the sixty-first Congress, third session, and as amended April 30, 1912.

Also: Assembly Joint Resolution No. 19—Relative to establishing game refuges in the national forest reserve in the State of California.

Also: Assembly Joint Resolution No. 20—Relative to a Federal income tax.

Also: Assembly Joint Resolution No. 21—Relative to requesting the United States Congress to recognize the Republic of China.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above ordered on file for consideration.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 1—Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of President and Vice President of the United States by a direct vote of the people—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted, as amended.

JOHNSON, Chairman.

The above ordered on file for consideration.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 119—An Act to amend section four hundred and fifty-two a of the Civil Code, relating to the incorporation of mutual benefit associations.

Also: Assembly Bill No. 754—An Act to amend section fourteen of an Act entitled "An Act to create a fireman's relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 20, 1905.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KUCK, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1236—An Act to amend section three hundred and thirty of the Penal Code of the State of California, relating to gambling—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1581—An Act to provide for the recovery of damages by a husband, wife, child, parent, guardian, employer or other person, from any person or persons, accepting or taking or assisting in any way in the accepting or taking of money or other thing of value in any game of chance prohibited by the laws of this State.

Also: Assembly Bill No. 353—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass, as amended.

NELSON, Chairman.

The above reported bills ordered on file for second reading.

MOTION.

Mr. Bohnett moved that the proposed amendments to Assembly Bill No. 353 be printed in the Journal.

Motion carried.

COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 353.

AMENDMENT No. 1.

Strike out all of the title after the words "An Act," and insert in lieu thereof the following: "declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur or which are used for such purposes, and providing for the abatement and prevention of such nuisances by injunction and otherwise."

AMENDMENT No. 2.

On page 1, lines 11 and 12, strike out the words "and shall be enjoined and abated," and insert in lieu thereof the following: "which shall be enjoined, abated and prevented."

AMENDMENT No. 3.

On page 1, line 17, after the comma following the word "California," insert the word "must."

AMENDMENT No. 4.

On page 2, line 2, after the word "may," insert a comma.

AMENDMENT No. 5.

On page 2, line 3, strike out the word "said," and insert in lieu thereof the following: "and prevent such."

AMENDMENT No. 6.

On page 2, line 5, strike out the word "said," and insert in lieu thereof the word "such."

AMENDMENT No. 7.

On page 2, line 7, strike out the word "said," and insert in lieu thereof the word "such."

AMENDMENT No. 8.

On page 2, strike out all of lines 8, 9, 10, 11, 12 and 13, and insert in lieu thereof the following: "Sec. 4. The complaint in such action must be verified unless filed by the district attorney. Whenever the existence of such nuisance is shown in such action to the satisfaction of the court or judge thereof, either by verified complaint or affidavit, the court or judge shall allow a temporary writ of injunction to abate and prevent the continuance or recurrence of such nuisance."

AMENDMENT No. 9.

On page 2, line 19, after the word "dismissed," insert the following: "by the plaintiff or for want of prosecution."

AMENDMENT No. 10.

On page 2, strike out the words "If the court," in line 22, all of lines 23, 24, 25, and the words "prosecute said action to judgment" in line 26, and insert in lieu thereof the following: "in case of failure to prosecute any such action with reasonable diligence, or at the request of the plaintiff, the court, in its discretion, may substitute any such citizen consenting thereto for such plaintiff."

AMENDMENT No. 11.

On page 2, line 28, strike out the words "may be taxed to," and insert in lieu thereof the following: "shall be taxed against."

AMENDMENT No. 12.

Strike out all of lines 29 to 37, inclusive, on page 2, and all of lines 1 to 8, inclusive, on page 3, and insert in lieu thereof the following: "Sec. 6. Any violation or disobedience of either any injunction or order expressly provided for by this Act shall be punished as a contempt of court by fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than one month nor more than six months, or by both such fine and imprisonment."

AMENDMENT No. 13.

On page 3, line 14, after the word "conducting," insert the following: "maintaining, aiding or abetting."

AMENDMENT No. 14.

On page 3, strike out the word "if" in line 18, all of lines 19 and 20, and all of line 21 to and including the period, and insert in lieu thereof the following: "While such order remains in effect as to closing, such building or place shall be and remain in the custody of the court."

AMENDMENT No. 15.

On page 3, strike out all of lines 27 to 31 inclusive, and insert in lieu thereof the following: "Sec. 8. The proceeds of the sale of the property, as provided in the preceding section, shall be applied as follows:

First—To the fees and costs of such removal and sale;

Second—To the allowances and costs of so closing and keeping closed such building or place.

Third—To the payment of plaintiff's costs in such action;

Fourth—The balance, if any, shall be paid to the owner of the property so sold.

If the proceeds of such sale do not fully discharge all such costs, fees and allowances, the said building and place shall then also be sold under execution issued upon the order of the court or judge and the proceeds of such sale applied in like manner."

AMENDMENT No. 16.

On page 3, strike out all of lines 32 to 37, inclusive, and insert in lieu thereof the following: "Sec. 9. If the owner of the building or place has not been guilty of any contempt of court in the proceedings, and appears and pays all costs, fees and allowances which are a lien on the building or place and files a bond with sureties, to be approved by the clerk, conditioned that he will immediately abate any such nuisance that may exist at such building or place and prevent the same from being established or kept thereat within a period of one."

AMENDMENT No. 17.

On page 4, strike out all of lines 8 to 12, inclusive, and insert in lieu thereof the following: "Sec. 10. Whenever the owner of a building or place upon which the Act or Acts constituting the contempt shall have been committed, or of any interest therein, has been guilty of a contempt of court and fined therefor in any proceedings under this Act, such fine shall be a lien upon such building and place to the extent of the interest of such person therein enforceable and collectable by execution issued by the order of the court."

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to recede from Senate amendment to Assembly Bill No. 68, and

appointed a Committee on Conference, consisting of Senators Gates, Boynton, and Curtin, to meet with a like committee to be appointed by the Assembly.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 31st adopted Senate Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 12 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 77—An Act to amend Section 848 of the Code of Civil Procedure of the State of California, relating to the service of summons, issued out of a justice's court, outside of the county in which the action is brought.

Also: Senate Bill No. 296—An Act to amend Section 2,981 of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 77 read first time, and referred to Committee on Judiciary.

Senate Bill No. 296 read first time, and referred to Committee on Public Health and Quarantine.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Cary:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: Appropriating money for work on the state highway known as the Kings River canyon road.

Referred to Committee on Introduction of Bills.

By Mr. Chandler:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Referred to Committee on Introduction of Bills.

By Mr. Gelder:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 2978, of the Political Code, relating to who shall constitute the State Board of Health.

Referred to Committee on Introduction of Bills.

By Mr. Dower:

MR. SPEAKER: I ask permission to introduce the accompanying resolution, the title of which reads as follows: Assembly Joint Resolution No. —, relating to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

Referred to Committee on Introduction of Bills.

By Mr. Shearer:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Scott:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend an Act entitled "An Act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, and amended in Chapter 422 of the Statutes of 1907, approved March 21, 1907, and in Chapter 277 of the Statutes of 1909, approved March 19, 1909, by amending sections two (2) and five (5) of said Act and by repealing section four (4) thereof.

Referred to Committee on Introduction of Bills.

By Mr. Brown:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making an appropriation to pay the claim of M. R. Roberts against the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Mouser:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to add a new section to the Penal Code of California, to be numbered 499d, relating to the taking, using, operating or removing, or causing to be taken, used, operated or removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Insert in line 17, page 1, after the word "precincts," the following: "polling places and voting booths".

Amendment adopted.

AMENDMENT No. 2.

Insert on page 1, line 18, after the word "each," the words "of such".

Amendment adopted.

AMENDMENT No. 3.

Page 2, line 1, strike out the word "precinct", and insert in lieu thereof the word "precincts".

Amendment adopted.

AMENDMENT No. 4.

Strike out the last sentence of Section 4 (lines 1 to 3, page 2), and insert in lieu thereof the following: "When the returns of elections consolidated under this Act are required to be canvassed by different canvassing bodies, such elections shall be conducted separately in the same manner as if they had not been consolidated, except as in this section provided. When the returns of any two or more elections consolidated under this Act are required to be canvassed by the same body, such elections shall be held in all respects as if there were only one election, and only one ticket or ballot shall be used thereat."

Amendment adopted.

AMENDMENT No. 5.

Page 2, line 8, insert after the word "precincts," the words "for such elections".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1523—An Act to amend Section 1083 of the Political Code, relating to the qualifications of electors.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 4, of the printed bill, strike out the following: "Qualifications of a voter."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 696—An Act to amend section seventeen hundred twenty-three of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owner's death in certain cases.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 958—An Act to amend Section 367c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 964—An Act to add a new section to the Political Code of the State of California, to be designated as Section 3084, relating to the issuance of burial permits.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1149—An Act to amend section eighty of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1231—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 159b, relating to advertising for sale judgments against any person rendered in any court in the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 159c, relating to sending by mail, or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1507—An Act to amend section two hundred ninety-three of the Civil Code of the State of California, relative to prerequisite to filing articles and amounts to be subscribed and to be fixed.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1508—An Act to amend section two hundred ninety-five of the Civil Code of the State of California, relative to oath of officer to subscription of stock and payment of ten per cent.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relative to certain corporations to state further facts in articles.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1656—An Act to amend Sections 4 and 11 of an Act entitled "An Act to regulate and license the conducting and operating of employment agencies and to provide a revenue therefrom, for the enforcement of the provisions of this Act and other Acts relating to employment agents and employment agencies," approved March 6, 1909.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 545—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered Section 171a, relating to husband's liability for wife's torts.

During second reading of the bill, the following amendments were submitted by the committee:

On page 1, line 4, strike out the word "Section."

Also: On page 1, line 4, strike out the words "Husband not liable for wife's torts."

Amendments adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1067—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 422, relating to the possession of firearms by minors.

During second reading of the bill, the following amendments were submitted by the committee:

On page 1, line 5, strike out the word "sixteen," and insert in lieu thereof the word "fourteen."

Also: On page 1, line 6, after the comma following the word "firearm", insert the following words: "air-rifle or other deadly weapon,".

Also: On page 1, line 8, after the comma following the word "firearm", insert the following words: "air-rifle or other deadly weapon,".

Amendments adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 875—An Act to amend Section 288 of the Penal Code, relating to lewd and lascivious acts against children.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1368—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1949—An Act amending section two of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " approved March 22, 1909.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 625—An Act to amend section two thousand six hundred ninety-two of the Political Code of the State of California, relating to private roads and private ways for canals.

During second reading of the bill, the following amendments were submitted by the committee:

On page 1, Section 1, line 6, strike out the words "Irrigation or"; page 1, Section 1, line 9, strike out the word "Irrigation"; page 1, Section 1, line 10, strike out the word "or."

Amendments adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Bill read second time, and ordered to engrossment and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 688—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending section two thereof, relating to the proceedings for the calling of an election therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 690—An Act to amend section eight hundred seventy-five of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the presidents and presidents pro tem. of boards of trustees of cities of the sixth class.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

The question being upon the adoption of the following amendments proposed by Mr. Brown:

Amend by striking out of Section 1, line 7, the words "or oral."

Also: Strike out the words "or other labor disturbance," in line 8, Section 1.

Also: Insert the word "or" after the word "strike" in line 8, Section 1.

Also: Strike out in line 3, Section 1, the words "or other labor trouble."

Division of the question demanded.

Amendment No. 1 refused adoption.

The question being upon the adoption of amendments Nos. 2 and 4.

Roll call regularly demanded.

The roll was called, and amendments refused adoption by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Guiberson, Guill, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, Moorhouse, Murray, Nelson, Peairs, Roberts, Shannon, Shartel, Strine, Sutherland, Weldon, Wyllie, and Mr. Speaker—34.

NOES—Messrs. Beck, Bloodgood, Bush, Byrnes, Canepa, Cary, Collins, Dower, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, and White—39.

Amendment No. 3 withdrawn by author.

During further consideration of the bill, Mr. Simpson moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all of Section 1, of the printed bill, and insert in lieu thereof the following: Section 1. If any person, firm, or corporation, acting either for himself, or itself, or as the agent of another person, firm, or corporation, during the continuance of a strike, lockout, or other labor trouble among his, or its employees, or among the employees of the person, firm, or corporation, for whom he or it is acting, advertises for employees in the newspapers, or by posters, or otherwise, or solicits persons to work for him, or the persons, firm, or corporation, for whom he is acting, in the place of the strikers, he shall plainly and explicitly mention in such advertisements, or oral or written solicitations, that a strike, lockout or other labor disturbance exists.

Motion carried.

The Speaker appointed Mr. Simpson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 249, with instructions, do now report that the instructions of the Assembly have been carried out.

SIMPSON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-enactment, and on file for passage.

Assembly Bill No. 199—An Act to amend section one hundred and ninety-seven of the Civil Code of the State of California, relating to the custody, services, earnings and management of the property of legitimate unmarried minor children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 199 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower,

Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 12—Relative to approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 12 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—69.

NOES—None.

Assembly Concurrent Resolution No. 12 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 12.

Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

WHEREAS, The city of San Rafael, a municipal corporation of the county of Marin, State of California, now is, and was at all times herein referred to, a city containing a population of more than three thousand five hundred, but less than ten thousand inhabitants; and

WHEREAS, At a special election duly held in said city on the 29th day of May, 1912, under and in accordance with the law and the provisions of Section 8 of Article XI of the Constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city by the qualified electors thereof to prepare and propose a charter for the government of said city; and

WHEREAS, Said board of freeholders did, within one hundred and twenty days after the result of said election was declared, prepare and propose a charter for the government of said city of San Rafael; and

WHEREAS, Said charter was on the 28th day of September, 1912, signed in duplicate by a majority of said board of freeholders and was thereupon duly returned and filed, one copy with the city clerk of said city of San Rafael, and the other copy with the county recorder of said county of Marin, and filed in the office of said county recorder; and

WHEREAS, Said proposed charter was thereafter published three times in *The Independent*, a weekly newspaper of general circulation, printed, published and circulated in the city of San Rafael, on the following days of publication, to wit: October 8th, 1912, October 15th, 1912, October 22nd, 1912; the first publication thereof having been made within fifteen days after the filing of the copy thereof as aforesaid in the office of the said city clerk; and

WHEREAS, Said proposed charter was, not less than twenty days, nor more than forty days after the completion of said publication, to wit: on the 30th day of November, 1912, submitted by the board of trustees of the city of San Rafael to the qualified electors of said city at a special election duly called and held therein on said 30th day of November, 1912; and

WHEREAS, At said last mentioned special election a majority of said qualified electors of said city of San Rafael, voting at said special election, voted in favor of said ratification and duly ratified said charter as proposed as a whole; and

WHEREAS, Said board of trustees, after canvassing the return of said last

mentioned special election duly found and declared that a majority of said qualified electors voting at said special election had voted for, and ratified said charter as above specified; and

WHEREAS, The same is now submitted to the Legislature of the State of California for its approval and ratification as a whole without power of alteration or amendment in accordance with Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, Said charter was ratified in the words and figures following, to wit:

CHARTER OF CITY OF SAN RAFAEL.

PREPARED AND PROPOSED BY A BOARD OF FREEHOLDERS ELECTED MAY 29, 1912,
PURSUANT TO THE PROVISIONS OF SECTION 8, ARTICLE XI, OF THE CONSTITUTION OF THE STATE OF CALIFORNIA.

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ARTICLE I.

NAME, RIGHTS AND LIABILITIES OF THE CITY.

Name of the city.

SECTION 1. The municipal corporation now existing and known as the city of San Rafael shall remain and continue a body politic and corporate in name and in fact, by the name of the "City of San Rafael," and by that name shall have perpetual succession.

Rights and liabilities.

SEC. 2. The city of San Rafael shall remain vested with, and continue to have, hold and enjoy all property, rights of property and rights of action of every nature and description now pertaining to this municipality, and is hereby declared to be the successor of the same. It shall be subject to all the liabilities that now exist against this municipality. All ordinances of said city, now known as the city of San Rafael, not in conflict with this charter, shall be continued in force until amended or repealed, and all proceedings providing for any public improvement pending and uncompleted shall be continued in accordance with the law under which said proceedings were commenced.

ARTICLE II.

BOUNDARIES.

SECTION 1. The boundaries of the city of San Rafael are as follows: Beginning at the point of intersection of the westerly line of the public highway leading from San Rafael to Kentfield (formerly known as Ross Landing), by way of D street grade, with the southerly boundary line of the lands conveyed by John Reynolds to John O. B. Short and Jacob Short by a deed dated June 22, 1864, and recorded in the office of the recorder of Marin County in liber E of deeds, at page 112, said point of beginning being near the summit of the ridge immediately south of the city of San Rafael; running thence along the said ridge in a general westerly direction, following the southerly boundary line of the lands conveyed by John Reynolds as aforesaid and following the southerly boundary line of the lands conveyed by John Simms to John O. B. Short and Jacob Short by a deed dated January 14, 1865, and recorded in the office of said recorder in liber E of deeds, at page 251, to an oak tree standing at the most northerly corner of what was formerly designated as the "Hooper tract" and described in a deed from William B. Hooper to Jonathan G. Kittle dated October 17, 1881, and recorded in the office of said recorder in liber W of deeds, at page 352; thence leaving the summit of the ridge and running northwesterly in a direct line to a point which is south 45 degrees west twenty-five feet from the southwest corner of the town of San Rafael as the corporate limits thereof were surveyed in the month of April, 1874, by order of the board of trustees of said town; thence due north to a point on the summit of the aforesaid ridge, said point being in the northerly boundary line of the tract of land which was conveyed by Rebecca J. Makin and,

Robert G. Makin to Jonathan G. Kittle by a deed dated the 5th day of December, 1881, and recorded in the office of said recorder in liber W of deeds, at page 344; thence continuing westerly along said summit and said northerly boundary line of the tract of land conveyed to Jonathan G. Kittle to a point which is due south from the highest point in the traveled portion of the public highway leading from San Rafael to San Anselmo, as said highway existed in the month of May, 1889; thence in a general northerly direction, along the summit of a spur or ridge which divides the waters flowing toward San Rafael from those flowing into the San Anselmo Valley, to the summit of a ridge on the lands of the estate of Alexander Forbes, deceased, which said ridge lies between the aforesaid public highway leading from San Rafael to San Anselmo and the street formerly known as Culloden avenue, but now known as Fifth avenue, extending westerly from San Rafael to Mount Tamalpais cemetery; thence in a direct line northerly to the northeast corner of the tract of land which was conveyed by Henry A. Du Bois, Jr., to the Mount Tamalpais cemetery by a deed dated the 6th day of July, 1880, and recorded in the office of said recorder in liber U of deeds, at page 554, said point being on the summit of the ridge lying immediately south of the San Margarita Valley; thence in a general easterly direction along the summit of the last mentioned ridge, crossing and subdividing the lands of the said Forbes estate, to a white oak tree standing in the westerly boundary line of the tract of land which was conveyed by Arthur W. Foster to Louisiana S. Foster by a deed dated the 2nd day of December, 1885, and recorded in the office of said recorder in book 2 of deeds, at page 474; thence northerly and easterly along the westerly and northerly boundary lines of said tract conveyed to Louisiana S. Foster to a madrone tree standing at the most easterly corner thereof; thence northerly and easterly along the westerly and northerly boundary lines of the tract of land which was conveyed by Alexander Forbes to William T. Coleman by a deed dated the 5th day of October, 1871, and recorded in the office of said recorder in liber J of deeds at page 306, to the Dixon Puerto Suello, the depression in the San Pedro ridge where said ridge is crossed by the county road leading from San Rafael to Petaluma; thence easterly along said ridge, following the southerly boundary line of the "Wagner tract," which was conveyed by Henry C. Campbell to O. C. Miller by a deed dated the 28th day of March, 1889, and recorded in the office of said recorder in book 9 of deeds, at page 424, and following the southerly boundary line of the "Kimball tract" which was conveyed by A. McCartney to Edward Gray Stetson by a deed dated the 26th day of August, 1887, and recorded in the office of said recorder in book 5 of deeds, at page 371, to a live oak tree standing at the common corner of the said "Kimball tract," the tract containing 515 57/100 acres of land, which was conveyed by Mary E. McAlester to Ada M. I. McMahon and others by a deed dated April 18, 1904, and recorded in the office of said recorder in book 87 of deeds, at page 130, and the tract of land which was conveyed by Ellen Ford to M. T. Freitas by a deed dated the 9th day of December, 1903, and recorded in the office of said recorder in book 85 of deeds, at page 165; thence descending in a general southerly direction along a spur of the said San Pedro ridge, which spur divides the waters flowing into the San Rafael valley from the waters flowing direct to the bay of San Francisco, to a point in the San Rafael and Point San Pedro road at Oak Point; thence easterly along the said San Rafael and Point San Pedro road to the point where the same enters the salt marsh; thence crossing the salt marsh in a general southwestwardly direction to a stake marked "T. L. S. 55" standing on the edge of the salt marsh at the point of a ridge or spur which lies immediately east of the valley formerly known as the "Laurel grove picnic grounds"; thence southeasterly, ascending along the summit of said spur or ridge, to the summit of the main ridge at a point in the southerly boundary line of the tract of land which was conveyed by David Porter to William T. Coleman by a deed dated the 27th day of May, 1871, and recorded in the office of said recorder in liber J of deeds, at page 99; thence westerly along said ridge, and following the line dividing the tract conveyed to William T. Coleman as aforesaid from the tract of land conveyed by David Porter to E. S. Wensinger by a deed dated October 29, 1890, and recorded in the office of said recorder in book 13 of deeds, at page 107, and along the southerly boundary line of said lands conveyed by John Reynolds to John O. B. Short and Jacob Short as aforesaid to the point of beginning.

ARTICLE III.

POWERS OF THE CITY.

SECTION 1. Without denial or disparagement of other powers held under the Constitution and laws of the State, the city of San Rafael shall have the right and power:

Perpetual succession.

SEC. 2. To have perpetual succession.

Official seal.

SEC. 3. To provide a corporate seal, with appropriate device, to be affixed to all instruments or writings needing authentication.

Sue and defend.

SEC. 4. To sue and defend in all courts and places and in all matters and proceedings.

Property for public purposes.

SEC. 5. To purchase, receive, have, take, hold, lease, use, and enjoy property of every kind and description, both within and without the limits of said city, and to control and dispose of the same for the public benefit.

Bequests and donations.

SEC. 6. To receive bequests, gifts and donations of all kinds of property, in fee simple, or in trust for charitable or for other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts and donations, with power to manage, sell, lease or otherwise dispose of the same, in accordance with the terms of the bequest, gift or trust, or absolutely in case such bequest, gift or trust be unconditional.

Public works, buildings and institutions.

SEC. 7. To establish, maintain and equip libraries, reading rooms, parks, playgrounds, markets, and all other public buildings, places, works and institutions, and to carry on and conduct any and all kinds of business and to subsidize the same.

Telephone, telegraph and transportation.

SEC. 8. To acquire by purchase, condemnation or otherwise, and to establish, maintain, equip, own and operate telephone and telegraph systems, cable and electric or other railways and transportation service of any and every kind.

Water, light, heat and power.

SEC. 9. To acquire by purchase, condemnation or otherwise, and to establish, maintain, equip, own and operate water works, gas works, electric light, heat and power works within and without the city, and to supply the city and its inhabitants, and also persons, firms or corporations or cities or towns outside the city with water, gas, heat and electricity.

Sale of products of public utility.

SEC. 10. To sell gas, water, electric current, and all products of any public utility operated by the city.

Land for public utilities.

SEC. 11. To acquire by purchase, condemnation, suit or otherwise, within and without the city, such lands or other property as may be necessary for the establishment, maintenance and operation of any public utility, or to provide for and effectuate any other public purpose, and to sell, convey and dispose of the same for public benefit.

Leases of property.

SEC. 12. To lease, by ordinance, to corporations or individuals, for the purpose of maintenance and operation of any public utility owned by the city, and to provide for the lease of any lands now or hereafter owned by the city, except buildings or lands donated, purchased, acquired or used for public parks or public libraries.

Eminent domain.

SEC. 13. To exercise the right of eminent domain, for the purpose of acquiring real and personal property of every kind for public use.

To borrow money.

SEC. 14. To borrow money for any of the purposes which the city is authorized to provide, and for carrying out any of the powers which the city is authorized to enjoy and exercise, and to issue bonds therefor; *provided*, that in the procedure for the creation and issuance of such bonded indebtedness the general laws of the State of California in force at the time such proceedings are taken shall be observed and followed.

Special tax.

SEC. 15. To raise money by special tax in addition to the annual tax levy provided in Article XII of this charter. To authorize such special tax the council shall submit to the electors of the city the question whether such tax shall be raised, by advertising a notice of such election in a newspaper published in said city once a week for three successive weeks, specifying the time and place of holding the election, the amount of money proposed to be raised, and the purpose for which it is intended to be used. Such election shall take place within twenty-five days after the first publication of said notice, and the levy of such tax must be approved by at least two thirds of the qualified electors who vote at said election. At such election the council may be authorized, in cases where public necessity requires the expenditure of any sum so voted before the next succeeding tax levy, to issue warrants therefor, and provide in the next succeeding tax levy for their payment, with interest not exceed-

ing five per cent per annum. Or the council may be authorized by such election to levy a special tax each year for a period of years, not exceeding three years in all, for any permanent municipal improvement, and the money so raised may be expended each year after the same is collected and available.

Police power.

SEC. 16. To exercise police powers and make all necessary police and sanitary regulations, and to adopt ordinances and prescribe penalties for the violation thereof.

Improvement of streams.

SEC. 17. To improve the inlets, waterways and channels flowing through the city or adjoining the same; to widen, straighten and deepen the channels thereof and to remove obstructions therefrom; to control and improve the water front of the city; and to acquire, own, construct, maintain and operate on any lands bordering on said waterways, inlets and channels, within the limits of said city or contiguous thereto, wharves, chutes, piers or bath houses.

Grading or opening streets.

SEC. 18. To build and repair bridges; to establish, lay out, alter, open, keep open, close, improve and repair streets, sidewalks, alleys, squares and other public highways and places within the city; to drain, sprinkle, oil and light the same; to remove all obstructions therefrom; to establish or change the grades thereon; to grade, pave, macadamize, gravel and curb the same, in whole or in part, and to construct gutters, culverts, sidewalks and cross-walks thereon or on any part thereof; to cause to be planted, set out and cultivated shade trees thereon; and generally to manage and control such highways and places.

Fire department.

SEC. 19. To equip and maintain a fire department, and to make all necessary regulations for the prevention of fires.

Nuisances.

SEC. 20. To provide for the abatement of any nuisance at the expense of the persons creating, causing, committing or maintaining such nuisance.

Rewards.

SEC. 21. To offer rewards, not exceeding two hundred and fifty dollars in any one instance, for the apprehension and conviction of any person who may have committed a felony in the city, and to authorize the payment thereof.

Fire limits.

SEC. 22. To prescribe fire limits and determine the character and height of buildings that may be erected therein, and the nature of the materials to be used in the construction, alteration or repair of such buildings, or in the repair or alteration of existing buildings within such fire limits.

Building regulations.

SEC. 23. To regulate the construction and location of, and the materials used in, all buildings, chimneys, stacks and other structures; to prevent the erection and maintenance of insecure or unsafe buildings, walls, chimneys, stacks or other structures, and to provide for their summary abatement or destruction; to regulate the materials used in, and the method of construction of, foundations and foundation walls, the materials, manner of construction and location of drains and sewers, the materials used in wiring buildings or other structures for the use of electricity for lighting, power, heat or other purposes, and materials used for piping buildings or other structures for the purpose of supplying the same with water or gas, and the manner of so doing; to prohibit the construction of buildings and structures which do not conform to such regulations.

Fire escapes.

SEC. 24. To require the owners and lessees of buildings or other structures to place upon them or in them fire escapes and appliances for protection against fire and for the extinguishment of fires.

Protection against fires.

SEC. 25. To prevent the construction and to cause the removal of dangerous chimneys, fireplaces, hearths, stoves, stove pipes, ovens, boilers, apparatus and machinery used in any building in the city; to prevent the depositing of ashes, the accumulation of shavings, rubbish or any combustible material in unsafe places, and to make provisions to guard against fires.

Provisions for safety in theaters, halls, etc.

SEC. 26. To regulate the size and construction of the entrances to and exits from all theaters, lecture rooms, halls, schools, churches and other places for public gathering of every kind, and to prevent the placing of seats, chairs, benches or other obstructions in the hallways, aisles or open places therein.

Provisions for safety in streets.

SEC. 27. To regulate the speed of railroad trains, engines and cars passing through the city, and the speed of cars of street or interurban railway companies using the public streets of the city; to require railroad companies to station flagmen, place gates or signals at all such street crossings as the council may deem proper; to require street cars and local trains to be public; to prohibit the making up of railroad trains on any of the street crossings or street intersections of the city; to regulate the speed with which persons may ride or drive or propel bicycles, motor cycles, automobiles, or other vehicles along or upon any of the streets or highways of the city; to prohibit the blocking or obstructing by railroad trains of any of the street crossings or street intersections of the city.

Improper use of streets.

SEC. 28. To regulate or prohibit the exhibition or carrying of banners, placards, or advertisements, and the distribution of handbills in the streets, public grounds or upon the sidewalks; to regulate and prevent the flying of banners, flags or signs across the streets or from houses; to regulate or prohibit traffic and sales in the streets and public places; to prevent encroachments upon or obstructions to the streets, and to require their removal.

Weeds and rubbish on sidewalks.

SEC. 29. To compel the owner or occupant of buildings or grounds to remove dirt, rubbish and weeds therefrom and from the alley and sidewalk thereof, and on default to authorize the removal or destruction thereof by some officer or employee of the city, at the expense of such owner or occupant.

Billboards and signs.

SEC. 30. To regulate, license or prohibit the construction and use of billboards and signs.

Public pound.

SEC. 31. To prevent or regulate the running at large of any fowls or animals, and to establish and maintain a pound, and authorize the destruction or other disposition of any fowls, or animals running at large.

Dogs.

SEC. 32. To regulate and prevent the running at large of dogs; to provide for the destruction of vicious dogs, and to require the payment of license fees by the owners or persons having the possession of dogs, and to impose penalties upon such persons for refusing to pay such license fees.

Preservation of health.

SEC. 33. To make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease; to make regulations to prevent the introduction of contagious, malignant, infectious or other diseases into the city; to make quarantine laws and regulations; to regulate, control and prevent the entry into the city of persons, baggage, merchandise or other property infected with contagious disease.

Dangerous and offensive occupations; disagreeable noises.

SEC. 34. To regulate or prohibit the operation of all manufactories, occupations, and trades which may be of such a nature as to affect the public health or good order of the city or disturb the public peace, or which may be offensive or dangerous to the inhabitants residing in the vicinity, and to provide for the punishment of all persons who may permit the same to be maintained in any building or upon any premises owned or controlled by them; to make regulations for the suppression of disagreeable, offensive or injurious noises.

Inspection of food products.

SEC. 35. To provide for and regulate the inspection by the health officer of meats, poultry, fish, game, bread, butter, cheese, lard, eggs, vegetables, breadstuffs, milk and other food products offered for sale in the city, and to provide for the taking and summarily destroying of any such products as are unsound, spoiled, adulterated or unwholesome, and to regulate and prevent the bringing into the city, or having or keeping within the city, any such unsound, spoiled, adulterated or unwholesome products.

Dairies.

SEC. 36. To provide for the regulation and inspection of all dairies, slaughter houses and creameries that offer for sale any of their products in the city.

Lodging, tenement and apartment houses.

SEC. 37. To regulate lodging, tenement and apartment houses and to prevent the overcrowding of the same, and to require that they be put and kept in proper sanitary condition.

Sewer connections.

SEC. 38. To regulate the construction, repair and use of sewers, sinks, gutters, wells, cesspools and vaults, and to compel the connecting, cleaning or emptying of the same, and to designate the time and manner in which the work shall be done.

Garbage.

SEC. 39. To provide for the treatment of and collection and disposal of garbage, ashes, animal and vegetable refuse, dead animals, offal and waste matter.

Licensing business.

SEC. 40. To license, for the purpose of regulation and revenue, all and every kind of business not prohibited by law, and all shows, exhibitions and lawful games carried on in the city; to fix the rates of licenses upon the same, and to provide for the collection thereof by suit or otherwise.

Weights and measures.

SEC. 41. To provide for the inspection and sealing of all weights and measures used in the city, and to enforce the keeping and use by dealers of proper weights and measures duly tested and sealed.

Taxation.

SEC. 42. To levy and collect taxes upon all the real and personal property within the city, subject to the limitations elsewhere in this charter provided.

Erroneously collected taxes.

SEC. 43. To order the repaying to the persons entitled thereto by the treasurer of any taxes, percentages or costs erroneously or illegally collected.

Fees.

SEC. 44. To fix the fees and charges for all official services not otherwise provided for in this charter.

Purchase of property under execution.

SEC. 45. To provide for the purchase of property levied upon or under execution in favor of the city, but the amount bid on such purchase shall not exceed the amount of judgment and costs.

Regulation of public utility rates.

SEC. 46. To fix and determine, by ordinance, in the month of February of each year, and to take effect the first day of July thereafter, the rates or compensation to be collected by any person, firm or corporation in the city for the use of water, heat, light, power or telephonic service supplied to the city or its inhabitants, and to prescribe the quality of the service.

Railroads to keep streets in repair.

SEC. 47. To require every railroad company to keep the streets in repair between the tracks, and along and within the distance of two feet upon each side of the track occupied by the company, and to sprinkle the same.

Spur tracks.

SEC. 48. To permit the laying down of spur or side tracks and running of cars thereon for the purpose of connecting warehouses, manufactories or other business industries and enterprises with any line of railroads which do now or may hereafter enter the city, subject to such regulations and conditions as may be prescribed from time to time by the council: such tracks not to be used as a main line or a part thereof; and also for the purpose of excavating and filling in a street or a portion of a street or the adjoining land, and for such limited time as may be necessary for such purpose and no longer. Such tracks must be laid level with the street, and must be operated under such restrictions as not to interfere with the use of the street by the public. All permits granted under the provisions hereof shall be revocable at the pleasure of the council.

Regulation of poles and wires.

SEC. 49. To cause the removal and placing under ground of all telephone, telegraph, electric light or other wires within the city or within any designated portion thereof, and to regulate or prohibit the placing of poles and suspending of wires along or across any of the streets, highways and public places in the city.

Size and location of pipes.

SEC. 50. To regulate the size and location of all water pipes, gas pipes, and all other pipes and conduits laid or constructed in the streets and public places, and to require the filing of charts and maps of such pipes and conduits.

Elections.

SEC. 51. To make all rules and regulations governing elections not inconsistent with this charter.

Park commission.

SEC. 52. To establish a park commission and appoint commissioners thereon, to serve without compensation, with such powers and duties as may be fixed by the council.

Improvement of waterways.

SEC. 53. To acquire by purchase or otherwise and own, operate and control all machinery and all appliances necessary for the improvement of waterways.

Violation of charter and ordinances.

SEC. 54. To prescribe fines, forfeitures and penalties for the violation of any provision of this charter, or of any ordinance; but no penalty shall exceed a fine of five hundred dollars or six months' imprisonment, or both.

General grant of power.

SEC. 55. To exercise such other powers as are now or may be hereafter granted by the legislature to the municipalities within the State, unless the exercise of such powers is contrary to the provisions of this charter; to exercise all other needful powers for the efficient administration of the municipal government, or for the welfare of the city or its inhabitants, whether such powers are herein expressly enumerated or not; and to enact appropriate legislation, and do or perform any and all other acts and things which may be necessary and proper to carry out the general powers of the city or of any of the provisions of this charter.

General laws followed.

SEC. 56. In the absence of any procedure for carrying out or effectuating any granted or implied power or authority, the general law of this State, where applicable and where not inconsistent with any express provision of this charter, shall prevail and shall be followed.

Direct legislation by the people.

SEC. 57. The qualified voters of the city shall have the power, through the initiative and otherwise, as provided in this charter and the general laws of the State, to enact appropriate legislation to carry out and enforce any of the general or implied powers of the city.

Liberal construction.

SEC. 58. Lastly, this grant of power is to be liberally construed for the purpose of securing the well-being of the municipality and its inhabitants.

ARTICLE IV.

ELECTIONS.

General and special municipal elections.

SECTION 1. A municipal election shall be held in the city on the second Monday in April, 1915, and on the second Monday in April every second year thereafter, and shall be known as the general municipal election. All other municipal elections that may be held by authority of this charter or of general law shall be known as special municipal elections.

Nomination and election of city officers.

SEC. 2. The mode of nomination and election of all elective officers of the city to be voted for at any municipal election shall be as follows and not otherwise:

SEC. 3. The name of a candidate shall be printed upon the ballot when a petition and nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

Form of nomination petition.

SEC. 4. The petition of nomination shall consist of not less than fifty nor more than one hundred individual certificates, which shall read substantially as follows:

Individual certificate.

SEC. 5. Petition of nomination.

STATE OF CALIFORNIA, }
COUNTY OF MARIN, } SS.
CITY OF SAN RAFAEL. }

I, the undersigned, do solemnly swear (or affirm) that I am a qualified elector of the city of San Rafael, and I hereby join in a petition for the nomination of _____ whose residence is at No. _____ street, San Rafael, for the office of _____ to be voted for at the municipal election to be held in the city of San Rafael on the _____ day of _____, 19____; and I further declare that I am not at this time a signer of any other petition for the above named office, or in case

there are several places to be filled in the above named office, that I have not signed more petitions than there are places to be filled in the above named office.

Subscribed and sworn to before me this ----- day of -----,
19-----.

Notary or Verification Deputy.

The petition of nomination of which this certificate forms a part, shall, if found insufficient, be returned to ----- at No. ----- street, San Rafael, California.

Forms to be supplied by city clerk.

SEC. 6. It shall be the duty of the city clerk to furnish upon application a reasonable number of forms of individual certificates of the above character.

Requirements of certificate.

SEC. 7. Each certificate must be a separate paper. All certificates must be of a uniform size as determined by the city clerk. Each certificate must contain the name of the signer thereto and no more. Each signer must be a qualified elector, must not at the time of signing a certificate have his name signed to any other certificate for any other candidate for the same office, nor in case there are several places to be filled in the same office, signed to more certificates for candidates for that office than there are places to be filled in such office. In case an elector has signed two or more conflicting certificates, all such certificates shall be rejected. Each signer must verify his certificate and make oath that the same is true before a notary public or a verification deputy, as provided for in this article. Each certificate shall further contain the name and address of the person to whom the petition is to be returned in case said petition is found insufficient.

Verification deputies.

SEC. 8. Verification deputies, under this article, must be qualified electors of the city, and shall be appointed by the city clerk upon application in writing signed by not less than five qualified electors of the city. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal office at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given appointed as verification deputies, who shall upon appointment be authorized and empowered to take the oath of verification of the signers of petitions of nomination. Such verification deputies need not use a seal, and shall not have power to take oaths for any other purpose whatsoever, and their appointments shall continue only until all petitions of nomination, under this article, shall have been filed with the city clerk.

Date of presenting petition.

SEC. 9. A petition of nomination, consisting of not less than fifty nor more than one hundred individual certificates for any one candidate, may be presented to the city clerk not earlier than forty-five days nor later than thirty days before the election. The clerk shall endorse thereon the date upon which the petition was presented to him.

Examination of petitions by city clerk.

SEC. 10. When a petition of nomination is presented for filing to the city clerk, he shall forthwith examine the same, and ascertain whether it conforms to the provisions of this article. If found not to conform thereto, he shall then and there in writing designate on said petition the defect or omission or reason why such petition can not be filed, and shall return the petition to the person named as the person to whom the same may be returned in accordance with this article. The petition may then be amended and again presented to the clerk as in the first instance. The clerk shall forthwith proceed to examine the petition as hereinbefore provided. If necessary, the council shall provide extra help to enable the clerk to perform satisfactorily and promptly the duties imposed by this article.

Withdrawal of signatures.

SEC. 11. Any signer to a petition of nomination and certificate may withdraw his name from the same by filing with the city clerk a verified revocation of his signature before the filing of the petition with the city clerk, and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

Withdrawal of candidate.

SEC. 12. Any person whose name has been presented under this article as a candidate may, not later than twenty-five days before the day of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot. If upon such withdrawal the number of candidates remaining does not exceed the number to be elected, then other nominations may be made by filing petitions therefor not later than twenty-one days prior to such election.

Filing of petitions.

SEC. 13. If either the original or amended petition of nomination be found sufficiently signed as hereinbefore provided, the clerk shall file the same twenty-five days before the date of election; *provided*, that petitions of nomination made pursuant to Section 12 of this article shall be filed by the clerk twenty days before the date of election; *provided*, that if any petition be returned pursuant to Section 10 of this article, two days shall be allowed to amend and again present the same.

Preservation of petitions.

SEC. 14. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates belonging thereto filed under this article.

Election proclamation.

SEC. 15. Immediately after such petitions are filed the clerk shall enter the names of the candidates in a list, with the offices to be filled, and shall on the twentieth day before the election certify such list as being the list of candidates nominated, as required by the charter of the city of San Rafael, to the city council, which shall meet on said twentieth day before the election for the purpose of receiving such list. Said council shall thereupon cause said certified list of names and the offices to be filled, designated whether for a full term or unexpired term, to be published for two weeks before the election in not less than one weekly newspaper of general circulation published in the city of San Rafael. Said proclamation shall conform in all respects to the general law governing the conduct of municipal elections now or hereafter in force, except as above required.

Form of ballots.

SEC. 16. The city clerk shall cause the ballots to be printed and bound and numbered as provided for by the state law, except as otherwise required in this charter. The ballots shall contain the list of names and the respective offices, as published in the proclamation, and shall be in substantially the following form:

SEC. 17.

GENERAL (OR SPECIAL) MUNICIPAL ELECTION,
THE CITY OF SAN RAFAEL.

Instructions to Voters: To vote, stamp or write a cross (X) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear or deface this ballot, return it to the inspector and obtain another.

Requirements of ballots.

SEC. 18. All ballots printed shall be precisely of the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another; and the names of all candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right-hand side for charter amendments or other questions to be voted upon at the municipal elections, as provided for under this charter. The names of the candidates for each office shall be arranged in alphabetical order, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

Every nominee to be on ballot.

SEC. 19. The name of no candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided, shall be omitted from the ballot.

Arrangement of offices on ballot.

SEC. 20. The offices to be filled shall be arranged in separate columns, in the following order:

For mayor

Vote for one.

For councilmen

Vote for (giving number).

For member of board of education

Vote for (giving number).

For city clerk (if any)

Vote for one.

For city assessor (if any)

Vote for one.

For city treasurer (if any)

Vote for one.

For city tax and license collector (if any)

Vote for one.

For chief of police (if any)

Vote for one.

For city attorney (if any)

Vote for one.

For police judge (if any)

Vote for one.

Space for voting cross.

SEC. 21. A half inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

Blank spaces for additional candidates.

SEC. 22. Half inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

Sample ballots.

SEC. 23. The clerk shall cause to be printed sample ballots identical in form with the ballot to be used at the election, but of different colored paper, and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three whole days before said election.

Vote necessary for election.

SEC. 24. The candidates equal in number to the persons to be elected who shall receive the highest number of votes at such election shall be declared entitled to the office for which they are candidates.

Failure of person elected to qualify.

SEC. 25. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as herein provided.

Informalities in elections.

SEC. 26. No informalities in conducting municipal elections shall invalidate the same, if they have been conducted fairly and in substantial conformity to the requirements of this charter.

General election regulations.

SEC. 27. The provisions of the state law in force at the time of holding any city election relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections; *provided*, that the council shall meet as a canvassing board and duly canvass the election returns on the fourth day after a municipal election and declare the results.

Control of city elections.

SEC. 28. The conduct and carrying on of all city elections shall be under the control of the council, and the council shall, by ordinance or resolution, provide for the holding of all city elections, and may direct and subdivide the municipality into municipal election precincts for the holding of municipal elections, and change and alter such precincts and redistrict the municipality for such elections as often as occasion may require. Unless the boundaries of the precincts shall be changed, as herein provided, they shall remain as fixed for the election of state and county officers at the last general election preceding the city election.

Compensation of election officers.

SEC. 29. At each city election each of the election officers shall receive such compensation for his services as the council shall fix.

Filing of election figures.

SEC. 30. The election returns from each municipal election precinct shall be filed with the city clerk, who shall immediately place them in the safe or vault in the city clerk's office, and no person shall be permitted to handle, inspect, examine or in any manner interfere with the same until canvassed by the council. After having been canvassed, they shall be sealed up by the city clerk for six months, and no person shall have access to them except on the order of a court of competent jurisdiction.

Certificates of election.

SEC. 31. After the result of an election is declared, or when an appointment is made, the city clerk shall, under his hand and official seal, issue a certificate thereof and serve the same personally or by depositing such certificate, with the postage prepaid, in the United States post office in San Rafael, addressed to the person elected or appointed; and such person must, before taking office, file his official bond, if a bond is required of him by this charter or the ordinance of the city, and take and subscribe to the oath of office required of him by this charter, which oath must be filed with the city clerk.

ARTICLE V.

INITIATIVE, REFERENDUM AND RECALL.

SECTION 1. The initiative.

Preliminaries to filing petition.

(1) The qualified electors of the city shall have power to propose by petition, and adopt at the polls, any ordinance which may be enacted under this charter. Such ordinance may be proposed by filing with the city clerk a petition setting forth said ordinance in full, signed by qualified electors of the city as many in number as hereinafter required of the entire vote cast at the last preceding general municipal election. Before any petition for such submission of a proposed ordinance shall be circulated, an affidavit by or on behalf of its proponents shall be filed with the city clerk containing the following: A copy of the proposed ordinance; a statement in not more than two hundred (200) words giving the proponents' reasons for the adoption of such ordinance; a statement of the intention to secure the submission of said ordinance to a vote of the electors by an initiative petition; and the address of the party making such affidavit. The council shall have ten (10) days after the filing of such affidavit in which to formulate and send by registered mail to the address given in such affidavit a statement in not more than two hundred (200) words of the reasons why such proposed ordinance should not be adopted. These reasons for and against the adoption of the proposed ordinance shall be printed as a part of each individual certificate forming a part of the petition.

Form and condition of petition.

(2) The initiative petition shall consist of individual certificates signed by qualified electors of the city as many in number as hereinafter required. The form and conditions of each certificate and mode of certification shall be substantially as follows:

(Individual certificate.)

INITIATIVE PETITION OF THE COUNCIL.

REQUIRING THE SUBMISSION AT A SPECIAL (OR GENERAL) MUNICIPAL ELECTION.

(The above heading must be printed in type of a 24-point roman face, caps and lower case.)

Of a proposed ordinance entitled: (Here insert title of ordinance.)

PROPOSERS' REASONS
FOR ADOPTING ORDINANCE

(Here insert such reasons.)

COUNCIL'S REASONS FOR
NOT ADOPTING ORDINANCE.

(Here insert such reasons.)

I, the undersigned, certify that I hereby join in a petition to the council requiring that it forthwith submit to the vote of the electors of the city of San Rafael, at a special municipal election (or general municipal election), that certain proposed ordinance entitled (here insert title of ordinance), to a copy of which this certificate is attached; unless said ordinance be passed by the council, without alteration, when and as provided in the charter of the city of San Rafael.

I further certify that I have read the proposed ordinance and the above reasons for and against the adoption of said ordinance, and am in favor of its adoption; that I am a qualified elector of the city of San Rafael, State of California; that I am not at this time a signer of any other like certificate; that I reside at No. _____ street, between _____ street and _____ street, in said city; and that my occupation is _____.

(Signed) _____

STATE OF CALIFORNIA,
COUNTY OF MARIN,
CITY OF SAN RAFAEL,

} ss.

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate, and that the statements therein are true and correct.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 19____,
this _____ day of _____, 19____.

(Signed) _____

Verification Deputy (or Notary Public).

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____, No. _____ street, San Rafael, California.

The provisions of Subdivision 4. of Section 3 of this article, applying to recall petitions, shall apply to petitions filed under this section.

Twenty per cent petition.

(3) If the petition accompanying the proposed ordinance be signed by qualified electors equal in number to twenty (20) per centum of the entire vote cast at the last preceding general municipal election, and contain a request that said ordinance

be submitted forthwith to a vote of the people at a special election therefor, then either:

(a) The council shall pass said ordinance without alteration within twenty days after the attachment of the clerk's certificate of sufficiency to the accompanying petition; or,

(b) Within twenty-five days after the clerk shall have attached to the petition accompanying such ordinance his certificate of sufficiency, the council shall proceed to call a special election, at which such ordinance, without alteration, shall be submitted to the vote of the electors, unless some general or special municipal election occurs not earlier than thirty (30) days and not later than ninety (90) days after the city clerk shall have attached such certificate of sufficiency, in which latter event said measure shall be voted on at such special or general municipal election.

Ten per cent petition.

(4) If a petition be signed by qualified electors equal in number to ten (10) per centum of the entire vote cast at the last preceding general municipal election, and contain a request that said ordinance be submitted to a vote of the electors at a general municipal election, then such ordinance, without alteration, shall be so submitted by the council at the next general municipal election that shall occur at any time after twenty (20) days from the date of the attachment of the certificate of sufficiency to the petition accompanying such ordinance, unless the council shall have, prior to the time of calling such election, passed such ordinance without alteration.

Limitations for petitions.

(5) No individual certificate provided for in this section shall be valid or sufficient unless the same shall have been signed within three (3) months prior to the presentation to the clerk of the petition of which it forms a part. No initiative petition requesting the submission of an ordinance at a special municipal election, and having an insufficient number of signatures to require such special election, but having the required number for submission of said measure at a general municipal election, shall, by virtue thereof, be sufficient to require the submission of such ordinance at a general municipal election. No initiative petition requesting the submission of an ordinance at a general municipal election, and having a sufficient number of signatures to have required the submission of said ordinance at a special municipal election, shall, by virtue thereof, be sufficient to require the calling of a special municipal election.

Measure to be mailed to voters.

(6) Whenever any ordinance is required under the initiative or referendum provisions of this charter to be submitted to the voters of the city at any election, the council shall cause the ordinance, together with such arguments for and against it as may have been printed on the individual certificates constituting the initiative or referendary petition, to be printed, and it shall be the duty of the city clerk to enclose a printed copy thereof in an envelope with a sample ballot and mail the same to each voter at least five (5) days prior to the election. The council may cause said ordinance to be printed once in a newspaper of general circulation published in the city one week preceding the date of such election.

Election.

(7) The ballots used when voting upon such proposed ordinance shall set forth in full the title of the proposed ordinance, and shall state the general nature of the proposed ordinance and shall contain the words, "For the Ordinance," and "Against the Ordinance." If a majority of the qualified electors voting on said proposed ordinance shall vote in favor thereof, such ordinance shall take effect five (5) days after the declaration of the official canvass.

Several ordinances at one election.

(8) Any number of proposed ordinances under the initiative and any number of ordinances under the referendum may be voted upon at the same election, in accordance with the provisions of this section.

Limit to special elections.

(9) There shall not be held under this section more than one special election in any period of one year.

Competing and conflicting measures. Repeal.

(10) When there are two or more ordinances proposed to secure the same general purpose, the council shall so declare, and shall have the ballot so printed that the voter (first) can choose between any ordinance or none, and (second) can express his preference for any one. If a majority of the votes on the first question is affirmative, then the ordinance receiving the highest number of votes shall become law, and the others shall fail of passage. In case two or more ordinances are tied for the highest vote, they shall be resubmitted at the next ensuing general municipal election. If there is a conflict between two or more ordinances adopted at the same election, then the ordinance receiving the highest affirmative vote shall prevail. No ordinance approved by the electorate under the provisions of this article shall be

amended or repealed except by a vote of the electorate, unless such ordinance shall otherwise provide.

Election is mandatory.

(11) If any ordinance proposed by initiative petition or upon which a referendum vote is requested by petition, in accordance with the provisions of this charter, be not submitted to the voters at or within the time elsewhere specified in this charter, such petition shall remain in force until such ordinance has been submitted to a vote; and no bond issue or other ordinance proposed by the council shall be submitted to the voters unless at the same election, or prior thereto, there shall be submitted to the voters the ordinance or ordinances upon which a vote is requested by petition, if any vote be so requested, and upon which a vote has not been taken at or within the time elsewhere specified in this charter. This section is prohibitory and mandatory.

Substantial compliance.

(12) A substantial compliance with the provisions of this section shall be sufficient for the holding of an election hereunder and the approval or rejection of any measure submitted thereat.

Further regulation.

(13) The council shall, by ordinance, make such further regulations as may be necessary to carry out the provisions of this section and to adapt the provisions of Article IV thereto.

SEC. 2. The referendum.

Mode of protesting against ordinances.

(1) No ordinance passed by the council shall go into effect before thirty days from the time of its final passage, except when otherwise required by the general laws of the State, or by the provisions of this charter, and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and is passed by a unanimous vote of the council; *provided*, that no grant of any franchise shall be construed to be an urgency measure, but all franchises shall be subject to the referendum vote provided in Subdivision 7 of this section. If during said thirty days a petition signed by qualified electors of the city equal in number to at least ten (10) per centum of the entire vote cast at the last preceding general municipal election, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the council to reconsider such ordinance, and if the same be not entirely repealed, the council shall submit the ordinance to the vote of the electors of the city, either at the next general municipal election or at a special election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof.

Preliminaries to filing petition.

(2) Before any petition for the submission of an ordinance to the referendary vote of the electors shall be circulated, an affidavit by or on behalf of its proponents shall be filed with the city clerk containing the following: A copy of the ordinance or measure; a statement in not more than two hundred (200) words giving the opponent's reasons against the adoption of such ordinance; a statement of the intention to secure the repeal of such ordinance, or else its submission to a vote of the electors by the referendary petition; and the address of the party making such affidavit. The council shall have ten (10) days after the filing of such affidavit in which to formulate and send by registered mail to the address given in such affidavit a statement in not more than two hundred (200) words of the reasons why any such ordinance should be adopted. These reasons for and against the adoption of the ordinance shall be printed as a part of the individual certificate forming a part of the petition.

Forms and conditions of petition.

(3) The referendary petition shall consist of individual certificates, signed by qualified electors as many in number as hereinbefore required. The forms and conditions of each certificate and the mode of certification and verification shall be substantially as follows:

(Individual certificate.)

REFERENDARY PETITION TO THE COUNCIL.

REQUIRING THE SUBMISSION AT A SPECIAL (OR GENERAL) MUNICIPAL ELECTION.

(The above heading must be printed in a type of a 24-point roman face, caps and lower case.)

Of that ordinance entitled: (Here insert title of ordinance or measure.)

OPPONENT'S REASONS AGAINST
ADOPTING ORDINANCE.

(Here insert such reasons.)

COUNCIL'S REASONS FOR
ADOPTING ORDINANCE.

(Here insert such reasons.)

I, the undersigned, certify that I hereby join in a petition to the council requiring that it forthwith repeal, or else submit, as provided in the charter, to the vote of the electors of the city of San Rafael, at a special municipal election (or general municipal election), that certain ordinance entitled (here insert title of ordinance), to a copy of which this certificate is attached, passed by the council on the _____ day of _____, 19____.

I further certify: That I have read the ordinance hereby protested against, and the above reasons for and against the adopting of said ordinance, and I am against its adoption; that I am a qualified elector of the city of San Rafael, State of California; that I am not at this time a signer of any other like certificate; that I reside at No. _____ street, between _____ street and _____ street, in said city, and that my occupation is _____.

(Signed) _____

STATE OF CALIFORNIA.

COUNTY OF MARIN.

CITY OF SAN RAFAEL.

} ss.

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate, and that the statements therein are true and correct.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 19____.

(Signed) _____

Verification Deputy (or Notary Public).

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____, No. _____, _____ street, San Rafael, California.

The provisions of Subdivision 4 of Section 3 of this article, applying to recall petitions, shall apply to petitions filed under this section.

Time of election.

(4) If a petition be filed more than thirty days and less than ninety days prior to a general municipal election, the ordinance or measure shall be submitted at such general municipal election; otherwise it shall be submitted at the next general municipal election, or at a special municipal election called prior thereto, as the council shall decide.

Conduct of election.

(5) Subdivisions six (6), seven (7), eight (8) and twelve (12), of section one (1) of this article, applying to the initiative, shall govern elections held under authority of this section, so far as possible.

Result of election.

(6) If a majority of votes cast on any ordinance or measure submitted on petition or referred by the council on its own motion to the electors, in accordance with the provisions of this section, shall be in favor thereof, it shall go into effect five (5) days after the declaration of the official canvass; otherwise it shall be considered repealed or rejected. The provisions of subdivision ten (10), of section one (1) of this article, relating to conflicting and competing measures under initiative elections, shall apply to conflicting and competing measures under referendary elections.

Franchise measure.

(7) No ordinance passed by the council granting any franchise shall go into effect until the expiration of sixty (60) days from the date it becomes final. At the end of such sixty (60) days such ordinance shall be in force and effect, unless within such period there shall be filed with the city clerk a referendary petition, signed by qualified electors equal in number to ten (10) per cent of the entire vote cast at the last preceding general municipal election, requesting that such ordinance be submitted to the electors at the next occurring general or special municipal election. If such referendary petition is duly filed with the city clerk, requiring that a franchise be referred to a vote of the electors at the next occurring general or special municipal election, and if the applicant for the franchise desires action thereon earlier than the next occurring general or special municipal election, then a special municipal election for the determination of such question may be called by the council; *provided*, that the applicant pay one half of the expenses of such special election as such expense may be determined by the council. In case that such referendary petition is duly filed, such ordinance shall not go into effect until approved by a majority of the voters voting thereon at an election as herein provided.

Reference of measures to popular vote.

(8) Any ordinance or measure that the council or the qualified electors of the city shall have authority to enact, the council may of its own motion submit to the electors for adoption or rejection at a general or special municipal election, in the same manner and with the same force and effect as is provided in this charter for ordinances submitted on petition.

Further regulations.

(9) The council may, by ordinance, make such further regulations as may be necessary to carry out the provisions of this section, and adapt the provisions of Article IV thereto.

SEC. 3. The recall.

Applies to all elective officers.

(1) Every incumbent of an elective office, whether elected by popular vote or appointed thereto to fill a vacancy, shall be subject to removal from office by the proceedings provided in this section. Such proceedings shall be known as recall proceedings, and shall be as follows:

Petition for recall.

(2) A petition signed by qualified electors equal in number to twenty (20) per cent of the entire vote cast at the last preceding general municipal election, requesting the calling of an election to determine whether the incumbent of an elective office shall be removed, shall be addressed to the council and presented to the city clerk. The petition may request that the question of such removal shall be submitted at a special municipal election, or at the next general municipal election.

Form of petition.

(3) The petition for recall and removal from office shall be substantially in the following form.

(Individual certificate.)

PETITION TO THE COUNCIL REQUIRING A SPECIAL MUNICIPAL ELECTION.

(If such be the case.)

FOR THE RECALL OF (NAME OF OFFICER) FROM THE OFFICE OF (NAME OF OFFICE).

REASONS FOR THE RECALL OF
(NAME OF OFFICER)
FROM THE OFFICE OF
(NAME OF OFFICE)

REASONS AGAINST THE RECALL OF
(NAME OF OFFICER)
FROM THE OFFICE OF
(NAME OF OFFICE)

(Here insert the reasons.)

(Here insert the reasons.)

I, the undersigned, certify that I hereby join in a petition to the council requiring that it forthwith submit to the vote of the electors of the city of San Rafael, at a special (or the next general) municipal election, the question whether (name of officer) shall be recalled and removed from the office of (name of office). I further certify that I have read the foregoing reasons for and against the recall of said officer, and believe that he should be recalled; that I am a qualified elector of said city; that I reside at No. _____ street, between _____ street and _____ street, in said city, and that my occupation is _____.

(Signed) _____

STATE OF CALIFORNIA, }
COUNTY OF MARIN, } ss.
CITY OF SAN RAFAEL. }

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate, and that the statements therein contained are true and correct.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 19__.

(Signed) _____

Verification Deputy (or Notary Public).

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____, at No. _____ street, San Rafael, California.

Filing and examination of petition.

(4) Each certificate must be separate, and contain the name of but one signer, who must make oath before a notary public or verification deputy as to the truth of the statements therein. Such certificates shall be fastened together and bound as nearly as may be in lots of one hundred. Upon receipt of such petition, the city clerk shall endorse thereon the time it was received. He shall thereupon examine said petition to ascertain whether it conforms to the requirements of this charter. Within ten (10) days after such presentation, the city clerk must designate whether said petition so conforms, and shall attach thereto his certificate showing the result of his examination, and send by registered mail a copy of said certificate to the person named in said petition to whom it shall be returned. If the petition does not conform to said requirements, the certificate of the city clerk shall designate the defects in the petition and in the individual certificates. If the certificate of the city clerk shows the petition to be insufficient, it may be amended by presentation, within fifteen days after mailing said certificate of the city clerk, of an amended

petition containing additional certificates. The city clerk shall, within seven days after the presentation of such amended petition, make like investigation and determination as to the amended petition, and attach to it a like certificate and mail a copy as aforesaid, and, if his certificate shall show the amended petition to be insufficient, or if no amended petition shall have been presented, the petition shall be returned to the person named therein to whom it shall be returned without prejudice to the filing of a new petition to effect the same purpose. Should any certificate or certificates to the petition not substantially conform to the requirements of this charter, such fact shall not invalidate the petition if a sufficient number of the certificates substantially conform to such requirements. Should the city clerk find that the said petition or amended petition conforms to such requirements, he shall endorse the fact thereon and file and present it to the council.

Statement of intention to circulate petition.

(5) Before any petition for recall is circulated, an affidavit in triplicate by or on behalf of the person or persons proposing such recall shall be made; one to be filed with the city clerk, one to be left by him at the office of the officer sought to be recalled, and one to be sent by him by registered mail to the residence of such officer. Said affidavit shall contain the address of the person or persons making the same, a statement of the intention to circulate a petition for the recall of said officer, containing not more than two hundred (200) words, giving the reasons for such recall. Said officer may, within ten (10) days after the mailing of such affidavit, send by registered mail to the address of the party making such affidavit his answer thereto in not more than two hundred (200) words, and file a copy of such answer with the city clerk. Such statement and answer, if any, shall be printed on each individual certificate. No original petition for recall of any officer shall be presented to the city clerk later than forty (40) days after the filing of the affidavit.

Election under recall petition.

(6) If the officer sought to be removed fails to resign within five (5) days after the recall petition is filed, and the petition requests a special municipal election to be held, the council shall cause a special municipal election to be held within not less than thirty (30) nor more than forty-five (45) days after the filing of said petition to determine whether said officer shall be recalled; but if a general or special municipal election is to occur within ninety (90) days after the filing of said petition, the council may postpone the holding of such election to such general or special election.

Life of petition.

(7) If any question of recall, for which a petition has been filed, be not submitted to the electors of the city within the time specified, such petition shall remain in force until such question has been submitted.

Grounds of recall. Officer's justification.

(8) There shall be printed on the sample and on the official ballots the statement of the reasons for the recall of the officer, and his answer, if any.

Recall ballots.

(9) The ballots at every election at which recall is to be voted upon shall contain the following question: "Shall (name of officer) be removed from the office of (name of office)?" Following the question shall be printed the words "Yes" and "No," on separate lines, with a voting square at the right of each, in which the voter shall stamp or write a cross (X) for or against such recall. All requirements of this charter relating to ballots at general municipal elections shall, so far as applicable, apply to all ballots at every election at which a question of recall is to be voted upon. The call for elections under this section shall be the same as the call for general or special municipal elections.

What constitutes a recall.

(10) After a petition for recall of a person from office has been filed, he may continue to perform the duties of his office until the council has canvassed the returns of the election and declared that a majority of the votes upon the question of his recall was cast in favor thereof, and thereupon said office shall become vacant.

No recall petition for six months.

(11) No recall petition shall be filed against any officer until he has held office for six (6) months.

Ineligibility of recalled official.

(12) Any person who shall have been recalled, or who shall have resigned while recall proceedings were pending, shall not hold any municipal office within one (1) year thereafter.

ARTICLE VI.

CITY OFFICIALS.

Elective officers.

SECTION 1. The elective officers of the city of San Rafael shall be: A mayor, four councilmen, five members of the board of education, a city clerk, a city attorney, a chief of police, a city treasurer, a city assessor, a tax and license collector, and a police judge.

Election and term of office of mayor.

SEC. 2. The mayor shall be elected at the general municipal election to be held in said city of San Rafael on the second Monday in April, 1915, and on the second Monday in April of each second year thereafter, and shall hold office for the period of two years from and after the Monday next succeeding the day of such election, and until his successor is elected or appointed and qualified.

Election and terms of office of councilmen and members of board of education.

SEC. 3. The term of office of councilmen and members of the board of education shall be four years from and after the Monday next succeeding the day of their election, and until their successors are elected or appointed and qualified. Elections for councilmen and members of the board of education shall be held at the general municipal election to be held in said city of San Rafael on the second Monday in April, 1915, and on the second Monday in April of each second year thereafter. At the first general municipal election to be held on the second Monday in April, 1915, there shall be elected in said city of San Rafael four (4) councilmen and five (5) members of the board of education. The said councilmen and said members of the board of education so elected at said first general municipal election shall at their first meeting so classify themselves by lot as that two councilmen and two members of said board of education shall go out of office at the expiration of two years.

Election and terms of office of other elective officers.

SEC. 4. The city clerk, city attorney, chief of police, city treasurer, city assessor, city tax and license collector and police judge shall be elected at the general municipal election to be held in said city of San Rafael on the second Monday in April, 1915, and on the second Monday in April of each fourth year thereafter, and shall hold office for the period of four years from and after the Monday next succeeding the day of such election, and until their successors are elected or appointed and qualified.

Official bonds.

SEC. 5. The city clerk, city attorney, chief of police, city treasurer, city assessor, city tax and license collector and police judge shall respectively, before entering upon the duties of their respective offices, each execute a bond to said city of San Rafael in such penal sum as the council by ordinance may determine, conditions for the faithful performance of his duties, including in said bond the duties of all offices of which he is made ex officio incumbent. Such bonds shall be approved by the mayor. All bonds, when approved, shall be filed with the city clerk; except the bond of the city clerk, which shall be filed with the mayor. All the provisions of any law of this State relating to official bonds of officers shall apply to such bonds, except as herein otherwise provided. Every elective officer of said city of San Rafael, before entering upon the duties of his office, shall take and file with the city clerk the constitutional oath of office.

Vacancies.

SEC. 6. Any vacancy occurring in any elective office provided for in this charter shall be filled by appointment by the council by a majority vote thereof, and the appointee shall hold office for the remainder of the unexpired term of the office so filled. In case the council shall fail, for a period of twenty days after such vacancy shall have occurred, to fill the same, then such vacancy shall be filled by appointment by the board of education by a majority vote thereof.

What constitutes a vacancy.

SEC. 7. A vacancy shall exist in any office when the person elected or appointed thereto fails to qualify, dies, resigns, is removed from office, ceases to be a resident of the city, or absents himself continuously therefrom for a period of more than sixty days without permission from the council, is convicted of a felony, or of a misdemeanor connected with his duties in office, is judicially determined to be incompetent, forfeits his office under any provision of this charter, or is removed from office by judicial proceeding.

Qualification of officers.

SEC. 8. No person shall be eligible to hold any office in said city of San Rafael, whether filled by election or appointment, unless he be a resident and elector therein, and shall have resided in said city for three (3) years next preceding the date of such election or appointment. This section shall not apply to superintendents, principals and teachers in the public schools.

Compensation.

SEC. 9. The mayor and councilmen shall receive no compensation whatever, except while acting as a board of equalization. While acting as a board of equalization the mayor and the councilmen shall each be paid the sum of five (\$5) dollars per day. The city clerk, city attorney, city treasurer, city assessor, city tax and license collector, chief of police and police judge shall severally receive at stated times a compensation to be fixed by ordinance by the council, which compensation shall not be increased or diminished after their election or during their several terms of office. The compensation of all other officers, except as otherwise provided in this charter, whether elected or appointed, shall be fixed from time to time by the council.

Consolidation of offices.

SEC. 10. The council may consolidate the following offices:

- (a) City tax and license collector and city assessor;
- (b) City treasurer and city tax and license collector;
- (c) City clerk and city tax and license collector;
- (d) City clerk and city assessor.

Such consolidation shall be by ordinance adopted, published and recorded as required for general ordinances at least forty (40) days before a general municipal election at which city officers are to be elected.

Appointive officers.

SEC. 11. The council shall appoint a city engineer, a superintendent of streets, a health officer, who shall be a duly licensed physician in accordance with the laws of the State of California, a chief of the fire department, who shall be ex officio fire marshal, and a poundmaster, each of whom shall hold office for the period of four years. The council may consolidate the offices of city engineer and superintendent of streets. All such appointive officers may be removed at any time by a unanimous vote of the council.

Deputyships.

SEC. 12. The council shall have power, by ordinance or by resolution, to create and discontinue offices, deputyships, assistantships, boards and commissions and employments other than those prescribed in this charter, to fix their terms of office, to provide the mode of filling them, to prescribe the duties pertaining thereto, according to its judgment of the needs of the city, and to determine the mode of removing any such officer, assistant or employee.

ARTICLE VII.

THE COUNCIL.

Council the governing body.

SECTION 1. All powers herein granted to and vested in the city of San Rafael shall, except as herein otherwise provided, be exercised by a council, to be designated the council of the city of San Rafael. Said council shall be the governing body of the city, and shall consist of a mayor and four councilmen, and, subject to the express limitations of this charter, shall be vested with all powers of legislation in municipal affairs adequate to a complete system of local government consistent with the Constitution of the State.

President and vice-president.

SEC. 2. The mayor shall be president of the council, and shall preside at its meetings when present. The council shall elect one of its number to be vice-president.

Meetings of council.

SEC. 3. The council shall, by ordinance, provide for the time and place of holding its meetings and the manner in which its special meetings may be called.

Meetings to be public.

SEC. 4. All legislative sessions of the council, whether regular or special, shall be open to the public.

Quorum.

SEC. 5. A majority of the council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and postpone the consideration of pending business in like manner.

Rules of proceeding.

SEC. 6. The council shall determine its own rules of procedure, may punish its members for disorderly conduct and compel their attendance at the council meetings.

Ordinances and resolutions.

SEC. 7. (1) The council shall act only by ordinance or resolution.

Ayes and noes.

(2) The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the proceedings of the council. Upon the request of any member, the ayes and noes shall be taken and recorded on any vote. Every member, when present, must vote.

Majority vote of council.

(3) No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least three members of the council.

Title.

(4) Every ordinance shall be preceded by a brief title which shall indicate the subject and purport thereof.

Enacting clause of ordinance.

(5) The ordaining clause of all ordinances shall be, "The council of the city of San Rafael do ordain as follows": and the ordaining clause of all ordinances adopted in accordance with the provisions of Article V of this charter shall be, "The people of the city of San Rafael do ordain as follows."

Requirements of ordinances.

(6) No ordinance shall be passed by the council on the day of its introduction, nor within five days thereafter, nor at any other time than at a regular meeting, nor until its publication at least once in full in a weekly newspaper published in said city of San Rafael at least three days before its adoption; and in case of amendment being made thereto before the final adoption of the ordinance, it must in like manner be republished in full as amended at least three days before its adoption as amended.

Ordinance required in certain cases.

(7) No action providing for any specific improvement or the appropriation or expenditure of any public money, except a sum less than five hundred (\$500) dollars, for the appropriation, acquisition, sale or lease of public property; for the granting of any franchise; for establishing or changing fire limits; or for the imposing of any penalty, shall be taken except by ordinance; *provided*, that such exceptions be observed as may be called for in cases where the council takes action in pursuance of a general law of the State.

Reconsideration.

(8) When any ordinance is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken except at a meeting of the council held not less than one week after the meeting at which such motion was made.

Signing and attesting.

(9) All ordinances shall be signed by the mayor and attested by the city clerk.

Revision and amendment.

(10) No ordinance shall be revised, re-enacted or amended by reference to its title only; but the ordinance to be revised or re-enacted, or the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted in the method provided in this section for the adoption of ordinances.

Repeal.

(11) No ordinance nor section thereof shall be repealed except by ordinance adopted in the manner provided in this section.

Record of city ordinances.

(12) A true and correct copy of all ordinances shall be kept and certified to by the city clerk in a book marked "City Ordinances." Such record copy, with such certificate, or the original ordinance, shall be prima facie evidence of the contents of the ordinance and of the due passage and publication of the same, and shall be admissible as such in any court or proceeding. Such records shall not be filed in any case, but shall be returned to the custody of the city clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of an ordinance in the usual way.

Council to audit demands.

SEC. 8. All demands against the city of San Rafael, except as otherwise by this charter provided, shall be presented to and audited by the council in accordance with such regulations as it may by ordinance prescribe; and upon the allowance of any such demand, the mayor shall draw a warrant upon the city treasurer for the same, which warrant shall be countersigned by the city clerk, and shall specify for what purpose the same is drawn and out of what fund it is to be paid.

Indebtedness not to exceed moneys provided.

SEC. 9. The council shall not create, audit, allow or permit to accrue any debt or liability in excess of the available money in the treasury that may be legally apportioned and appropriated for such purpose, except in the manner provided in this charter, for incurring indebtedness. No warrant shall be drawn or evidence of indebtedness be issued unless there be at the time sufficient money in the treasury legally applicable to the payment of the same, except as in this charter provided.

Publication of charter and ordinances.

SEC. 10. The council shall cause all ordinances to be properly classified and indexed and kept at the city hall, in a form readily accessible to all persons interested therein, and may from time to time cause the charter of the city and the ordinances in force, either together or separately, to be published in book form.

Annual financial report.

SEC. 11. The council shall cause to be prepared and published within thirty days after the end of each fiscal year, a report showing the financial transactions and financial condition of the city for the fiscal year.

Examination of books, etc.

SEC. 12. The council shall annually employ a competent person, expert in matters of bookkeeping and accounts, to examine the books, condition and affairs of every department, board or officer, and report fully thereon in writing to the council.

ARTICLE VIII.

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS.

The mayor.

SEC. 1. The chief executive officer of the city of San Rafael shall be the mayor. The mayor shall be the presiding officer of the council. He may call special meetings of the council, and must do so upon the request in writing, of a majority of its members. He shall sign the minutes of each of its meetings after they have been entered in the journal by the city clerk and approved by the council. The mayor shall see that the laws of the State of California, the provisions of this charter and the ordinances of the city of San Rafael are strictly enforced and duly observed within said city. He shall take all measures necessary for the preservation of public order and the suppression of mobs, riots and tumults, for which purpose he may use the police force, and, in case such force is inefficient, he may call upon the Governor of the State for military aid. The mayor shall diligently observe official conduct of all officers and employees of the city, and note the manner in which they perform their duties, especially in the collection, administration and disbursement of public funds and property. The books, records and official papers of all departments, boards, officers and employees of the city shall, at all times, be open to his inspection and examination, and he shall use special care to see that such books, records and documents are kept in proper legal form. He shall have general supervision of all departments, public institutions and offices of the city, and shall see that they are lawfully, economically and honestly administered and conducted. The mayor shall see that all contracts and agreements with the city are faithfully kept and performed, and to that end he shall, with the consent of the council, cause legal proceedings to be instituted and prosecuted in the name of the city of San Rafael, against all persons failing, in whole or in part, to fulfill their agreements with said city. The mayor shall have power to administer oaths and affirmations and take affidavits and depositions in all matters relating to the business of the city. The mayor shall sign all conveyances made by the city of San Rafael, and all contracts to which it is a party, and shall acknowledge the execution of all instruments executed by said city that require acknowledgment, and shall sign all warrants ordered drawn by the council. When, by reason of absence from the city or from any other cause, the mayor is temporarily unable to perform the duties of his office, the vice-president of the council shall act as mayor during such temporary absence or disability.

City treasurer.

SEC. 2. It shall be the duty of the city treasurer to receive and safely keep all moneys which shall come into his hands as city treasurer, for all of which he shall give duplicate receipts, one of which shall be filed with the city clerk. He shall pay out said money on warrants signed by the proper officers, and not otherwise, except interest coupons on bonds. He shall make quarterly settlements with the city clerk. He shall exercise such other powers and perform such other duties as may be prescribed or conferred in this charter, by law, or the ordinances of the city.

City assessor.

SEC. 3. It shall be the duty of the city assessor, between the first day of May and the first day of August in each year, to make out a true list of all the taxable property within the city. The mode of making out said list, and proceedings

relating thereto, shall be in conformity with laws now in force regulating county assessors, except as the same may be otherwise provided in this charter or by ordinance. Said list shall describe the property assessed and the value thereof, and shall contain all other matters required to be stated in such lists by county assessors. Said city assessor shall verify said list by his oath, and shall deposit the same with the city clerk on or before the first Monday of August in each year. Said assessor and his deputy shall have power to administer all oaths and affirmations necessary in the performance of his duties.

City clerk.

SEC. 4. It shall be the duty of the city clerk to keep a full and true record of all the proceedings of the council and of the board of equalization. The proceedings of the council shall be kept in a book marked "Records of the Council." The proceedings of the board of equalization shall be kept in a separate book marked "Records of the Board of Equalization." He shall keep a book, which shall be marked "City Accounts," in which shall be entered as a credit all moneys received by the city for licenses, the amount of any tax when levied, and all other moneys received; and in which shall be entered on the debit side all commissions deducted, and all warrants drawn on the treasury. He shall also keep a book, marked "City Tax and License Collector's Account," in which he shall charge the city tax and license collector with all the tax lists, if any, delivered to him, and all licenses delivered to him. He shall credit the city tax and license collector with the delinquent lists returned by him. He shall also keep a book, marked "City Treasurer's Account," in which he shall keep a full account of the transactions of the city with the city treasurer. He shall also keep a book, marked "City Licenses," in which he shall enter all licenses delivered by him to the city tax and license collector. He shall also keep a book, marked "City Ordinances," into which he shall copy all city ordinances, with his certificate annexed to said copy, stating the foregoing ordinance is a true and correct copy of an ordinance of said city, and giving the number and title of said ordinance, and stating that the same has been published or posted according to law. Each of the foregoing books, except the records of the council and the board of equalization, shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein. The city clerk shall also keep a book, marked "Demands and Warrants," in which he shall note every demand against the city, and file the same. He shall state therein, under the note of the demands, the final disposition made of the same; and if the same is allowed and a warrant is drawn, he shall also state the number of the warrant, with sufficient dates. This book shall contain an index, in which reference shall be made to each demand. Upon the completion of the assessment roll for any of the taxes of the city, and levying of the tax thereon, the city clerk shall apportion the taxes upon such assessment roll, and shall deliver it to the officer charged with the duty of collecting taxes. It shall not be necessary to make a duplicate assessment roll. He may appoint a deputy, for whose acts he and his bondsmen shall be responsible; and he and his deputy shall have power to administer oaths and affirmations, to take affidavits and depositions to be used in any court or proceeding in the State, and to certify the same. He and his deputies shall take all necessary affidavits to demands against the city, and certify the same without charge. He shall make a quarterly statement in writing, showing the receipts and expenditures of the city for the preceding quarter, and the amount remaining in the treasury. He shall, at the end of every fiscal year, make a full and detailed statement of the receipts and expenditures of the preceding year, and a full statement of the financial condition of the affairs of the city. He shall perform such other services as this charter and the ordinances of the council shall require.

City attorney.

SEC. 5. It shall be the duty of the city attorney to advise the city authorities and officers in all legal matters pertaining to the business of the city, and to render such other services in the line of his profession as may be required of him by the council.

Chief of police.

SEC. 6. The department of the police shall be under the direction of the chief of police. He shall have all the powers given to peace officers under the laws of this State. He shall have power, and it is made his duty, to preserve the public peace, to suppress riots, tumults and disturbances. He shall have all the powers conferred on sheriffs by the laws of the State. His order shall be promptly executed by the police officers, peace officers or watchmen in the city, and every citizen shall lend him aid, when required, for the arrest of offenders and the maintenance of order and protection of persons and property. He shall execute and return all processes issued to him by legal authority; and it is hereby made his duty to arrest on view, with or without a warrant, persons violating any law of the State or ordinance of the city. It shall be his duty to take persons arrested before the judge of the police court, or a justice of the peace. Persons arrested for violating any of the ordinances of the city may, before or after trial, be confined in the city

prison. He shall perform all duties imposed upon him by the ordinances of the council.

City tax and license collector.

SEC. 7. The city tax and license collector shall collect all taxes, general and special, all city licenses, and such other branches of the city revenue not otherwise provided for as the council, by ordinance, may direct, and pay the same over to the city treasurer daily. He shall at all times keep proper books, showing in detail the amount of money received, by whom, at what time and for what purpose paid, and the funds to which the same is apportioned. He shall also keep a book containing a record of every deed issued by him for or on account of said city for real property sold by him for delinquent taxes. All such books shall at all times, when not in actual use, be open for public inspection. Whenever any person required by any city ordinance to take out a license shall fail, or neglect, or refuse to take out such license, and pay therefor in the manner and at the time as such ordinance provides, or, if any person required to take out any license shall transact, do or carry on any business, trade or occupation without first having procured the requisite license for such trading or carrying on, the city tax and license collector shall report such delinquent to the chief of police, who shall at once take such delinquent into custody, and the city attorney shall prosecute said delinquent in the manner provided by law.

Duties of appointive officers.

SEC. 8. The superintendent of streets, city engineer, chief of the fire department, poundmaster and health officer shall exercise such powers and perform such duties as are prescribed by law, or by this charter, or by any ordinance or resolution of the council.

Health department.

SEC. 9. There shall be a health department, under the management of the board of health. Said board shall consist of five (5) members, namely: The mayor, the city engineer, and the health officer, who shall each be ex officio members of said board, and two citizens who shall be appointed by the council. The health officer shall be president of the board, and the board shall appoint one of its members as secretary. At least one of the appointed members of the board shall be a duly licensed physician in accordance with the laws of the State of California. Said members shall serve without compensation, except the health officer, who shall receive such compensation as the council shall prescribe. The terms of office of the members of the board shall be for two (2) years, and until their successors are appointed and qualified, said term to commence on the date of their appointment. If any appointed member fails to qualify within ten (10) days after his appointment, such appointment shall be void, and a new appointment shall be made for the unexpired portion of the term of said member. Meetings of the board of health shall be held when called by the president, or any three members, and all meetings shall be public. Three members shall constitute a quorum. Said board of health, subject to the ordinances of the city, shall have supervision of all matters pertaining to the sanitary condition of the city. The council shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the board of health may from time to time adopt, and all expenses necessarily incurred by the board of health in carrying out the provisions of law and of this charter shall be provided for by the council.

Fire commission.

SEC. 10. The board of fire commissioners shall consist of five (5) members, as follows: The chairman of the finance committee of the council, the chief of the fire department, and three (3) members to be appointed by the council. The board of fire commissioners shall exercise such powers and perform such duties as may be prescribed or conferred in this charter or the ordinances of the city.

Park commission.

SEC. 11. The several tracts or parcels of land heretofore dedicated to the city of San Rafael, known as parks, and such other tracts of land in said city as may hereafter be acquired, dedicated or set apart for public park or playground purposes, shall be managed and controlled by a board of five (5) commissioners to be appointed by the council, which shall be termed the board of park commissioners. The board shall elect a president and a secretary, who shall hold office during its pleasure. It shall hold regular meetings at such time and place as it may determine; and special meetings may be called by its president or two members of the board at any time. Its meetings shall be public; three members shall constitute a quorum for the transaction of business; it may adopt rules for its proceedings; and shall cause a record of such proceedings to be kept by its secretary under its direction. Said board of park commissioners shall have power and authority to manage, control and govern the parks of the city of San Rafael, and provide for the maintenance and improvement thereof. It shall cause to be prepared and adopted general plans for the permanent improvement of such parks; cause them to be properly laid out in accordance with such plans, planted with suitable trees, shrubs, flowers, grass, etc.,

and the same to be cared for, cultivated and preserved. It may accept suitable articles donated for the use or adornment of such parks, and cause such articles to be placed therein. It shall employ and discharge all persons employed in or about the city's parks, prescribe their duties, and fix their salary or compensation. It shall supervise and control the expenditures of all money in the park fund of the city treasury. It may adopt and enforce such rules and regulations as it may deem proper to regulate and govern the use of the grounds under its supervision and control. And said board shall exercise such other powers and perform such other duties as may be necessary to carry into effect the purposes of this section and to maintain, beautify and improve the city's public parks. The council shall annually include in the general tax levy a tax of not less than four (4) cents upon each one hundred dollars in valuation of property appearing upon the assessment rolls, for the maintenance and improvement of its parks. Such tax, when collected, together with any other money given, donated, devised or bequeathed to the city for park purposes, shall constitute the park fund, and shall be kept by the city treasurer separate from all other public money, and shall be used and paid out only for the benefit of the city's parks and playgrounds. All expenditures of said fund must be authorized by the board of park commissioners, and all claims payable therefrom must be approved by said board before being presented to or allowed by the council. The council shall, by ordinance, provide for carrying into effect the powers herein granted to the board of park commissioners, enforcing such orders, rules and regulations as it may make concerning the use of the public parks and playgrounds and the preservation of park and playground property.

ARTICLE IX.

PUBLIC LIBRARY.

Management.

SEC. 1. The public library of said city shall be under the management of a board of five (5) trustees, who shall be appointed by the mayor; *provided*, that the first board of library trustees appointed under this charter shall take office on the third Monday of April, 1915, and shall at their first meeting so classify themselves by lot that two of their number shall go out of office at the expiration of two years, and three at the expiration of four years. Library trustees shall not be less than twenty-five years of age, and must have been residents of said city for at least five years prior to their appointment, and shall serve without compensation. The term of office of library trustees shall be four years.

Meetings.

SEC. 2. The board of library trustees shall meet at least once a month at such times and places as they may fix by resolution. Special meetings may be called at any time by three trustees by written notice served upon each member at least three hours before the time specified for the proposed meeting. A majority of the board shall constitute a quorum for the transaction of business. Such board shall elect one of its number president, who shall serve for two years and until his successors is elected, and in his absence shall elect a president pro tem. Such board shall cause a proper record of its proceedings to be kept.

Powers.

SEC. 3. The board of library trustees shall have power:

1. To make and enforce all rules and regulations and by-laws necessary for the administration, government and the protection of the libraries under their management and all property belonging thereto.

2. To administer any trust declared or created for such libraries, and to receive by gift, devise or bequest, and hold in trust or otherwise, property situated in this State or elsewhere, and, where not otherwise provided, dispose of the same for the benefit of such libraries.

3. To prescribe the duties and powers of the librarian, secretary and other officers and employees of any such libraries; to determine the number of and appoint all such officers and employees, and to fix their compensation, which said officers and employees shall hold their offices or positions at the pleasure of said board.

4. To purchase necessary books, journals, publications and other personal property.

5. To purchase such real property, and erect or rent and equip such buildings or building, room or rooms, as may be necessary, when in their judgment a suitable building, or portion thereof, has not been provided by the council.

6. To require the Secretary of State and other state officials to furnish such libraries with copies of any and all reports, laws and other publications of the State not otherwise disposed of by law.

7. To borrow books from, lend books to and exchange the same with other libraries, and to allow non-residents to borrow books upon such conditions as they may prescribe.

8. To provide memorial tablets, niches or other means to perpetuate the memory of any person who makes donations or bequests to the public library.

9. To enter into any contract with the board of supervisors of the county of Marin, State of California, for the purpose of carrying into effect any of the pro-

visions of an act entitled "An act to provide county library systems," approved April 12, 1909 (California statutes 1909, page 811), or any amendments thereto thereafter adopted.

10. To do and perform any and all other acts and things necessary or proper to carry out the provisions of this article.

Reports.

SEC. 4. The board of library trustees shall, on or before the last day of July in each year, make a report to the council giving the condition of the library on the thirtieth day of June preceding, together with a statement of their proceedings for the year then ended, and forward a copy thereof to the state library at Sacramento.

Tax.

SEC. 5. The council shall, in making the annual tax levy and as part thereof, levy a tax for the purpose of maintaining such library and purchasing property necessary therefor, which tax shall be in addition to other taxes permitted by this charter. Such tax shall not be less than seven tenths of one mill on each dollar of assessed valuation.

Funds.

SEC. 6. The revenue derived from said tax, together with all money acquired by gift, devise, bequest or otherwise for the purpose of the library, shall be apportioned to a fund, to be designated the library fund, and shall be applied to the purposes herein authorized. If such payment into the treasury should be inconsistent with the conditions or terms of any such gift, devise or bequest, the board shall provide for the safety and preservation of the same, and the application thereof to the use of the library in accordance with the terms and conditions of such gift, devise or bequest. Payments from this fund shall be made upon warrants issued after due audit by, and an order from the library trustees, which warrant shall be signed by the president and secretary of said board of library trustees. The city treasurer shall pay such warrants without any further order or warrant from any other authority.

Privileges.

SEC. 7. The public library shall be forever free to the inhabitant and non-resident taxpayers of the city, subject always to such rules, regulations and by-laws as may be made by the library trustees; and *provided*, that for violations of the same a person may be fined or excluded from the privileges of the library.

Loan of books.

SEC. 8. The library trustees and the legislative bodies of neighboring municipalities, or board of supervisors of the counties in which public libraries are situated, may contract for lending the books of such libraries to residents of such counties or neighboring municipalities upon a reasonable compensation to be paid by such counties or neighboring municipalities.

Title to property.

SEC. 9. The title to all property acquired for the purposes of such library, when not inconsistent with the terms of its acquisition or otherwise designated, shall vest in the city.

ARTICLE X.

POLICE COURT.

Police court.

SECTION 1. There is hereby created in and for the city of San Rafael, a court, which shall be known as the police court of the city of San Rafael.

Judge and qualifications.

SEC. 2. Said court shall consist of one judge, who shall have attained the age of thirty years, and shall be a duly qualified elector of said city.

Exclusive jurisdiction.

SEC. 3. Said court shall have exclusive jurisdiction:

- (1) In all prosecutions for violations of the city ordinances;
- (2) In all actions for the recovery of any fine, penalty or forfeiture, and the enforcement of any obligation or liability prescribed by the city ordinances and in which the sum sued for does not exceed three hundred dollars.

Concurrent jurisdiction.

SEC. 4. Within the city limits, said court shall have concurrent and co-ordinate jurisdiction with township justices' courts in all criminal matters in which said justices' courts now or may hereafter have jurisdiction; and the judge of said police court shall have, as aforesaid, like authority, power and jurisdiction as the justices of the justices' courts. He shall have the powers and perform the duties of a magistrate.

Appeals.

SEC. 5. Appeals may be taken to the Superior Court of the State of California, in and for the county of Marin, from the judgments and orders of said police court, in all cases in which appeals now or hereafter may be taken to said Superior Court from said justices' courts and police courts.

Procedure.

SEC. 6. The provisions of the several codes and of the statutes of this State relative to the procedure in justices' courts are applicable to the procedure in the police court. It may issue all writs and process which may be issued by justices of the peace or justices' courts, and the police judge may certify and take depositions and affidavits. Any warrant, writ, summons or other process issued by the police court may be directed to the chief of police, or to any sheriff or constable, who shall serve and return the same. He shall have power to administer oaths.

When open.

SEC. 7. The police court shall be open for the transaction of business at all times except Sundays and non-judicial days.

Sickness or disability.

SEC. 8. Upon the sickness or disability of the judge of said police court, he may cause to preside in his place any qualified justice of the peace of the county of Marin.

Courtroom, etc.

SEC. 9. The council shall provide a suitable courtroom, dockets, blanks and stationery necessary for the transaction of the business of said police court.

Fines.

SEC. 10. All fines and other moneys received or collected by the judge of said police court, for or on account of the city of San Rafael, shall be paid into the city treasury on the first Monday in each month.

Bailiff.

SEC. 11. The chief of police shall attend, or assign a police officer for attendance, on said court to preserve order therein and enforce its orders and serve its process.

Actions pending.

SEC. 12. All actions and proceedings pending and undetermined in the existing city recorder's court shall be proceeded with, heard, tried and determined in said police court hereby provided for, before said judge, the same as if said actions or proceedings had been actually commenced in said police court.

Justice of the peace.

SEC. 13. Nothing in this charter shall be so construed as to prevent a justice of the peace from holding the office of police judge.

ARTICLE XI.

EDUCATIONAL DEPARTMENT.

School department.

SECTION 1. The school department of the city of San Rafael shall comprise all the schools within the city of San Rafael, the San Rafael school district, and all territory that is now or may hereafter be annexed thereto for school purposes, which shall be known as "San Rafael school district," and which shall succeed to all the obligations, property, rights, and privileges of the San Rafael school district. It shall consist of elementary and secondary schools as now established or that may hereafter be established, and may, at the discretion of the board of education, include technical, industrial, kindergarten and night schools; *provided*, that no school money shall be used for technical, industrial or night school or kindergarten when such use would prevent the board of education from maintaining elementary and secondary schools as provided by law.

School territory.

SEC. 2. All territory included within the limits of the San Rafael school district, or that may hereafter be included within such limits, but not within the city limits, shall be deemed a part of said city for the purpose of holding the general municipal elections, and shall constitute one or more separate elections precincts, and the qualified electors therein shall vote only for members of the board of education and on questions submitted to a vote for the people at special or general elections pertaining to school matters; and said outside territory shall be deemed a part of said city for all matters connected with the school department.

Government.

SEC. 3. The government of the school department of the district shall be vested in a board of education, to consist of five members, to be called members of the board of education, and who shall receive no compensation.

Meetings.

SEC. 4. The board of education shall meet on the first Monday after the election of its members shall have been officially declared, and shall organize by electing one of their number president, and they shall also elect a secretary and fix his salary, and shall meet thereafter at such times as may be designated by resolution, and in the place provided for them by the council. Special meetings may be called by the president of the board of education, or by three members of said board united in a call. All meetings of said board shall be public.

Quorum.

SEC. 5. A majority of the board shall be a quorum, and the affirmative vote of a majority of the board shall be necessary to pass any measure, but a less number may adjourn from day to day and compel the attendance of absent members in such manner as the board may prescribe.

Powers of board of education.

SEC. 6. The board of education shall have entire control and management of the public schools in the city in accordance with the Constitution and general laws of the State, and is hereby vested with all the powers and charged with all the duties provided by this charter and by the general laws of the State for city boards of education.

ARTICLE XII.

REVENUE AND TAXATION.

Tax system.

SECTION 1. The council shall, by ordinance, provide a system for the assessment, levy and collection of all city taxes. During the month of August in each year it shall levy such a tax as may be necessary to raise revenue for the maintenance of the city and the several departments thereof during the fiscal year; but such tax levy for all municipal purposes, except the payment of interest on the bonded debt and the maintenance of the public library, shall not exceed the sum of one hundred (100¢) cents for each one hundred (\$100) dollars of assessed valuation as the same appears upon the assessment roll.

Tax liens.

SEC. 2. All taxes assessed, together with any percentage imposed for delinquency and the cost of collection, shall constitute liens upon the property assessed. Every tax upon personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach as of the first Monday of March in each year, and may be enforced by actions in any court of competent jurisdiction to foreclose such liens, or by sale of the property affected, and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance; *provided*, that when real property is offered for sale for taxes thereon, the same shall be struck off and sold to the city in like case and in like manner and with like effect and with like right of redemption as it may be struck off and sold to the State when offered for sale for state and county taxes; and the council shall have the power to provide for the procedure to be followed in such cases to the city and for the redemption of the property thereafter.

Equalization.

SEC. 3. The council shall meet on the second Monday of August in each year, at ten (10) o'clock in the forenoon of said day, and sit as a board of equalization, and shall continue in session from day to day until all the returns of the assessor have been rectified. They shall have power to hear complaints, and to correct, modify or strike out any assessment made by the assessor, and may, of their own motion, raise any assessment, upon notice to the party whose assessment is to be raised. The corrected list for each tax shall be the assessment roll for said tax for said year. It shall be certified by the city clerk, who shall act as clerk of the board of equalization, as being the assessment roll for said tax, and shall be the assessment roll upon which such tax is to be levied in said year.

ARTICLE XIII.

PUBLIC WORK AND CONTRACTS.

Form of contracts.

SECTION 1. All contracts must be in writing, approved by the city attorney, executed in the name of the city by an officer or officers authorized thereunto, countersigned, numbered and registered by the city clerk in a book kept for that purpose.

Progressive payments on contracts.

SEC. 2. Contracts may provide for progressive payments, if in the ordinance authorizing or ordering the work permission is given therefor; but no progressive payments can be provided for or made at any time which, with prior payments, shall exceed seventy-five per cent of the value of the labor done and the materials

used up to that time, and no contracts shall provide for or authorize the payment of more than seventy-five per cent of the contract price before the completion of the work done thereunder and the acceptance thereof by the proper officer, board or department.

Public work to be done by contract.

SEC. 3. The erection, improvement and repair of all public buildings and works, all street and sewer work, and the furnishing of supplies and materials for the same, or for any use by the city, when the estimate therefor exceeds the sum of five hundred (\$500) dollars, shall be done by contract, and shall be let to the lowest responsible bidder, after advertising for sealed proposals at least once a week for two (2) weeks in a weekly newspaper of general circulation published in said city. Such notice shall specifically state the work contemplated to be done. The council may reject any bid deemed excessive and re-advertise, or the work may be done by the council. If no bid is received, the work may be done by the council.

Advertising.

SEC. 4. The city clerk shall submit a list of blanks and blank books used in the several offices and departments, and the council shall annually fix the prices therefor, and also the price of all job and city advertising and each officer, board or department shall procure such blanks, blank books, job printing and advertising at a price no greater than is so fixed, and certify the bill therefor to the council.

Contracts for lighting.

SEC. 5. No contract for lighting streets, public buildings, places or offices shall be made for a longer period than three (3) years, nor at a higher rate than the minimum price charged private consumers.

Collusion with bidder.

SEC. 6. Any officer of the city, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who shall wilfully mislead any bidder in regard to the character of the material or supplies called for, or who shall knowingly certify to a greater amount of labor than has actually been performed, or to the receipt of a greater amount or different kind of material or supplies than has been received, shall be guilty of malfeasance in office.

Collusion of bidder.

SEC. 7. If any person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other person for the purpose of preventing other bids, then the contract so awarded shall be null and void, and the council shall readvertise, or said work may be done by the council.

Officers interested in contracts.

SEC. 8. No officer shall be interested in any contract made by him in his official capacity, or by any other body or board of which he is a member, and any such contract shall be null and void; and it shall be a felony punishable as provided in section seventy-one of the Penal Code of California for any commissioner or officer to suggest or require of any employee that such employee or any member of his family trade individually, or directly or indirectly, with any certain person, firm or corporation.

Hours of labor.

SEC. 9. The maximum time of labor or service required of any laborer, workman or mechanic employed upon any municipal work, whether employed directly by the city and its officers or by a contractor or sub-contractor, shall be eight hours during any one calendar day.

ARTICLE XIV.

FRANCHISES.

SECTION 1. The council shall have power to designate the terms, conditions and duration of all franchises, subject to the general laws of the State and the provisions of this charter relating thereto; *provided*, that no exclusive franchise shall ever be granted.

SEC. 2. The grant of every franchise or privilege shall be subject to the right of the city, whether reserved or not, to make all regulations which shall be necessary to secure in the most ample manner the safety, welfare and accommodation of the public, including among other things the right to pass and enforce ordinances to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise, and the right to make and enforce all such regulations as shall be reasonably necessary to secure adequate, sufficient and proper service and accommodations for the people and insure their comfort and convenience.

SEC. 3. The grant of every franchise or privilege shall be subject to the right of the city, whether reserved or not, to prescribe and regulate the rates, fares, rentals

or charges made for the service rendered under such franchise. The grant of every franchise for a street suburban or interurban railroad shall provide that all United States mail carriers and all officials, policemen and firemen of the city shall at all times, while in the actual discharge of their duties, be allowed to ride on the cars of such railroad within the boundaries of the city, without paying therefor and with all the rights of other passengers.

SEC. 4. Every grant of any franchise or privilege in, over, under or along any of the streets, highways or public places of the city for railway purposes, shall be subject to the conditions that the person, firm or corporation exercising or enjoying the same shall sprinkle, clean, keep in repair, and pave and repave so much of said street, highway, or other public place as may be occupied by said railway as lies between the railway track, and between the lines of double track, and for a space of two feet on each side of said tracks.

SEC. 5. Every ordinance granting any franchise shall provide that, at the expiration of the period for which the franchise was granted, the city, at its election, and upon the payment of a fair valuation therefor to be made in the manner provided in the ordinance making the grant, may purchase and take over to itself the property and plant of the grantee in its entirety; but in no case shall the value of the franchise of the grantee be considered or taken into account in fixing such valuation. Or it may be provided in the ordinance granting any franchise that the property and plant of the grantee shall, at the expiration of the period for which the franchise was granted, become the property of the city, without any compensation to the grantee.

SEC. 6. Every ordinance granting any franchise may further provide that upon the payment by the city of a fair valuation in the manner provided in the ordinance, the plant and property of the grantee shall become the property of the city by virtue of the grant in payment thereunder, and without the execution of any instrument or conveyance. Or in case it is provided in the ordinance granting any franchise that the property and plant of the grantee shall, at the expiration of the period for which it was granted, become the property of the city without any compensation to the grantee, the property and plant of the grantee shall then become the property of the city by virtue of the grant and without the execution of any instrument or conveyance.

ARTICLE XV.

MISCELLANEOUS.

When charter takes effect.

SECTION 1. This charter shall take effect on the first day of July, 1913.

First election under this charter.

SEC. 2. The first general municipal election under this charter shall be held on the second Monday in April, 1915. The board of trustees of the city of San Rafael in office at the time this charter takes effect shall provide for the holding of the first election under this charter, shall canvass the votes and declare the result of said election. The amount of the bonds of all officers elected at such election shall be fixed by said board of trustees at least thirty days prior to such election.

Terms of incumbents in office.

SEC. 3. The members of the board of trustees and all other elective officers of the city of San Rafael in office at the time this charter takes effect shall continue to hold office and discharge their respective duties until the election and qualification of the officers first elected under this charter; *provided*, that the said board of trustees shall constitute the council, the president of the board of trustees shall perform the duties of mayor, trustees shall perform the duties of councilmen, and the city recorder shall perform the duties of police judge, and the marshal shall perform the duties of chief of police. The term of each of the other officers in office at the time this charter takes effect shall cease and terminate when the council first elected thereunder shall by resolution so declare.

Existing ordinances to continue in force.

SEC. 4. All city ordinances, resolutions and regulations in force at the time this charter takes effect, and not inconsistent with the provisions thereof, are hereby continued in force until the same shall be duly amended or repealed.

Conduct of legal proceedings.

SEC. 5. The city attorney shall be the prosecuting attorney in behalf of the people in all criminal cases arising from violations of the provisions of this charter and the ordinances of the city and shall attend to all suits and proceedings in which the city may be legally interested; *provided*, the council shall have control of all litigation of the city, and may employ other attorneys to take charge of any litigation or to assist the city attorney therein.

Violation of charter and ordinances.

SEC. 6. The violation of any provision of this charter, or of any ordinance of the city, shall be deemed a misdemeanor, and may be prosecuted by the authorities

of the city in the name of the people of the State of California, or may be redressed by civil action, at the option of said authorities. Any person sentenced to imprisonment for a violation of the provisions of this charter, or of any ordinance, may be imprisoned in the city jail, or in the Marin county jail, in which latter case the expense of such imprisonment shall be a charge in favor of such county against the city of San Rafael.

Meaning of words.

SEC. 7. The word "city" wherever it occurs in this charter means the city of San Rafael, and every commissioner, board, officer, or employee wherever mentioned in this charter, means the commissioner, board, officer, or employee, as the case may be, of the city of San Rafael. The word "council" when used in this charter means the council of the city of San Rafael.

Provisions for election.

SEC. 8. If, for any reason, the first general municipal election is not held on the day herein provided for, the validity of this charter and of such election is not affected thereby, and the board of trustees of the city of San Rafael then in office must provide for the holding of such election as soon as possible thereafter.

Illegal approval of demands.

SEC. 9. Every officer who shall approve, allow or pay any demand on the treasury not authorized by law, ordinance, or this charter, shall be liable to the city, individually, and on his official bonds for the amount of the demand so illegally approved, allowed or paid.

Women eligible to office.

SEC. 10. Nothing in this charter shall be construed as prohibiting the election or appointment of women to any office, and the words used in this charter in the masculine gender shall include the feminine.

Surrender of books and records.

SEC. 11. All officers, boards, commissioners and departments of the city shall, upon vacating office, turn over to their successors all books, papers, documents, records, archives and other property which may be in their possession or under their charge.

Boundaries.

SEC. 12. The boundaries of the city of San Rafael as described in this charter may be altered and the territory embraced therein may be added to or diminished in accordance with the laws of the State of California, covering the annexation and exclusion of territory by municipalities.

Additional duties of officers.

SEC. 13. All officers of the city of San Rafael, elective or appointive, shall, in addition to the duties prescribed in this charter, perform such duties as may be imposed by ordinance or by the general laws of the State of California.

Books and records open to inspection.

SEC. 14. All books and records of the various offices and departments of the city, except those of the police department and the city attorney, shall, during business hours, be open to the inspection of any citizen or taxpayer, who may make copies of any portion thereof. Such copies shall be certified by the officer in charge of the records on payment of a fee of twenty-five cents for each ten folios or fraction thereof.

Fiscal year.

SEC. 15. The fiscal year mentioned in this charter shall commence with the first day of July and end with the thirtieth day of June following of each year.

Petition—Percentage of votes.

SEC. 16. After this charter becomes effective and until after the first general municipal election is held thereunder, the per centum of signatures required to any petition for any of the purposes provided for in Articles IV and V of this charter shall be based upon the entire vote cast in the city of San Rafael at the general election held November 5th, 1912.

Vacancies, how filled.

SEC. 17. In case at any time there should exist a vacancy in office of a majority of the council, then the board of education shall by majority vote forthwith fill such vacancy; *provided*, that should the board of education fail, for a period of ten (10) days after such vacancy shall have occurred, to fill such vacancy, then the same shall be filled by appointment by a majority vote of the board of library trustees.

Amendments.

SEC. 18. This charter may be amended at such times and in such manner as provided in the Constitution of the State of California.

General provision.

SEC. 19. In all matters pertaining to municipal affairs, concerning which no special provision is made in this charter, the general law of the State shall be a part of this charter as far as the same may be applicable.

CERTIFICATE.

WHEREAS, The city of San Rafael, a city containing a population of more than three thousand five hundred inhabitants, as ascertained and established by the census taken under the direction of the Congress of the United States in the year one thousand nine hundred and ten, did, on the twenty-ninth day of May, 1912, at a special election held under and in accordance with the provisions of Section 8, Article XI, of the Constitution of the State of California, elect E. B. Martinelli, L. E. Fleischman, C. B. Atterbury, J. H. Clark, Robert Dollar, C. H. Du Bois, E. S. Rake, H. C. Gieske, L. Johansen, J. B. Lovell, H. B. Meyer, Lawrence Moore, Louis Smith, Frank Riede, and S. A. Pacheco a board of freeholders to prepare and propose a charter for said city;

Be it known, that pursuant to the provisions of the Constitution, and within a period of one hundred and twenty days after the result of said election was declared by the board of trustees of said city, said board of freeholders has prepared and does propose the foregoing as and for the charter of the city of San Rafael. Done in duplicate.

In witness whereof, we have hereunto set our hands this the twenty-seventh day of September, one thousand nine hundred and twelve.

E. B. MARTINELLI,
President of board of freeholders.
L. E. FLEISCHMAN,
Secretary of board of freeholders.
HENRY C. GIESKE.
L. JOHANSEN.
J. H. CLARK.
SALVADOR A. PACHECO.
H. B. MEYER.
E. S. RAKE.
J. B. LOVELL.
LAWRENCE MOORE.
FRANK RIEDE.
LOUIS SMITH.
CHAS. H. DU BOIS.

Filed, this 28th day of September, 1912, at 11.30 a.m.

EUGENE W. SMITH,
City Clerk of the City of San Rafael, California.

STATE OF CALIFORNIA, }
COUNTY OF MARIN, } ss.
CITY OF SAN RAFAEL. }

I, Richard Kinsella, president of the board of trustees of the city of San Rafael, State of California, do hereby certify that I now am, and at all times herein mentioned was, the duly elected, qualified and acting president of said board of trustees of the city of San Rafael, county of Marin, State of California; that E. B. Martinelli, L. E. Fleischman, Henry C. Gieske, E. S. Rake, L. Johansen, J. H. Clark, Salvador A. Pacheco, H. B. Meyer, J. B. Lovell, Lawrence Moore, Frank Riede, Louis Smith, Charles H. Du Bois, Robert Dollar and C. B. Atterbury, a majority of whose names appear signed to the foregoing proposed charter were, and each of them was on the 29th day of May, 1912, at a special election held in said city of San Rafael on said day, duly elected by the qualified voters of the said city as a board of freeholders to prepare and propose a charter for said city of San Rafael; that each of said persons so elected was a freeholder and was at the time of said election and had been continuously for more than five years immediately prior thereto a qualified elector of said city of San Rafael; that the foregoing is a full, true and correct copy of said charter prepared by said board of freeholders, and filed in the office of the city clerk of said city of San Rafael on the 28th day of September, 1912, and within one hundred and twenty days after the result of said election was declared by the said board of trustees as required by Section 8 of Article XI of the Constitution of the State; that said proposed charter was then published in *The Independent*, which at all times herein mentioned was, and now is a weekly newspaper of general circulation, printed, published and circulated in said city of San Rafael; that said proposed charter was published three times in said newspaper on the following days of publication, to wit: October 8, 1912, October 15, 1912, and October 22, 1912; that the first publication thereof was made on the 8th day of October, 1912, and within fifteen days after the filing of a copy of said charter as aforesaid in the office

of the city clerk of said city of San Rafael; that, as required by said Section 8, Article XI of said Constitution, a special election was held in said city not less than twenty days, nor more than forty days after the completion of the publication of said charter, to wit: on the 30th day of November, 1912, for the purpose of ratifying said proposed charter as a whole; that by a majority of the votes of the qualified electors voting at said election said proposed charter was ratified as a whole. That the returns of said election was duly canvassed by the board of trustees of said city of San Rafael on the 2d day of December, 1912, and as the result thereof declared as above set forth; and that in all matters and things pertaining to said proposed charter all provisions of said section of the Constitution and the laws of the State of California pertaining to the adoption of said charter have been fully complied with in every particular.

In witness whereof, I have hereunto set my hand and caused the corporate seal of the city of San Rafael to be affixed this 25th day of January, 1913.

R. KINSELLA,

President of the Board of Trustees of the city of San Rafael.

Attest: EUGENE W. SMITH,

City Clerk of the City of San Rafael.

AND WHEREAS, Said proposed charter has been duly presented and submitted to the Legislature of the State of California for approval or rejection without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring therein), That said charter of the city of San Rafael as presented to, adopted and ratified by the qualified electors of said city be, and the same is, hereby approved as a whole as and for the charter of the said city of San Rafael.

MOTION.

Mr. Clark, of Oakland, moved that the privilege of the floor of the Assembly be extended to visiting students of the Oakland Polytechnic High School, and that the names be printed in the Journal to-day.

Motion carried.

STUDENTS OF OAKLAND POLYTECHNIC SCHOOL.

Matilda S. Skinner (Instructor of American Government), Chester R. Clarke, Bernice Daily, Constance Fender, William Barnum, William Smith, Amelia Rohrbach, Hazel K. Worsham, Bernice Davis, Elaine Powell, Helene I. Robertson, Ray W. Fisher, Freda C. Bayley, Marion Busher, Edwin Nilson, Helen Graham, Carlton Obenauer, Pearl Avery, Arthur M. Mack, Lloyd Moore, Walter Meese, Isabel Mooney.

REPORT OF STANDING COMMITTEE:

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following Assembly bills:

Assembly Bill No. 556—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21st, 1872, by adding a new section thereto, to be designated and known as Section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances.

Assembly Bill No. 374—An Act to amend Section 1 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and amended April 14, 1911.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Assembly Bill No. 694—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their skill and labor."

Assembly Bill No. 1942—An Act to ratify and approve an Act entitled "An Act

providing for the disposition of certain property," passed April 21, 1851, and to cure and obviate any and all defects therein to the vesting in the town of Martinez of the lands so granted and released.

Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, relating to threats against life and providing a punishment therefor.

Assembly Bill No. 330—An Act to amend Section 980 of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Assembly Bill No. 214—An Act to amend Section 3247a of the Political Code, relating to the purchase of supplies for the State by boards, committees, and other persons.

Assembly Bill No. 631—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto to be known as Section 396a, relating to the driving of vehicles propelled by motor power or by animal power.

Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Assembly Bill No. 79—An Act to amend Section 607e of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees, instead of establishing a separate county free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

Assembly Bill No. 1659—An Act to amend Section 10 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the appointment of probation officer and his assistants.

Assembly Bill No. 1660—An Act to amend Section 21 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the payment of the expenses of a delinquent person.

Assembly Bill No. 1658—An Act to amend Section 15 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the

punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the duties of probation officers.

Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered 650a, relating to exposure or threats of exposure of paroled or discharged prisoners.

Also: Assembly Concurrent Resolution No. 19—A resolution relative to the adjournment *sine die*, of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

And report that the same have been correctly engrossed, and re-engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF SENATE BILL.

Senate Bill No. 542—An Act to recognize and declare valid all proceedings in Richmond municipal water district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 542 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

Bill read third time.

The question being on the adoption of the emergency clause.

The roll was called, and the emergency clause adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater,

Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—68.

NOES—Mr. Schmitt—1.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1685 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—67.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Smith, Weldon, and Ryan as a committee on Conference on Assembly Bill No. 68 to confer with a like committee from the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At two o'clock and five minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

During third reading of the bill, Mr. Libby moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, strike out all of line five.

Motion carried.

The Speaker appointed Mr. Libby as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 33, with instructions, do now report that the instructions of the Assembly have been carried out.

LIBBY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

Add the following to said bill, at the end thereof: "It shall not be necessary in any action, civil or criminal, to plead or prove the organization or existence of such

corporation, nor the passage, existence, or validity of any ordinance thereof; and courts shall take judicial cognizance thereof without proof."

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 990, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 214—An Act to amend Section 3247a of the Political Code, relating to the purchase of supplies for the State by boards, committees and other persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 214 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Galbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 184 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Galbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 81—An Act to amend section three hundred ninety-six of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 81 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, and Mr. Speaker—62.

NOES—Messrs. Brown, Farwell, and Fish—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 374—An Act to amend section one of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and April 14, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 374 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—70.

NOES—Mr. Guiberson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

Assembly Bill No. 1149—An Act to amend Section 80 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909.

Assembly Bill No. 958—An Act to amend Section 367c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Assembly Bill No. 1507—An Act to amend Section 293 of the Civil Code of the State of California, relative to prerequisite to filing articles and amounts to be subscribed and to be fixed.

Assembly Bill No. 964—An Act to add a new section to the Political Code of the State of California, to be designated as Section No. 3084, relating to the issuance of burial permits.

Assembly Bill No. 1508—An Act to amend Section 295 of the Civil Code of the State of California, relative to oath of officer to subscription of stock and payment of ten per cent.

Assembly Bill No. 1368—An Act re-appropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

Assembly Bill No. 1656—An Act to amend Sections 4 and 11 of an Act entitled "An Act to regulate and license the conducting and operating of employment agencies and to provide a revenue therefrom, for the enforcement of the provisions of this Act and other Acts relating to employment agents and employment agencies," approved March 6, 1909.

Assembly Bill No. 1231—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 1596, relating to advertising for sale judgments against any person rendered in any court in the State of California.

Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relative to certain corporations to state further facts in articles.

Assembly Bill No. 875—An Act to amend Section 288 of the Penal Code, relating to lewd and lascivious acts against children.

Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 1596, relating to sending by mail, or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Assembly Bill No. 696—An Act to amend Section 1723 of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owner's death in certain cases.

And Assembly Bill No. 1949—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1305—An Act to amend section ten $\frac{1}{2}$ of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911.

Assembly Concurrent Resolution No. 1—Approving seventeen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills and joint resolution, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills and resolutions are as follows:

By Mr. Stuckenbruck: An Act to provide for the regulation of smelters and the maintenance and operation thereof in the State of California, and for the licensing and supervision thereof.

By Mr. Libby: An Act to amend sections twenty-seven hundred and sixty-one

and twenty-seven hundred and sixty-four of the Political Code of the State of California, relating to permanent road divisions.

By Mr. Schmitt: An Act to add a new section to the Political Code of the State of California, to be known and numbered Section 633a, relating to the licensing of insurance brokers.

By Mr. Cary: An Act appropriating money for work on the state highway known as the "King's River Canyon Road."

By Mr. Shearer: An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

By Mr. Scott: An Act to amend an Act entitled "An Act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, and amended in Chapter 422 of the Statutes of 1907, approved March 21, 1907, and in Chapter 277 of the Statutes of 1909, approved March 19, 1909, by amending sections two (2) and five (5) of said Act and by repealing section four (4) thereof.

By Mr. Gelder: An Act to amend Section 2978 of the Political Code, relating to who shall constitute the State Board of Health.

By Mr. Brown: An Act making an appropriation to pay the claim of M. R. Roberts against the State of California.

By Mr. Chandler: An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

By Mr. Dower: Assembly joint resolution, relative to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Schmitt: Assembly Bill No. 2023—An Act to add a new section to the Political Code of the State of California, to be known and numbered Section 633a, relating to the licensing of insurance brokers.

Bill read first time, and referred to Committee on Insurance.

By Mr. Stuckenbruck: Assembly Bill No. 2024—An Act to provide for the regulation of smelters and the maintenance and operation thereof in the State of California, and for the licensing and supervision thereof.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Libby: Assembly Bill No. 2025—An Act to amend sections twenty-seven hundred and sixty-one and twenty-seven hundred and sixty-four of the Political Code of the State of California, relating to permanent road divisions.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cary: Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as the "King's River Canyon Road."

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Shearer: Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Scott: Assembly Bill No. 2028—An Act to amend an Act entitled "An Act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, and amended in Chapter 422 of the Statutes of 1907, approved March 21, 1907, and in Chapter 277 of the Statutes of 1909, approved March 19, 1909, by amending sections two (2) and five (5) of said Act and by repealing section four (4) thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Gelder: Assembly Bill No. 2029—An Act to amend Section 2978 of the Political Code, relating to who shall constitute the State Board of Health.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Brown: Assembly Bill No. 2030—An Act making an appropriation to pay the claims of M. R. Roberts against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Chandler: Assembly Bill No. 2031—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dower: Assembly Joint Resolution No. 22—Relative to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

Read, and referred to Committee on Federal Relations.

SPEAKER IN THE CHAIR.

At two o'clock and forty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

NOTICE OF MOTION TO RECONSIDER.

Mr. Benedict gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 81 was this day passed.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Ambrose, Mr. John Finlay was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mr. John Fairweather was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mr. Sig. Wormser was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chandler, Mr. D. Newman was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. Fred Baker was granted the privilege of the floor of the Assembly for this day. ;

Through the courtesy of Mr. Chandler, Mr. Roscoe Chandler was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mrs. Anna E. Chase was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mrs. Sara J. Dorr was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. E. T. Loynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. L. R. Eby was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alexander, Mr. George H. Moore was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Farwell, Messrs. C. W. and H. W. Rogers were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Canepa, Mr. John Taylor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuek, Mr. Julian Sontag was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. A. L. Cowell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Woodley, Miss Minerva Herrington was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Collins, Mr. E. Teesdale was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Dr. Duncanson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McDonald, Mr. Jas. J. Wharton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. Geo. W. Blethen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alexander, Mr. J. P. Pryor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. J. Birmingham, Jr., was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. Joseph Shaw was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Richardson, Mr. M. J. McGranahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. J. J. Bachus was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ford, Mr. John Shirley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Messrs. R. C. Irvine and F. M. Woodson were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Dr. A. M. McCollum was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wyllie, Mr. R. C. Hurst was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Beck, Mr. M. G. Callaghan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. F. W. Bennett was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Mr. E. M. McConnell, Jr., was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. W. L. Willis was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. White, Mr. S. C. Baker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Richardson, Mr. Thos. Fox was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. L. W. Judson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nolan, Mr. J. W. Richardson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. A. D. Nash was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Emmons, Mr. R. E. Cronin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. M. Eachen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bush, Mr. H. A. Harris was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, March 15, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—74.

Quorum present.

LEAVES OF ABSENCE.

On motion, leave of absence for the day was granted to Messrs. Woodley, Killingsworth, Dower, Schmitt, Gates and Byrnes.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Slater, its further reading was dispensed with.

PETITION.

The following petition was received and ordered printed in the Journal:

We, the voters of the Fourteenth Senatorial District and the Thirty-sixth Assembly District of Alameda County, California, respectfully urge you, as our representatives, to vote for the passage of the Grant-Bolnhett "red light" injunction and abatement bill—No. 320.

EDITH M. HAMILTON (and others).

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 491—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all Acts, other Acts and parts of Acts in conflict with this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Also: Assembly Bill No. 1002—An Act to amend Section 414 of the Political Code of California, relating to the employees of the Secretary of State, and providing a salary for the same.

Also: Assembly Bill No. 1269—An Act to provide for the compilation, printing, binding, publishing and distribution of a roster of state, county, city and federal officials, election laws and corporation laws.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 19—An Act to amend Section 3658a of the Political Code of the State of

California, relating to maps for assessment purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Civil Service, to whom was referred Assembly Bill No. 1477—An Act to amend Sections 655, 678, 683 and 686 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Ways and Means.

BLOODGOOD, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Civil Service, to whom was referred Assembly Bill No. 1473—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a section, to be numbered and known as Section 13 of said Act.

Also: Assembly Bill No. 1474—An Act to amend Section 14 of an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885,' approved March 23, 1901."

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Medical and Dental Laws.

BLOODGOOD, Chairman.

The above reported bills re-referred to Committee on Medical and Dental Laws.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Civil Service, to whom was referred Assembly Bill No. 1475—An Act to amend Section 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Also: Assembly Bill No. 1476—An Act to amend Section 6 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Medical and Dental Laws.

BLOODGOOD, Chairman.

The above reported bills re-referred to Committee on Medical and Dental Laws.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of

the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of \$1,916, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the state school land fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NOLAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

Also: Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Also: Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Also: Assembly Bill No. 781—An Act appropriating money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Also: Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Also: Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White in the prosecution of criminals in the county of Trinity, State of California.

Also: Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass, and further recommend that they be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Assembly Bill No. 555—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the State Normal School at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the State Normal School at Los Angeles—have had the same under consideration, and respectfully report the same back, with recommendation that it do pass.

STRINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Assembly Bill No. 1633—An Act appropriating money for the purchase of land adjoining the campus of the San Diego State Normal School—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be re-referred to the Committee on Ways and Means.

STRINE, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Assembly Bill No. 1096—An Act to amend Section 1480 of the Political Code, relating to the powers and duties of normal school boards—have had the same

under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STRINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Also: Assembly Bill No. 192—An Act appropriating money for repainting and calceining the training school building at San Francisco State Normal School.

Also: Assembly Bill No. 193—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Also: Assembly Bill No. 1250—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal and Teachers' College, and making appropriations therefor.

Also: Assembly Bill No. 1095—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to proscribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes; and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said State Normal School arising out of such dedication," approved April 15, 1909.

Also: Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

Also: Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Also: Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Assembly Bill No. 78—An Act appropriating money for the equipment of a building for a model rural school at the San Diego State Normal School.

Also: Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Also: Assembly Bill No. 1023—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Also: Assembly Bill No. 1022—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Also: Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Also: Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Also: Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Also: Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Also: Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Also: Assembly Bill No. 268—An Act appropriating money for the construction of a portable building for model rural school at San Diego State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

STRINE, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1374—An Act making an appropriation for the contingent expense

of the Department of Engineering—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to Section 23a of Article IV of the Constitution of the State of California, relating to the limitation of expense for officers and employees of the Legislature.

Also: Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation.

Also: Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 13 of Article XX, relating to elections.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendments ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, to amend section thirteen of article eleven, relating to supervision, regulation and conduct of the affairs of reclamation and drainage districts—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 219—An Act to amend section one thousand two hundred and thirteen of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Also: Senate Bill No. 358—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

Also: Senate Bill No. 689—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Senate Bill No. 1031—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered five hundred twenty-one, relating to claim and delivery of personal property.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 219 read first time, and referred to Committee on Judiciary.

Senate Bill No. 358 read first time, and referred to Committee on Judiciary.

Senate Bill No. 689 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1031 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March 11, 1913, adopted Senate Concurrent Resolution No. 13—Approving certain amendments in the charter of the city of Eureka, in Humboldt County, State of California, voted for and ratified by the qualified electors of said city, at a special municipal election held therein on the 15th day of April, 1912.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 13, read, and referred to Committee on Municipal Corporations.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Scott:

MR. SPEAKER: I request permission to introduce an Assembly bill, the title of which reads as follows: To create a state humane commission, and defining its powers and duties.

Referred to Committee on Introduction of Bills.

By Mr. Alexander:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act concerning fish and game and prohibiting the hunting or taking of the same upon private property under certain circumstances.

Referred to Committee on Introduction of Bills.

By Mr. Bradford:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act creating a reclamation district, to be called and known as "Reclamation District No. 1600," providing for the management and control thereof, and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Bagby:

WHEREAS, A bill is now pending before this body, known and numbered as Assembly Bill No. 75, and respecting the containers for cement and the prevention of the escape of cement dust into rooms where persons are employed; and

WHEREAS, In order that this body may act more intelligently upon said measure, it is deemed advisable that information upon said subject be obtained at first hand; therefore, be it

Resolved, That the Speaker of this Assembly be and he is hereby authorized and directed to appoint a committee of five members of this body to visit such plants manufacturing cement and places where cement is handled, within this State, as said committee in its wisdom shall deem advisable, and to report to this body upon conditions obtaining in said places as the same may be affected by said measure.

Resolution read.

Mr. Inman moved that the consideration of the above resolution be made a special order for one o'clock and thirty minutes p.m. of this day.

Mr. McDonald moved, as an amendment, that the time be made ten o'clock a.m. of Monday, March 17, 1913.

Mr. Wall moved to lay the whole matter on the table.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Ferguson, Finnegan, Fitzgerald, Gelder, Kingsley, McCarthy, McDonald, Nelson, Polsley, Richardson, Shearer, Tulloch, Wall, and Walsh—14.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Fish, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Morgenstern, Murray, Palmer, Pears, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Wyllie, and Mr. Speaker—49.

Amendment of Mr. McDonald refused adoption.

Motion of Mr. Inman adopted.

By Mr. Bohnett:

WHEREAS, There has been published by the Recorder Printing and Publishing Company at San Francisco a volume entitled "Pending Legislation," containing a summary of subjects and a synopsis of all bills and resolutions introduced during the first half of the session; and

WHEREAS, This will be of material aid to the members in their perusal of the various subjects; therefore,

Resolved, That the Chief Clerk be and he is hereby authorized and directed to purchase eighty-five copies of said "Pending Legislation" for the use of the members of the Assembly.

Resolution read, and referred to Committee on Contingent Expenses.

By Mr. Brown:

Resolved, That the Committee on State Prisons and Reformatory Institutions are hereby instructed and empowered to inquire whether prisoners confined in San Quentin and Folsom state prisons are now, or have been within the last two years, subjected to cruel and unusual punishments, and especially to what extent the straitjacket is being used at said prisons upon prisoners confined in said prisons or in any of the reformatory institutions of this State for the purpose of discipline or punishment; and said committee is hereby directed to report to the Assembly in writing the result of their investigations as soon as practicable. That said committee have full power to subpoena witnesses, administer oaths, take testimony, send for persons, books, and papers, and that a stenographer be assigned to said committee, and that said committee have leave to visit San Quentin and Folsom prisons, and to hold meetings at said prisons.

Resolution read, and on motion referred to Committee on Prisons and Reformatories.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Benedict moved that the vote whereby Assembly Bill No. 81 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—60.

NOES—Mr. White—1.

MOTION.

Mr. Benedict moved that action on Assembly Bill No. 81 be deferred until Monday, March 17, 1913, to be taken up under the head of unfinished business.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1109—An Act to amend Sections 1 and 7 of an Act entitled “An Act to establish and support a bureau of labor statistics,” approved March 3, 1883, and to add a new section thereto, to be designated as Section 3a, relating to the duties and powers of the Commissioner and his appointees.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, section 1, line 7, after the word “be,” insert the words: “known as.”

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1017—An Act to amend an Act entitled “An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county,” approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 92—An Act to provide for prompt relief and medical attention in case of accidents to employees and travelers upon railroads by compelling common carriers by railroads to maintain hospital cars.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 1, add after the word “railroad” the following: “other than street railways.”

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 2, line 6, add after the word “train” the following: “where the ordinary hospital service is not immediately available.”

Amendment adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 1328—An Act to repeal an Act entitled “An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act,” approved March 18, 1905.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1330—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1422—An Act to provide for the washing and cleaning of raw material used in the manufacture of shoddy and for the inspection of machinery used in the manufacture of shoddy and of places where the same is manufactured, stored or sold and for the inspection of shoddy manufactured without this State and offered for sale herein and to provide penalties for the violation thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1567—An Act to amend an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and to provide for officers of said courts, and to fix the compensation of certain officers thereof," which Act became a law under constitutional provision, without the Governor's approval, March 5, 1901; by adding a new section thereto, to be numbered 10½, relating to the selection of jurors and the impaneling of juries in such courts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 34, after the word "bailiffs," where it first appears, and before the word "of," insert the following: "or to any police officer of said city."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 34, after the word "bailiffs," and before the word "shall," insert the following: "or police officer."

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 15, after the word "bailiffs," insert the following: "or police officers."

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 2, after the word "bailiff," insert the following: "or police officer."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1581—An Act to provide for the recovery of damages by a husband, wife, child, parent, guardian, employer or other

person, from any person or persons, accepting or taking or assisting in any way in the accepting or taking of money or other thing of value in any game of chance, prohibited by the laws of this State.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 2, after the word "Persons," insert the following: "other than any person or persons participating in any game of chance prohibited by the laws of this State."

Also: On page 2, strike out all of lines 19 and 20.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 353—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out all of the title after the words "An Act," and insert in lieu thereof the following: "declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur or which are used for such purposes, and providing for the abatement and prevention of such nuisances by injunction and otherwise."

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 11 and 12, strike out the words "and shall be enjoined and abated," and insert in lieu thereof the following: "which shall be enjoined, abated and prevented."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 17, after the comma following the word "California," insert the word "must."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 2, after the word "may," insert a comma.

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 3, strike out the word "said," and insert in lieu thereof the following: "and prevent such."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 5, strike out the word "said," and insert in lieu thereof the word "such."

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 7, strike out the word "said," and insert in lieu thereof the word "such."

Amendment adopted.

AMENDMENT No. 8.

On page 2, strike out all of lines 8, 9, 10, 11, 12 and 13, and insert in lieu thereof the following: "Sec. 4. The complaint in such action must be verified unless filed by the district attorney. Whenever the existence of such nuisance is shown in such action to the satisfaction of the court or judge thereof, either by verified complaint or affidavit, the court or judge shall allow a temporary writ of injunction to abate and prevent the continuance or recurrence of such nuisance."

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 19, after the word "dismissed," insert the following: "by the plaintiff or for want of prosecution."

Amendment adopted.

AMENDMENT No. 10.

On page 2, strike out the words "If the court," in line 22, all of lines 23, 24, 25, and the words "prosecute said action to judgment" in line 26, and insert in lieu thereof the following: "in case of failure to prosecute any such action with reasonable diligence, or at the request of the plaintiff, the court, in its discretion, may substitute any such citizen consenting thereto for such plaintiff."

Amendment adopted.

AMENDMENT No. 11.

On page 2, line 28, strike out the words "may be taxed to," and insert in lieu thereof the following: "shall be taxed against."

Amendment adopted.

AMENDMENT No. 12.

Strike out all of lines 29 to 37, inclusive, on page 2, and all of lines 1 to 8, inclusive, on page 3, and insert in lieu thereof the following: "Sec. 6. Any violation or disobedience of either any injunction or order expressly provided for by this Act shall be punished as a contempt of court by fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than one month nor more than six months, or by both such fine and imprisonment."

Amendment adopted.

AMENDMENT No. 13.

On page 3, line 14, after the word "conducting," insert the following: "maintaining, aiding or abetting."

Amendment adopted.

AMENDMENT No. 14.

On page 3, strike out the word "if" in line 18, all of lines 19 and 20, and all of line 21 to and including the period, and insert in lieu thereof the following: "While such order remains in effect as to closing, such building or place shall be and remain in the custody of the court."

Amendment adopted.

AMENDMENT No. 15.

On page 3, strike out all of lines 27 to 31 inclusive, and insert in lieu thereof the following: "Sec. 8. The proceeds of the sale of the property, as provided in the preceding section, shall be applied as follows:

First—To the fees and costs of such removal and sale;

Second—To the allowances and costs of so closing and keeping such building or place;

Third—To the payment of plaintiff's costs in such action;

Fourth—The balance, if any, shall be paid to the owner of the property so sold.

If the proceeds of such sale do not fully discharge all such costs, fees and allowances, the said building and place shall then also be sold under execution issued upon the order of the court or judge and the proceeds of such sale applied in like manner."

Amendment adopted.

AMENDMENT No. 16.

On page 3, strike out all of lines 32 to 37, inclusive, and insert in lieu thereof the following: "Sec. 9. If the owner of the building or place has not been guilty

of any contempt of court in the proceedings, and appears and pays all costs, fees and allowances which are a lien on the building or place and files a bond with sureties, to be approved by the clerk, conditioned that he will immediately abate any such nuisance that may exist at such building or place and prevent the same from being established or kept thereat within a period of one."

Amendment adopted.

AMENDMENT No. 17.

On page 4, strike out all of lines 8 to 12, inclusive, and insert in lieu thereof the following: "Sec. 10. Whenever the owner of a building or place upon which the act or acts constituting the contempt shall have been committed, or of any interest therein, has been guilty of a contempt of court and fined therefor in any proceedings under this Act, such fine shall be a lien upon such building and place to the extent of the interest of such person therein enforceable and collectible by execution issued by the order of the court."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 580—An Act to amend Section 628c of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1896—An Act to amend Section 374½ of the Penal Code of the State of California, relating to the pollution of streams.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 754—An Act to amend Section 14 of an Act entitled "An Act to create a fireman's relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 20, 1905.

Bill read second time, and ordered to engrossment and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 383—An Act providing for the acceptance of the United States ship Portsmouth by the State of California from the Government of the United States, and providing for the care and preservation of the same.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 119—An Act to amend Section 452a of the Civil Code, relating to the incorporation of mutual benefit associations.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

During third reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, after the word "to," where it appears the second time, and before the word "cities," insert the word "incorporated."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 11, strike out the words "a point within" after the word "curb line" and before the word "of" insert the following: "or if there be no curb line then up to the property line."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 13, after the word "supplied," change the period to a comma, and insert the following: "and that no charge shall be made for meter installation."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 16, strike out the period, and add a comma, and insert the following: "*provided, however,* that this Act shall not apply to any corporation formed to supply water to any city or town, when such city or town owns or operates a plant or system for supplying water to the inhabitants of such city or town."

Amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

During third reading of the bill, the following amendment was submitted by the committee.

On page 2, line 10, strike out the period and add a comma, and insert the following: "*provided, however,* this Act shall not apply to any corporation formed to supply water to any city or town, when such city or town owns or operates a plant or system for supplying water to the inhabitants of such city or town."

Amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 18, after the words "livery stable," insert the following: "blacksmith shop."

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1889, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 326—An Act to repeal Sections 768, 711, 866 and 869 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 326 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Sutherland, Walsh, Weisel, Weldon, White, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 326 was this day passed.

Assembly Bill No. 148—An Act to amend section eight hundred and seventy-four of that certain Act entitled “An Act to provide for the organization, incorporation and government of municipal corporations,” approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 148 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bradford, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Ferguson, Finnegan, Fish, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Polsley, Richardson, Ryan, Scott, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, White, and Mr. Speaker—42.

NOES—Messrs. Bloodgood, Guill, Palmer, and Weldon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 327—An Act to repeal section eight hundred twelve of the Act entitled “An Act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 327 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bowman, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Ferguson, Finnegan, Fish, Ford, Gabbert, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Libby, McCarthy, McDonald, Morgenstern, Mouser, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—45.

NOES—Mr. Murray—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late Civil War, and to provide for relief to such soldiers, sailors and marines, under certain circumstances.

During third reading of the bill, Mr. Stuckenbruck moved that the

Speaker appoint Mr. Bloodgood as a select committee of one to amend the bill as follows:

On page 1, line 9, strike out the period after the word "leave," and insert in lieu thereof a semicolon, and add the following: "*provided*, that said sum of twelve dollars per month shall be granted to said soldier, sailor or marine who has served in the Spanish-American war or Philippine insurrection, only by reason of permanent disability resulting from such service, rendering him unable to earn a competence at any regular occupation; such permanent disability to be determined by a certificate from a licensed physician and verified testimony of two witnesses."

Motion carried.

The Speaker appointed Mr. Bloodgood as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 51, with instructions, do now report that the instructions of the Assembly have been carried out.

BLOODGOOD, Select Committee.

Report of select committee and amendment adopted. .

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 653 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Gabbert, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 330—An Act to amend section nine hundred eighty of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 330 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fish, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, White, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

Also: Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Also: Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

Also: Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Also: Assembly Bill No. 444—An Act to amend Section 1576a of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

Also: Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Also: Assembly Bill No. 601—An Act to repeal Section 1624 of the Political Code of the State of California, requiring the appointment of school census marshals.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WYLLIE, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 437—An Act to amend Section 1583 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

Also: Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, as amended.

WYLLIE, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto, by the governing boards of irrigation, reclamation and drainage districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JUDSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds, and to the eradication of insect pests and diseases, prescribing his duties and powers—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

JUDSON, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILL—(RESUMED).

Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, relating to threats against life and providing a punishment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1268 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Richardson, Roberts, Ryan, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Fitzgerald moved that when the Assembly adjourn this day, it do so until one o'clock p.m. of Monday, March 17, 1913.

Mr. Johnson moved as an amendment that the time be ten o'clock a.m., instead of one o'clock.

Amendment adopted.

Motion, as amended, carried.

SPECIAL ORDER.

The special order heretofore set was taken up for consideration.

The question being upon the adoption of the resolution of Mr. Bagby, concerning Assembly Bill No. 75.

During consideration of the resolution, the following amendment was submitted by Mr. Finnegan:

Amend last paragraph by striking out all after the word "Resolved," and adding the following: "That the members of the Committee on Labor and Capital are hereby authorized to visit plants manufacturing cement and vessels and freight cars where cement is being handled, within this State, as said committee in its wisdom shall deem advisable, and to report to this body upon conditions obtaining in said places as the same may be affected by said measure."

Mr. Bloodgood moved that the whole matter be postponed until Thursday, March 20, 1913.

Motion lost.

The question being upon the adoption of the amendment.

Roll call regularly demanded.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Messrs. Alexander, Bloodgood, Bush, Canepa, Collins, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Hayes, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Richardson, Ryan, Scott, Shannon, Tulloch, Wall, Walsh, Weisel, and White—28.

NOES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C. Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Murray, Palmer, Peairs, Polsley, Roberts, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weldon, Wyllie, and Mr. Speaker—44.

The following amendment was submitted by Mr. Bagby:

Amend by adding to resolution the following: "That said committee have full power to subpoena witnesses, administer oaths, take testimony, send for persons, books and papers, and that a stenographer and sergeant-at-arms be assigned to said committee."

Mr. McDonald submitted the following amendment to the amendment:

At the end of last line add the following: "The committee is hereby instructed to report back its findings before 7:30 p.m. March 19."

Amendment adopted.

Amendment, as amended, adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with the resolution adopted, the Speaker announced the appointment of Messrs. Bagby, Bloodgood, Cary, McDonald and Weldon as such committee.

MOTION.

Mr. Johnston moved that Assembly Bill No. 1942 be re-referred to Committee on Judiciary, retaining its place on file.

Motion carried.

USE OF ASSEMBLY CHAMBER GRANTED.

On motion of Mr. Guill, the use of the Assembly Chamber was granted to the Committee on Fish and Game, for Wednesday evening, March 19, 1913.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Scott: An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

By Mr. Alexander: An Act concerning fish and game, and prohibiting the hunting or taking of the same upon private property under certain circumstances.

By Mr. Bradford: An Act creating a reclamation district to be called and known as Reclamation District No. 1600; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

By Mr. Mouser: An Act to add a new section to the Penal Code of California, to be numbered 499d, relating to the taking, using, operating or removing, or causing to be taken, used, operated or removed, an automobile or motor vehicle from a

garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Palmer, Polesley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Scott: Assembly Bill No. 2032—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor, and fixing penalties.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Alexander: Assembly Bill No. 2033—An Act concerning fish and game, and prohibiting the hunting or taking of the same upon private property under certain circumstances.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Bradford: Assembly Bill No. 2034—An Act creating a reclamation district, to be called and known as Reclamation District No. 1600; providing for the management and control thereof, and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Mouser: Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California, to be numbered 499d, relating to the taking, using, operating, or removing, or causing to be taken, used, operated, or removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 847—An Act defining the term "quasi public uses," as applied to grants, leases, or approval of leases heretofore made by the State, of tide or submerged lands.

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

Assembly Bill No. 1556—An Act to amend Sections 10g and 10k of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," as amended April 5, 1911, relating to probation officers in counties of the seventh, thirteenth and twenty-third classes and their salaries.

Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Assembly Bill No. 154—An Act to amend Section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justice courts in cities or towns of the second and one half and third classes, and appointments, salaries and duties of same.

And report that the same have been correctly engrossed and re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

Assembly Bill No. 255—An Act to amend Section 1584 of the Political Code, relating to the government of school districts by municipal charter.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1896—An Act to amend Section 374½ of the Penal Code of the State of California, relating to the pollution of streams.

Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Assembly Bill No. 1422—An Act to provide for the washing and cleaning of raw material used in the manufacture of shoddy and for the inspection of machinery used in the manufacture of shoddy and of places where the same is manufactured, stored or sold and for the inspection of shoddy manufactured without this State and offered for sale herein and to provide penalties for the violation thereof.

Assembly Bill No. 580—An Act to amend Section 628c of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams.

Assembly Bill No. 1330—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

Assembly Bill No. 1328—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Assembly Bill No. 754—An Act to amend Section 14 of an Act entitled "An Act to create a fireman's relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 20, 1905.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Clark, Mr. W. H. Robinson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Collins, Mr. E. Teesdale was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. W. J. Lane was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. T. G. Conn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. P. L. Williams was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. M. W. Truitt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gelder, Mr. Henry Hansen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Tulloch, Mr. James W. Corson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. M. McCurrie was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. H. Mort. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Richardson, Mr. Wm. Anderson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roberts, Mr. John W. Sherk was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. J. W. Donohue was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mr. W. W. Phelps was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mr. Wm. T. Densmore was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gabbert, Miss E. Hirschfelder was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. J. B. Logan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mrs. W. N. Thompson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. Andrew P. Hill was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. W. C. Lucas and Mr. John Darling were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. John D. Clark was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. G. Frederick was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. C. W. Emerson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shartel, Mr. J. D. Powell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. T. J. Creason was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. Edgar A. Martin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. John T. Dunn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Canepa, Mr. E. Lawton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Canepa, Mr. Leo Gilbert was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Young, Mr. E. R. Morse was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. George Lull was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. J. J. Backer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. John P. Horgan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. W. Moseley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. W. H. Devlin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. Spiegel was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mr. Alfred C. North was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shearer, Mr. V. F. Fly and son were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Dr. Charlotte Baker and Miss Nussbaum were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Polsley, Mr. J. E. Squires was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Weldon, Mr. T. C. Loynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. John A. Percy was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alexander, Mr. G. H. Moore was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Mr. W. H. Oliver was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock p.m., on motion of Mr. Johnstone, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Monday, March 17, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, March 17, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—73.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, February 3, Tuesday, February 4, Monday, March 10, Tuesday, March 11, Wednesday, March 12, Thursday, March 13, Friday, March 14, and Saturday, March 15, 1913, were approved as corrected by the Minute Clerk.

PETITIONS.

The following petitions were received, and ordered printed in the Journal:

By Mr. Speaker:

To the Assembly of the State of California:

Resolved by the Methodist preachers' meeting, in session in San Francisco this third day of March, 1913, That we appeal to the Legislature to defeat Assembly Bill

No. 1620, which seeks to allow liquor to be sold in the Claremont Hotel in Oakland, which is situated within one mile of the State University, and to pass as a substitute the Ellis-Butler bill, which forbids the sale of liquor within one mile and a half of any university in California.

Respectfully submitted.

E. R. WILLIS, President,
129 Haight St., San Francisco, Cal.

M. J. WILLIAMS, Secretary,
South San Francisco, San Mateo County, Cal.

Also:

To the Assembly of the State of California:

The undersigned hereby protests against the passage of Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

The above was indorsed by vote at a meeting of Trinity M. E. Church, in the city of Berkeley, State of California, on the second day of March, 1913, about 500 being present, and the undersigned was authorized to so report to you.

CHARLES B. DALTON,
Pastor presiding.

Also:

To the Assembly of the State of California:

The undersigned hereby protests against the passage of Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University; but we favor Assembly Bill No. 615, introduced by Assemblyman Ellis, which makes no exemptions.

The above was indorsed by the following members of the congregation of the First Congregational Church in the city of Berkeley, State of California, on the 2d day of March, A. D. 1913, and the undersigned was authorized to so report to you.

HARRY R. MILES, Presiding.

Also:

To the Assembly of the State of California:

The undersigned hereby earnestly petitions your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section No. 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

The above was indorsed by vote at a meeting of the Epworth League Alliance of Alameda County, State of California, on the 1st day of March, A. D. 1913, and the undersigned was authorized to so report to you.

PERCY F. MORRIS, President.

Also:

To the Assembly of the State of California:

The undersigned hereby earnestly protests against the passage of Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University, but recommends Assemblyman Ellis' bill, No. 615, a general bill that makes no exemptions.

The above was indorsed by a vote at a meeting of the Pentecostal Church of the Nazarene, in the city of Berkeley, State of California, on the 2d day of March, 1913, thirty-three voters taking the action, and the undersigned was authorized to so report to you.

H. H. MILLER, Presiding.

Also:

To the Assembly of the State of California:

The undersigned hereby protests against the passage of Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University, but favor Assemblyman Ellis' bill, No. 615, which makes no exemptions.

The above was indorsed by vote at a meeting of the First Christian Church in the city of Berkeley, State of California, on the 2d day of March, 1913, and the undersigned was authorized to so report to you.

H. J. LOKEN, Presiding.

Also:

To the Assembly of the State of California:

The undersigned hereby earnestly petitions your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

The above was indorsed by vote at a meeting of the Shattuck Avenue Methodist Episcopal Church, in the city of Oakland, State of California, on the 2d day of March, A. D. 1913, and the undersigned was authorized to so report to you.

W. W. CASE, Presiding.

Also:

To the Assembly of the State of California:

The undersigned hereby protest against the passage of Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

The above was indorsed by vote at a meeting of the First Presbyterian Church, in the city of Berkeley, State of California, on the 9th day of March, 1913, and the undersigned was authorized to so report to you.

J. EDSON KELSEY, M.D., Presiding.

Also:

To the Assembly of the State of California:

The undersigned hereby petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University; but we favor Assembly Bill No. 615, introduced by Assemblyman Ellis, which makes no exemptions.

The above was indorsed by vote at a meeting of the First Presbyterian Church, in the city of Berkeley, State of California, on the 9th day of March, 1913, and the undersigned was authorized to so report to you.

J. EDSON KELSEY, M.D., Presiding.

Also:

To the Assembly of the State of California:

The undersigned hereby earnestly petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

We favor Assembly Bill No. 615, introduced by Assemblyman Ellis, which has no exemptions as to territory.

The above was indorsed by vote at a meeting of the Fisherman's Bible Class of the Brooklyn Presbyterian Church, in the city of Oakland, State of California, on the 9th day of March, 1913, and the undersigned was authorized to so report to you.

ALEX. GRANGER, Presiding.

Also:

To the Legislature of the State of California:

ESTEEMED LEGISLATORS: We, the undersigned citizens of this State, whose homes are protected through membership in fraternal benefit orders, respectfully petition that the present law governing fraternal benefit orders now on our statutes be amended by the incorporation of the amendments agreed upon jointly by the conference of the Insurance Commissioners' Convention representing the interests of the State and the National Fraternal Congress, Associated Fraternities of America, and the Federated Fraternities, representing the interests of the fraternal benefit orders, and we refer you for information on this subject to the Insurance Commissioner of this State.

AMANDA THULIN (and others).

Also:

To the Legislature of the State of California:

GENTLEMEN: The undersigned, employees of various fruit canneries, respectfully petition you to cast your influence and vote against Senate Bill No. 406, now before the State Legislature. By said bill it is proposed to limit to eight hours the work-day of women engaged in work on perishable fruits. With the existing conditions we are well satisfied and are greatly opposed to any change whereby our hours would

be shortened. We are dependent on the harvest season to produce our income for the entire year; hence any action such as proposed by bill No. 466 would seriously interfere with our means of livelihood. We ask for your thorough investigation of this matter in your own district, confident that in justice to us you will oppose this bill.

MRS. HAINES (and others).

By Mr. Slater:

To the Honorable Members of the Legislature:

WHEREAS, The harvesting, cutting fresh fruit, packing and canning, is done out of doors or in sanitary, well ventilated buildings;

WHEREAS, The season of harvest is short, in most localities less than sixty days;

WHEREAS, The work is light, being principally piece work, which does not necessitate our working long hours unless we so desire;

WHEREAS, The work being light, and no great strain on body or mind, is pleasant and remunerative; and from our knowledge of the business, we believe it would be a needless and unjust restriction to limit us to eight hours of labor.

Now, we, the undersigned women of Sonoma County, who have worked in occupations above referred to, respectfully urge that the handling of perishable products be excepted, as the law now stands, and we urge our representatives in the Legislature to see that any legislation whose purpose is to restrict hours of labor, and particularly Senate Bill No. 466, be amended accordingly.

MRS. LOTTIE CONSIGLARI (and others).

By Mr. Ferguson:

We, the undersigned, who have worked in the canneries, and who wish to work in canneries in the future, respectfully ask that no law be passed prohibiting us from working in canneries more than eight hours per day. The season is short and some days when fruit is slow in ripening we only get four or five hours' work. We are glad to work longer on days when work is given, as the fruit will not keep and we need the money. We get all the fruit we want to eat and the work is healthy. None of the people in the cannery where we work have ever complained or asked to have such a law, known as the eight hour law, passed.

Yours respectfully,

CARRIE KLEINER (and others).

By Mr. Chandler:

DEAR SIR: We, the undersigned, Fresno members of the California Drug Clerks' Association, drug store proprietors, and practicing physicians, do respectfully but earnestly petition you as our representative to vote and use your influence against Senate Bill No. 182, introduced by Senator E. S. Birdsall, of Placer County, and entitled an Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

The people of the State of California do enact as follows:

Section 16 of said Act is amended to read as follows:

16. The following drugs, chemicals, medicines, and remedies may be sold by grocers and dealers generally, without restriction and without fee, permit or license being required of them, viz: Tincture of arnica, spirits of camphor, almond oil, distilled extract of witch hazel, paregoric, syrup of ipecac, syrup of rhubarb, hive syrup, spirits of nitre, tincture of iron, epsom salts, Rochelle salts, senna leaves, carbonate of magnesia, seidlitz powders, quinine, cathartic pills, camomile flowers, caraway seed, chlorate of potash, moth balls, plasters, salves, ointments, peroxide of hydrogen, copperas, gum camphor, blue ointment, asafetida, saffron, anise seed, saltpetre, glauher salts, vaseline, turpentine, condition powders, cream of tartar, carbonate of soda, bay rum, essence of Jamaica ginger, essence of peppermint, ammonia, alum, castor oil, sodium bicarbonate, chloride of lime, glycerine, witch hazel, borax, sheep dip, sulphur, bluestone, flax seed, insect powder, fly paper, ant poison, squirrel poison, gopher poison, and arsenical preparations used for orchard spraying when prepared and sold in original packages and labeled with the official poison label.

We urge you to oppose this measure because it is obviously unfair to the members of our profession who have been required by law to properly qualify themselves and to pass an examination before being licensed to deliver to the public the heretofore enumerated drugs, chemicals, medicines, and poisons. Because it would, we fear, jeopardize the public health by placing the sale of those articles in the hands of those utterly untrained in the handling of drugs, medicines, and poisons. Should this bill become a law, it would be possible for a child to go to a grocery store and purchase a package of arsenic mixed with glucose, an ounce or a pound of potassium cyanide, one of the most deadly poisons, a package of phosphorus paste, or a dozen other articles equally as dangerous. He, moreover, could buy them of another child or person ignorant of their nature. No one could ascertain from the label where he procured them, or who sold them. In fact, it would be nobody's business

to inquire, unless perchance the coroner became curious, and, being so handicapped, he could only render a verdict of accidental death.

It is unfortunate for the lady who mailed the poisoned candy some years ago that she did not wait for the Birdsall bill to become a law. She could then have had her arsenic delivered with her groceries, and could have gone merrily on putting her rivals out of the way, for the authorities would have had no tell-tale poison register to introduce in court. They would have been compelled to confine their investigations as to where the poison was obtained to casual inquiries of all the grocers and dealers generally throughout the State.

The former mail regulations barred poisons in any form. The new parcels post allows them to be sent only by manufacturers, registered pharmacists, and physicians, and only to registered pharmacists and physicians. This bill would allow them to be sold by anyone and to anyone and delivered by anyone.

In this State, one cannot purchase the smallest quantity of gunpowder without furnishing a statement, signed by three witnesses besides the purchaser, setting forth the purpose for which it is to be used. Yet if this bill were to become a law, a mere child could go to a grocer's and purchase an ounce or a pound of cyanide as easily as he could a stick of candy. The sale of carbolic acid in stronger than 10 per cent solution in less than one pound is restricted—a measure made necessary because of the great number of suicides by this heretofore easily purchased dangerous drug. The no-restriction clause would fix that. It could be bought of any girl over the counter of the department store in any sized package, as long as it had the official label of some firm who make no pretensions of even being wholesale druggists, merely bottlers of medicines and poisons, to be sold to the grocers and dealers generally for profit. We cannot but feel that there is more than a shade of suspicion of these bottlers, whose avarice prompts them to endeavor to gain the privilege of practicing pharmacy, regardless of the welfare of the public. They seek to amend the law, rather than amend themselves to the law by being satisfied with a business which the present law very liberally allows them to claim under the rural dealers' permit clause in the present pharmacy law. In most states, and most certainly in all European countries, one must be a pharmacist to practice pharmacy and sell drugs and medicines—a very proper measure for the protection of the public health.

Now as to the official label, we have always understood the official label to consist of the name of the poison, the official antidote adopted by the Board of Pharmacy, and, under all, the name of the firm dispensing same.

We are required to register the name, address, signature, and reason for purchasing same. We are compelled to keep such register open for the inspection of any peace officer in the State. We pay a fee for the privilege of doing this, yet this bill would allow any one but a druggist to do so without fee or restriction of any kind, and they could use any manufacturer's label from Milpitas to Kalamazoo.

There never has been a disposition on the part of the pharmacist to interfere in any way with the sale of those harmless drugs and chemicals which may be classed as foods or technical products, such as bicarbonate of soda, borax, sal soda, cream of tartar, anise seed, mustard, etc. These items, we suppose, have been included in this bill to give color to the idea that at present druggists were attempting to hog it all by monopolizing the sale of those items. There is no more restriction on the sale of those items than there is on the sale of sugar or salt pork. There is no restriction on the sale of patent medicines by anyone.

As before stated, we feel that this bill was gotten up to further the distribution of powerful medicines and poisons through channels foreign to pharmacy and for the benefit of these mercenary manufacturers who place dollars before the health and safety of the people. We have been required by law to properly qualify ourselves before being allowed to practice our profession and are surrounded by many necessary restrictions for the proper safeguarding of the public, and we contend that the skillful and careful sale of drugs and medicines is our business and that the present law needs no amending. Good pharmacies are plentiful all over the State, and where there are none the Board of Pharmacy is very liberal in interpreting the general dealers' permit clause. The present law allows all those drugs that could be safely put into the hands of those utterly ignorant of the profession of pharmacy to be sold by any dealer.

FLOYD C. LYNN (and others).

By Mr. Palmer:

RESOLUTION OF THE GRAND JURY OF NAPA COUNTY.

WHEREAS, At the session of the California Legislature of 1911, an Act was passed providing for the purchase of a site for the establishment of a reformatory; and

WHEREAS, The commission appointed under authority of said Act has purchased a tract of land in Napa Valley, on the east side and near Yountville, for said purpose; be it

Resolved, By the grand jury of Napa County, that it earnestly protests against the establishment of such an institution in Napa Valley.

That in doing this the grand jury is but voicing the sentiment of the people of Napa County, men, women and children.

That the Legislature, now in session, be requested to investigate the matter more fully, and by doing so it is confidently believed that other places can be found offering equal facilities and where the results would not be harmful.

That a copy of this resolution be presented to both the Senate and Assembly by our representatives in said bodies.

W. B. GRIFFITHS, Foreman.

By Mr. Johnstone:

Resolved, That the Woman's Club of Rialto does hereby endorse the Flint-Cary bill, to prohibit the sale of wild game and urges its passage by the California Legislature, as an important measure for the conservation of wild life.

Resolved, That the Woman's Club of Rialto does hereby petition the members of the California Legislature to actively oppose the passage of measures which would remove protection from any of the present non-game birds, especially any laws that would place robins, meadowlarks and blackbirds on the game list.

KATHERINE E. OLIVER, Secretary.

By Mr. Beck:

We, the undersigned, officers and members of San Leandro Civic Center, earnestly request that you cast your vote in favor of the "red light" (Iowa) injunction and abatement Act (Senate Bill No. 320).

(Signed) ALGA E. McLAUGHLIN (and others).

Also:

WHEREAS, There is now pending before the Legislature of the State of California Senate Bill No. 713, entitled "An Act to protect the soil within the State of California and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use, and declaring the use of soil for dredging purposes an extraordinary and uncommon use," etc.; and

WHEREAS, After examination and the careful consideration of the bill, it appears that if enacted by the Legislature it will result in vesting in the organization therein referred to as "The State Water Commission" the power and authority of adjudicating whether or not mining by the dredger process shall continue in Siskiyou County, or elsewhere in the State of California, and contemplates that the tribunal vested with this extensive authority shall finally decide upon each application within thirty days after the hearing thereon, whether or not the area included in such application, or any portion thereof, shall be mined by the dredger process; and

WHEREAS, One of the most important industries in the State of California is the mining industry, and the area suitable for dredging purposes is scattered for hundreds of miles throughout the mineral regions of the State, and by reason of this fact, and of the further fact that because of the geological formation, climatic conditions and geographical locations characterizing the territory wherein dredger mining can be successfully conducted, it will be practically impossible for the organization in question to satisfactorily investigate and pass upon the numerous applications that would have to be submitted to it within any reasonable time; and

WHEREAS, Siskiyou County has throughout its history been one of the most important factors in the maintenance of the prestige of the mining industry in the State of California, and there is located therein vast areas of rich gold-bearing ground especially suitable for mining by the dredger process, and this county has been for a number of years past and is now engaged in advertising its mineral resources, with the view of interesting and encouraging the investment of capital in the county, and promoting in every legitimate way possible the prosperity of its mining industry, and to that end was instrumental in having the Mining Congress of Northern California and Southern Oregon convene at Yreka, the county seat of Siskiyou County, during the year 1912, and on that occasion presented an array of gold and other mineral exhibits to the attendants on that Mining Congress that was pronounced by experts to be one of the finest exhibits that had ever been assembled in the State of California; and

WHEREAS, During the last year more inquiries have been made by intending investors as to the mineral resources of Siskiyou County than at any time in its history, and the prospects for a marked and rapid growth of the mineral industry of the county during the next few years between the date hereof and the close of the Panama-Pacific International Exposition in 1915 are most encouraging; and

WHEREAS, The next few years will be an especially critical time for the mining industry throughout the State of California, and especially in Siskiyou County, and any legislation tending to diminish the net profits to be derived from the mining industry will have not only a temporary but a permanently injurious effect upon

the prospects of the entire State, and especially of those counties having located therein valuable mineral deposits, such as are to be found in Siskiyou County:

Now, therefore, while recognizing fully the patriotism which prompts the action of the supporters of Senate Bill No. 713, hereinabove referred to, on the theory that by favoring that bill they are advancing the agricultural interests of the State, this board respectfully submits that the threatened legislation above referred to, and particularly at this critical time, if enacted, will, in so far as Siskiyou County is concerned especially, in all probability divert from legitimate investment therein within the next two years an amount that will far exceed any benefit that would be derived therefrom in Siskiyou County during the next fifty years, and under these circumstances and because of the fact that this board, after careful consideration, is unanimously and unqualifiedly of the opinion that under no circumstances should the bill above referred to, or any bill having for its object the supervision of the dredging industry as therein contemplated, be enacted if it lies within the power of this board or any representative of Siskiyou County to prevent it; be it

Resolved, That we hereby respectfully offer our services to our representatives in the Legislature, Hon. T. W. H. Shanahan and Hon. W. B. Shearer, in every fair and legitimate effort that may be made by them to defeat the passage of the bill above referred to, and assure them of our earnest desire to co-operate with them to the fullest extent possible in their efforts to protect what promises to be one of the most important industries of Siskiyou County; and be it further

Resolved, That a certified copy of these resolutions under the seal of this board, be sent to Senator Shanahan and Assemblyman Shearer at Sacramento forthwith, to the end that they may be thereby better enabled to protect the interests of Siskiyou County in that connection.

STATE OF CALIFORNIA, }
COUNTY OF SISKIYOU, } ss.

I, W. J. Neilon, county clerk of Siskiyou County, California, and ex officio clerk of the board of supervisors of said county, hereby certify that the foregoing resolutions were unanimously adopted by the board of supervisors of Siskiyou County at a meeting of said board duly and regularly held on the 15th day of March, A. D. 1913.

W. J. NEILON,

County Clerk of Siskiyou County, California, and ex-officio clerk of the board of supervisors of said county.

By Mr. Ellis:

To the Assembly of the State of California:

The undersigned hereby petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University; but we favor Assembly Bill No. 615, by Assemblyman Ellis, which makes no exemptions.

The above was indorsed by vote at a meeting of Knox Presbyterian Church, in the city of Berkeley, State of California, on the 5th day of March, A. D. 1913, and the undersigned was authorized to so report to you.

R. S. EASTMAN, Pastor presiding.

Also:

To the Legislature of California.

GENTLEMEN: We, the undersigned high school teachers of southern California, wish to protest emphatically against the passage of any bill looking toward the establishment of uniformity of text-books in the high schools of this State.

BERENDO INTERMEDIATE HIGH SCHOOL.

By IDA I. JONES (and others).

By Mr. Killingsworth:

To the Legislature of the State of California.

ESTEEMED LEGISLATORS: We, the undersigned citizens of this State, whose homes are protected through membership in fraternal benefit orders, respectfully petition that the present law governing fraternal benefit orders now on our statutes be amended by the incorporation of the amendments agreed upon jointly by the conference of the Insurance Commissioners' Convention, representing the interests of the State, and the National Fraternal Congress, Associated Fraternities of America, and the Federated Fraternities, representing the interests of the fraternal benefit orders, and we refer you for information on this subject to the Insurance Commissioner of this State.

ADELE J. RICH (and others).

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Sutherland:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which read as follows: "An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred and thirty-seven *g.* and to read as follows:".

Referred to Committee on Introduction of Bills.

By Mr. Wyllie:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, and amended March 3, 1906, by adding thereto a new section, to be numbered Section 3a.

Referred to Committee on Introduction of Bills.

By Mr. Clark:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying proposed constitutional amendment, the title of which reads as follows: A resolution to propose to the people of the State of California an amendment to section six of article eleven of the Constitution of the State of California, relating to municipal corporations.

Referred to Committee on Introduction of Bills.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Inman:

WHEREAS, The good people of Yolo and Lake counties did, upon the 16th day of March, 1913, extend unto the Legislature of the State of California and the individual members thereof the right hand of fellowship and their generous hospitality, and did upon that occasion afford unto said Legislature and the members thereof an opportunity to view the bountiful resources of said localities; therefore, be it

Resolved, That the Legislature and its individual members hereby extend unto the people of said Yolo and Lake counties the hearty thanks of said Legislature and its said members for said opportunity so afforded, and for the hospitality of said people; and be it further

Resolved, That a copy of these resolutions be printed in the Journal, and a copy thereof be handed to the representative of said counties, to be transmitted to his constituents.

Resolution read, and on motion unanimously adopted.

UNFINISHED BUSINESS.

Resolution relative to the appointment of a committee to investigate the high cost of living, the actions of trusts and the cause of monopolies and maintenance of high prices in the State of California.

On motion of Mr. Brown, action on the above resolution was postponed until March 18, 1913.

Assembly Bill No. 81—An Act to amend section three hundred ninety-six of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

On request of Mr. Johnson, action on the above Assembly bill was postponed until March 18, 1913.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, to amend section thirteen of article eleven, relating to supervision, regulation and conduct of the affairs of reclamation and drainage districts.

During the consideration of the Assembly constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title by inserting before the word "reclamation" in the last line the word "irrigation."

Amendment adopted.

AMENDMENT No. 2.

In last line of title, strike out the word "and," and insert the word "or."

Amendment adopted.

AMENDMENT No. 3.

In line 17, strike out the word "and," and insert in lieu thereof the word "or."

Amendment adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to Section 23a of Article IV of the Constitution of the State of California, relative to the limitation of expense for officers and employees of the Legislature.

During the reading of the amendment, Mr. Smith moved that the Speaker appoint a select committee of one to amend as follows:

AMENDMENT No. 1.

On line 10, strike out the semicolon (;), and insert in lieu thereof a comma (,).

AMENDMENT No. 2.

On page 2, strike out the words "second day of January, 1911," and insert in lieu thereof the following: "sixth day of January, 1913."

AMENDMENT No. 3.

In line 14, after the word "day," insert the following: "in either house."

Motion carried.

The Speaker appointed Mr. Smith as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 23, with instructions, do now report that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of select committee and amendments adopted.

Amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Bill No. 255—An Act to amend section fifteen hundred eighty-four of the Political Code, relating to the government of school districts by municipal charter.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 255 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Wyllie, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 408—An Act to establish police courts in cities of the sixth class, and to fix their jurisdiction.

During third reading of the bill, Mr. Green moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, strike out the words after the word "class," and insert the following: "governed by charter wherein no provision is made for a judicial system."

Motion carried.

The Speaker appointed Mr. Green as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 408, with instructions, do now report that the instructions of the Assembly have been carried out.

GREEN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 103—An Act to amend section four hundred sixty-five of the Civil Code of the State of California, relating to powers of railroad corporations.

During third reading of the bill, Mr. Finnegan moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 2, line 19, insert after the word "established" the following: "if such crossing be at grade."

AMENDMENT No. 2.

On page 2, line 28, insert after the word "highway" the following: "If such crossing be at grade."

Motion carried.

The Speaker appointed Mr. Finnegan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 103, with instructions, do now report that the instructions of the Assembly have been carried out.

FINNEGAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 510 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 847—An Act defining the term “quasi-public uses,” as applied to grants, leases, or approval of leases, heretofore made by the State to tide or submerged lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 847 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Nolan, Peairs, Polsley, Richardson, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Benedict:

In line 3 of title, after the word “heretofore,” insert the following: “or hereafter.”

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 556—An Act to add Section 1716 to the Civil Code, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 556 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nolan, Palmer, Peairs, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—57.

NOES—Messrs. Polsley and Wyllie—2.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 556 was this day passed.

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 849 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—64.

NOES—None.

TITLE AMENDED.

The following amendment to title was submitted by Mr. Benedict:

In line 3 of title, insert after the word "possess" a comma (,) and the following: "or which may hereafter own or possess."

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred fifty a, relating to exposure or threats of exposure of paroled or discharged prisoners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 274 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons;

and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 634 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 696—An Act to amend Section 1723 of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owner's death in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 696 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 958—An Act to amend Section 367c of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 958 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bowman, Bradford, Byrnes, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Schmitt gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 958 was this day passed.

Assembly Bill No. 1231—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 159*b*, relating to advertising for sale judgments against any person rendered in any court in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1231 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

USE OF ASSEMBLY CHAMBER GRANTED.

Upon request of Mr. Wyllie, the use of the Assembly Chamber was granted to the Committee on Education for public hearing on the evening of Tuesday, March 25, 1913, on the reorganization of the State Board of Education.

RECESS.

At twelve o'clock m. the Assembly was declared at recess until one o'clock and thirty minutes of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 159*c*, relating to sending by mail, or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1232 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clarke, Geo. A., Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guiberson, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1507—An Act to amend Section 293 of the Civil Code of the State of California, relative to prerequisite to filing articles and amounts to be subscribed and to be fixed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1507 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gates, Green, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—55.

NOES—None.

TITLE AMENDED.

The following amendment to title was submitted by Mr. Shannon:

After the word "articles", insert the words "of incorporation."

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1508—An Act to amend Section 295 of the Civil Code of the State of California, relative to oath of officer to subscription of stock and payment of ten per cent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1508 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1509—An Act to amend section two hundred ninety-one of the Civil Code of the State of California, relative to certain corporations to state further facts in articles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1509 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—55.

NOES—None.

TITLE AMENDED.

The following amendment to title was submitted by Mr. Shannon:

In last line of title, strike out the words "to state," and add after the word "articles" the words "of incorporation."

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 694—An Act to amend an Act entitled “An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their skill and labor.”

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, Section 2, line 3, strike out the word “prison.”

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 694, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 875—An Act to amend Section 288 of the Penal Code, relating to lewd and lascivious acts against children.

During third reading of the bill, Mr. Palmer moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out the word “Section.”

Motion carried.

The Speaker appointed Mr. Palmer as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 875, with instructions, do now report that the instructions of the Assembly have been carried out.

PALMER, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 1949—An Act amending section two of an Act entitled “An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled ‘An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,’ ” approved March 22, 1909.

During third reading of the bill, Mr. Scott moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out the period at the end of line 22 on page 2, and add the following: “and designated in such notice.”

Motion carried.

The Speaker appointed Mr. Scott as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1949, with instructions, do now report that the instructions of the Assembly have been carried out.

SCOTT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Brown moved that the vote whereby Assembly Bill No. 326 was passed, be reconsidered.

On request of Mr. Brown, the consideration of the above question was postponed until next legislative day.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1374 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1374, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 491—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all Acts, other Acts and parts of Acts in conflict with this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, in title, line 1, strike out all the words to and including the word "and" in line 5 as shown in printed bill; also, all the words following the comma after 1872, in lines 7 and 8 of title.

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 1, strike out all the words following the period after Section 1.

Amendment adopted.

AMENDMENT No. 3.

On page 2, beginning with line 1, strike out all the words to the bottom of the page.

Amendment adopted.

AMENDMENT No. 4.

On page 3, beginning with line 1, strike out all the words to and including the period in line 3.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California, to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 555—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code, relating to the powers and duties of normal school boards.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In Section 6, line 20, after the word "establish," insert the following: "at their discretion."

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 6, line 3, insert after the word "state," the words "and upon the satisfactory completion of these courses to grant diplomas of graduation therefrom."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 19—An Act to amend Section 3658a of the Political Code of the State of California, relating to maps for assessment purposes.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 16, after the word "assessment," add the word "map."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1002—An Act to amend Section 414 of the Political Code of California, relating to the employees of the Secretary of State, and providing a salary for the same.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1269—An Act to provide for the compilation, printing, binding, publishing and distribution of a roster of state, county, city and federal officials, election laws and corporation laws.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the state, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the state school land fund.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 437—An Act to amend Section 1583 of the Political Code of the State of California, relating to the reapportionment of school funds to joint school districts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 13, after the word "report," insert the word "blank."

Amendment adopted.

AMENDMENT No. 2.

On page 1, section 1, line 13, strike out the words "one of each report," and insert in lieu thereof the following: "Copies of all such reports."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, Section 1, line 18, strike out the words "funds of districts uniting to be combined."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 444—An Act to amend Section 1576a of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Bill read second time and ordered to engrossment and third reading.

Assembly Bill No. 601—An Act to repeal Section 1624 of the Political Code of the State of California, requiring the appointment of school census marshals.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects, of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, etc.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 7, strike out the words "or seed."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 13, strike out the word "immediate," and insert in lieu thereof the word "prompt."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 14, strike out the words "the county."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 15, strike out the words "horticultural commissioner or county horticultural inspector is."

Amendment adopted.

AMENDMENT No. 5.

On page 2, lines 1 to 36, inclusive, strike out lines 1 to 36, inclusive.

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 37, strike out the words "destroyed" and "also."

Amendment adopted.

AMENDMENT No. 7.

On page four, line thirty-four, insert the following: "It shall also be the duty of the county horticultural commissioner to enforce the county horticultural ordinances passed by the board of supervisors in his county. The State Horticultural Commissioner shall investigate all applications for the establishment of horticultural quarantines between different portions of the State, and no such quarantine which would restrict the free commercial movement of horticultural products between points or districts of the State, shall be made or enforced without the approval of said State Horticultural Commissioner."

Amendment adopted.

Bill read second time and ordered to reprint, engrossment, and third reading.

THIRD-READING SENATE FILE.

Senate Joint Resolution No. 1—Relative to the continuation by the United States of surveys for the construction of storage reservoirs for the impounding of flood waters in the Sierra Nevada Mountains in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Messrs. Alexander, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Wall, Weisel, Wyllie, and Mr. Speaker—53.

NOES—None.

Senate joint resolution ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 1.

Relative to the continuation by the United States of surveys for the construction of storage reservoirs for the impounding of flood waters in the Sierra Nevada Mountains in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

WHEREAS, The United States Government has for several years past been securing data through the geological survey and the reclamation service concerning the watersheds of the west slope of the Sierra Nevada Mountains and the construction of

storage reservoirs for the conservation of flood waters in the winter and spring; and WHEREAS, The Sacramento and San Joaquin valleys, of which these watersheds form the eastern rim, constitute a large body of the most fertile land to be found in any country, rivaling the far-famed valley of the Nile in productiveness and capable of supporting a population of several millions when properly reclaimed and settled; and

WHEREAS, In times of heavy snowfall and rainfall, the volume of water coming down into the valleys is a continual menace to the rich lands adjacent to the Sacramento and San Joaquin rivers, thousands of acres of which are flooded in years of heavy rainfall; and

WHEREAS, In the report of the reclamation service for the year 1907 the statement is made that if storage reservoirs were constructed at the sites surveyed, it would greatly simplify the drainage problems of the Sacramento and San Joaquin rivers and the lower Sacramento Valley by reducing the flood flow in the rivers; and

WHEREAS, The flood waters so impounded would be of the greatest value to the Sacramento and San Joaquin valleys and the State of California by being used for irrigation instead of being allowed to flow to the ocean, often doing incalculable damage to the valleys, 800,000 acres of the lowlands of which having been flooded in 1904; therefore, be it

Resolved by the Senate and the Assembly, jointly, That the Legislature of the State of California memorializes the Congress of the United States for the continuation of said work of surveying and constructing such storage reservoirs in the watersheds of the western slope of said Sierra Nevada Mountains on the tributaries of the Feather, Yuba and American rivers and other tributaries of the Sacramento and San Joaquin rivers, carry out all measures necessary for such work and making an appropriation of sufficient size to forward it as the more speedily solved; and be it further

Resolved, That the Secretary of the Interior be requested to take the necessary measures for hastening the survey and construction of such reservoirs in order to impound such flood waters and enable the problem of improvement and restraint of the Sacramento and San Joaquin rivers to be more speedily solved; and be it further

Resolved, That our Senators in Congress be instructed and our representatives be requested to use all honorable means to secure the action desired in this matter for the purpose aforesaid; and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, the Secretary of the Interior, the Secretary of Agriculture, the respective houses of Congress and to each of our Senators and Representatives in Congress, including those to assume office on March 4, 1913.

Senate Joint Resolution No. 12—Relative to action by Congress in directing an investigation through the Department of Agriculture of measures for protection of fruit from frost damage.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 12 finally adopted by the following vote:

AYES—Messrs. Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Slater, Smith, Wall, Weisel, and Mr. Speaker—49.

NOES—None.

Senate joint resolution ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 12.

Relative to action by Congress in directing an investigation through the Department of Agriculture of measures for protection of fruit from frost damage.

WHEREAS, The great citrus belt of California has been visited by an unprecedented damaging frost, involving a loss of many millions of dollars in the crop alone, as well as great damage to trees; and

WHEREAS, Great advancement has been made by both public and private experimentation in the protection of orchards all over the United States from the damaging effect of cold waves by means of heating pots and other methods of raising temperatures, the use of which has given perfect protection in some groves and has been of little benefit in others. The effect of frost damage on many fruits, particularly the citrus, is but little known and it is believed that large sums may be saved in this and other horticultural branches by a more thorough knowledge of the prevention of frost damage and the best means of determining to what extent citrus or other fruits have

been rendered unfit for marketing. Large losses have been sustained which might have been prevented were proper methods known; and

WHEREAS, The interests of the whole country demand a thorough investigation of this question by the Department of Agriculture through the most competent experts obtainable. Such work adequately supported and ably conducted will save many millions of dollars losses to the nation; now, therefore, be it

Resolved, That this being a nation-wide problem, we appeal to Congress to authorize and empower the Department of Agriculture to at once take up this question and employ the ablest and most competent men to be had for carrying on this work until a thorough knowledge shall be had of this question in its bearing on all branches of horticulture; and be it

Resolved, That upon the passage of this resolution, the Secretary of State be and he is hereby directed to forward a copy thereof to the Senators and Representatives of the State of California in Congress; and that a copy of the resolution be also transmitted to the Governor of each fruit-growing state in the Union, requesting them to urge legislatures now in session to consider and take action in accordance with this resolution.

Senate Joint Resolution No. 2—Relative to national forests situated within the State of California, and requesting the War Department of the United States to station and maintain federal troops in such national forests during certain months.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 2 finally adopted by the following vote:

AYES—Messrs. Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Wall, Weisel, and Mr. Speaker—50.

NOES—None.

Senate Joint Resolution No. 2 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION NO. 2.

Relative to national forests situated within the State of California and requesting the War Department of the United States to station and maintain federal troops in such national forests during certain months.

WHEREAS, There are situated within the State of California great national forests comprising in area over twenty-seven million acres; and

WHEREAS, The protection and preservation of these forests is of great benefit to the citizens of this State and of the whole United States; and

WHEREAS, Each year during the months of July, August and September, forest fires threaten partial or total destruction of these forests; and

WHEREAS, These forests are not sufficiently protected from fire during such months; now, therefore, be it

Resolved by the Senate of the State of California, and the Assembly, jointly, That the War Department of the United States be and it hereby is, requested to station federal troops in the national forests within the State of California during the months of July, August and September each year for the purpose of preventing and fighting forest fires and protecting such national forests; and be it further

Resolved, That a copy of this joint resolution be sent to the head of the War Department of the United States.

Senate Bill No. 383—An Act providing for the acceptance of the United States ship Portsmouth by the State of California from the government of the United States, and providing for the care and preservation of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 383 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan,

Palmer, Peairs, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Sutherland, Wall, Weisel, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 119—An Act to amend section four hundred fifty-two *a* of the Civil Code, relating to the incorporation of mutual benefit associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 119 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cram, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Sutherland, Wall, Weisel, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills and constitutional amendment, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Sutherland: An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred thirty seven *g*.

By Mr. Wyllie: An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, and amended March 3, 1909, by adding thereto a new section, to be numbered "Section 3a."

By Mr. Clark: A resolution to propose to the people of the State of California an amendment to section six of article eleven of the Constitution of the State of California, relating to municipal corporations.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Sharrel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Sutherland: Assembly Bill No. 2036—An Act to add a new section to the Penal Code of the State of California, to be numbered six hundred thirty-seven *g*.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Wyllie: Assembly Bill No. 2037—An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, and amended March 3, 1909, by adding thereto a new section, to be numbered Section 3a.

Bill read first time, and referred to Committee on Corporations.

By Mr. Clark: Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to section six of article eleven of the Constitution of the State of California relating to municipal corporations.

Read, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following bills, etc.:

Assembly Bill No. 990—An Act to amend section seven hundred and sixty-five of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

And report that the same have been correctly re-engrossed.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

Assembly Bill No. 625—An Act to amend section two thousand six hundred ninety-two of the Political Code of the State of California, relating to private roads and private ways for canals.

Assembly Bill No. 545—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered "Section 171a," relating to husband's liability for wife's torts.

Assembly Bill No. 1067—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 422, relating to the possession of firearms by minors.

Assembly Bill No. 1523—An Act to amend section ten hundred eighty-three of the Political Code, relating to the qualifications of electors.

Assembly Joint Resolution No. 19—Relative to establishing game refuges in the National Forest Reserve in the State of California.

Assembly Joint Resolution No. 20—Relative to a Federal income tax.

Assembly Joint Resolution No. 21—Relative to requesting the United States Congress to recognize the Republic of China.

Assembly Joint Resolution No. 16—Relative to the endorsement of Newlands regulation bill as introduced in the sixty-first Congress, third session, and as amended April 30, 1912.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 13 of Article XX, relating to elections.

Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

LEAVES OF ABSENCE.

On motion, leave of absence for the day was granted to Messrs. Bagby, Cary, Bloodgood, Weldon, White, McDonald, and Fitzgerald.

COMMITTEE APPOINTMENT.

The Speaker announced the appointment of Mr. Libby on the Committee on Conference on Assembly Bill No. 68, to fill the vacancy caused by the absence of Mr. Weldon.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Scott, Mr. W. H. Raymond was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. H. J. Ruess was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Mr. Walter Welsh was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Judge George Washington Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mrs. Hester T. Griffith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. Ed. Morrell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clarke, Mr. E. E. Newell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Mallory, Dr. H. B. Johnson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnson, Mr. E. Teesdale was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hayes, Mrs. Sara J. Dorr was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. DeWitt Clancy was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Pears, Miss M. Herrinton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dower, Mr. W. A. Newcome was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. C. W. Holmes was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Brown, Mr. Josiah Simms was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mrs. T. Dinsmore was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mr. W. W. Phelps was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Weisel, Mr. A. J. Crookshank was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Weisel, Mr. W. A. Zimmerman was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Weisel, Mr. E. E. Keech was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. D. E. Kessler was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mrs. F. A. Rundy was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. J. P. Garlick was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cram, Mr. D. C. Sloan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Richardson, Dr. Laura C. Bust was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Radcliffe, Mr. P. J. Harvey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Radcliff, Mr. T. F. Turke was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. W. A. Lewis was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. C. R. Hammond was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Strine, Mr. R. I. Merritt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mrs. E. J. Mott was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Brown, Hon. John F. Davis was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Mr. W. J. Stockton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nolan, Mr. W. B. Lawson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Mr. C. S. Cothran was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. Orlero Black was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bush, Mr. W. J. McGranaghan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mrs. Ida Finney Mackrille was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. Richard Ingalise was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mr. W. I. Dinsmore was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. A. S. Nichols was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. F. E. Humphrey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Emmons, Mr. F. L. Johnson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. J. Holmes was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bagby, Mr. H. Hewitt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. A. Sorenson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. J. D. Dale was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wyllie, Mr. W. A. Walker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mr. C. Hansen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. D. C. Stevenson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. W. D. Foote was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. and Mrs. A. J. Mueller were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. W. R. Briggs was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. Lee D. Windrum was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Canepa, Mr. R. L. Long was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. C. B. Cornell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. E. T. Laynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hayes, Mrs. C. G. Chipchase was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hayes, Mr. J. C. McPherson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. J. F. Pullen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. James G. Stafford was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. W. C. Leham was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, March 18, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth,

Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Gelder, the further reading was dispensed with.

PETITIONS.

The following petitions were received, and ordered printed in the Journal:

By Mr. Smith:

We, the undersigned, respectfully ask your assistance in defeating the following bills, which after examination have been found to be detrimental to the interests of the people of the State of California:

Senate Bill No. 42	-----	Assembly Bills Nos. 64 and 278
Senate Bill No. 121	-----	Assembly Bills Nos. 1243 and 1854
Senate Bill No. 122	-----	Assembly Bills Nos. 1242 and 1853
Senate Bill No. 576	-----	
	-----	Assembly Bill No. 381
Senate Bill No. 896	-----	Assembly Bill No. 1564
Senate Bill No. 1378	-----	
Senate Bill No. 1478	-----	Assembly Bill No. 1577
	-----	Assembly Bill No. 1043
	-----	Assembly Bill No. 1780
	-----	Assembly Bill No. 1857
Senate Bill No. 1485	-----	Assembly Bill No. 1651
Senate Bill No. 1708	-----	
Senate Bill No. 625	-----	Assembly Bill No. 639

MEYER, MUIR & CO. (and others).

By Mr. Alexander:

To the Legislature of the State of California:

The petition of the undersigned respectfully represents that they are citizens and voters of said state, residing in Monterey County, California, and at the places of residence therein set opposite their respective names and within four miles of that certain military reservation known as the Presidio of Monterey:

That they heartily approve of the provisions of Assembly Bill No. 1639, introduced February 3, 1913, by Assemblyman G. W. Wyllie, entitled "An Act making unlawful the sale or other disposition of alcoholic liquors within certain distance of any United States or state military or naval reservation with certain exceptions," and do hereby earnestly request its passage by the Assembly and by the Senate of said State of California as speedily as possible.

H. W. HEAD (and 650 others).

USE OF ASSEMBLY CHAMBER GRANTED.

Upon request of Mr. Scott, the use of the Assembly Chamber was granted to the Committee on Municipal Corporations for a joint meeting with the Senate committee on the evening of Monday, March 24, 1913.

MOTION.

Mr. Bohnett moved that the reception of reports of standing committees be passed temporarily.

Motion carried.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Bill No. 36—An Act to amend section twelve hundred seven of the Civil Code, relating to the recordation of certain instruments and certificates of acknowledgment, the notice such recordation shall impart, and the effect as evidence of certified copies of the same.

Also: Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered thirteen hundred and fourteen, and relating to the nomination of guardians by persons who may afterward become insane or incompetent.

Also: Senate Bill No. 138—An Act to amend sections seventeen hundred and sixty-three and seventeen hundred and sixty-four of the Code of Civil Procedure in relation to the appointment of guardians of insane and incompetent persons.

Also: Senate Bill No. 568—An Act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works.

Also: Senate Bill No. 1274—An Act to amend section one thousand five hundred and sixty of the Political Code of the State of California, relating to the holding of teachers' institutes.

Also: Senate Bill No. 1029—An Act to amend section six hundred and seventy-six of the Political Code, relating to the investment of state school funds.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 36 read first time, and referred to Committee on Judiciary.

Senate Bill No. 137 read first time, and referred to Committee on Judiciary.

Senate Bill No. 138 read first time, and referred to Committee on Judiciary.

Senate Bill No. 568 read first time, and referred to Committee on Mines and Mining.

Senate Bill No. 1274 read first time, and referred to Committee on Education.

Senate Bill No. 1029 read first time, and referred to Committee on Education.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the following resolution:

WHEREAS, There has been published by the Recorder Printing and Publishing Company at San Francisco a volume entitled "Pending Legislation," containing a summary of subjects and a synopsis of all bills and resolutions introduced during the first half of the session; and

WHEREAS, This will be of material aid to the members in their perusal of the various subjects; therefore,

Resolved, That the Chief Clerk be, and is hereby, authorized and directed to purchase eighty-five copies of said "Pending Legislation" for the use of the members of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ambrose, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell,

Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—48.

NOES—Messrs. Alexander, Beck, Bradford, Inman, Killingsworth, Morgenstern, Stuckenbruck, and Wyllie—8.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Simpson:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to prohibit any person not eligible to become a citizen of the United States from employing or directing the work or labor of any female of the Caucasian race and providing a penalty for the violation thereof.

Referred to Committee on Introduction of Bills.

By Mr. Strine:

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of Los Angeles State Normal School.

Referred to Committee on Introduction of Bills.

SPECIAL ORDER SET.

On motion of Mr. Bohnett, the consideration of Assembly Bill No. 353 was made a special order for Thursday, March 20, 1913, at eleven o'clock a.m.

RE-REFERENCE OF BILLS.

On motion of Mr. Sutherland, Assembly Bills Nos. 1478 and 1479 were recalled from Committee on Corporations, and referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1523—An Act to amend section ten hundred eighty-three of the Political Code, relating to the qualifications of electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1523 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Wyllie, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 62 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Gabbert, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Murray, Nelson, Nolan, Palmer, Pears, Roberts, Ryan, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Wyllie, and Mr. Speaker—56.

NOES—Messrs. Farwell, Fish, Ford, Gates, Kuck, Mouser, Richardson, Schmitt, White, and Woodley—10.

Assembly constitutional amendment ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 62.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation.

The Legislature of the State of California at its regular session commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California so that Section 23 of Article XII of said Constitution shall read as follows:

Section 23. Every private corporation, and every individual or association of individuals, owning, operating, managing or controlling any commercial railroad, interurban railroad, street railroad, canal, pipe line, plant, or equipment, or any part of such railroad, canal, pipe line, plant or equipment within this State, for the transportation or conveyance of passengers, or express matter, or freight of any kind, including crude oil, or for the transmission of telephone or telegraph messages, or for the production, generation, transmission, delivery or furnishing of heat, light, water or power or for the furnishing of storage or wharfage facilities, either directly or indirectly, to or for the public, and every common carrier, is hereby declared to be a public utility subject to such control and regulation by the Railroad Commission as may be provided by the Legislature, and every class of private corporations, individuals or associations of individuals hereafter declared by the Legislature to be public utilities shall likewise be subject to such control and regulation. The Railroad Commission shall have and exercise such power and jurisdiction to supervise and regulate public utilities, in the State of California, and to fix the rates to be charged for commodities furnished, or services rendered by public utilities as shall be conferred upon it by the Legislature, and the right of the Legislature to confer powers upon the Railroad Commission respecting public utilities is hereby declared to be plenary and to be unlimited by any provision of this constitution. From and after the passage by the Legislature of laws conferring powers upon the Railroad Commission respecting public utilities, all powers respecting such public utilities vested in boards of supervisors, or municipal councils, or other governing bodies of the several counties, cities and counties, cities and towns, in this State, or in any commission created by law and existing at the time of the passage of such laws, shall cease so far as such powers shall conflict with the powers so conferred upon the Railroad Commission. Nothing in this section shall be construed as a limitation upon any power conferred upon the Railroad Commission by any provision of this constitution now existing or adopted concurrently herewith.

Assembly Bill No. 295—An Act to amend section six of an Act of the Legislature of the State of California entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

During third reading of the bill, Mr. Hinkle moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 1, line 7, of the title, after the figures "1911," insert the following: "and adding a new section thereto, to be known as Section 7a."

AMENDMENT No. 2.

On page 1, line 1, after the period after the figure "1," strike out the word "That" and the letter "s" of the word "section," and insert in lieu thereof a capital letter "S" of the word "Section."

AMENDMENT No. 3.

On page 1, line 9, strike out the word "section" and insert in lieu thereof "Sec."

AMENDMENT No. 4.

On page 2, after line 17, add a new section, to be Sec. 7a:

"SEC. 7a. The Governor of the State of California is hereby authorized to receive delivery on behalf of the State from the city of San Diego any conveyance of tide lands which may be made by the said city to the State of California for an armory for the National Guard of California and National Guard purposes, the said parcel of tide land not to exceed five acres; also, the tide land now occupied by the Naval Reserve armory and wharf, located on the bay of San Diego at the foot of Twenty-eighth street of the city of San Diego, California, for the use of the Naval Militia of the State of California; said parcel of tide land to be conveyed shall not exceed five acres. For such purposes, the said city of San Diego is hereby authorized to recede and convey to the State of California the aforementioned parcels of tide lands."

Motion carried.

The Speaker appointed Mr. Hinkle as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 295, with instructions, do now report that the instructions of the Assembly have been carried out.

HINKLE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

During third reading of the bill, Mr. Gates moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 16, strike out the words "may participate and," and insert in lieu thereof the following: "shall not."

Motion carried.

The Speaker appointed Mr. Gates as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 33, with instructions, do now report that the instructions of the Assembly have been carried out.

GATES, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

During third reading of the bill, Mr. Dower moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 18 of the printed bill, insert after the word "acknowledgments" the following: "; or before the secretary of any organization or society engaged in

the work of placing dependent or deserted children into homes in this State, which organization or society has obtained a permit therefor, duly executed in writing, from the State Board of Charities and Corrections."

Motion carried.

The Speaker appointed Mr. Dower as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1578, with instructions, do now report that the instructions of the Assembly have been carried out.

DOWER, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 990 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—62.

NOES—Mr. Johnston, T. D.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154—An Act to amend Section 123½ of the Code of Civil Procedure, said amendment relating to clerks of justice courts in cities or towns of the second and one half and third classes, and appointments, salaries and duties of same.

During third reading of the bill, Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out of Section 1, line 13 on page 1, and line 1 on page 2, the words "Process ordered by the justice of said court, and," and insert in lieu thereof the following: "Writs, summons, and other processes in any action or proceeding in said justice's court with the exception of warrants for the arrest of any person."

Motion carried.

The Speaker appointed Mr. Gelder as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 154, with instructions, do now report that the instructions of the Assembly have been carried out.

GELDER, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 512 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Byrnes, Canepa, Clark, Wm. C., Cram, Dower, Ellis, Farwell, Ferguson, Fish, Ford, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, White, Wyllie, and Mr. Speaker—54.

NOES—Mr. Gelder—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, of the printed bill, strike out the word "first," and insert in lieu thereof the word "third."

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 513, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Schmitt moved that the vote whereby Assembly Bill No. 958 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Alexander, Bush, Canepa, Collins, Ellis, Hayes, Nolan, Richardson, Schmitt, Shartel, and Stuckenbruck—11.

NOES—Messrs. Beck, Benedict, Bohnett, Bradford, Brown, Byrnes, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Ryan, Scott, Shaanon, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Walsh, Weisel, White, and Mr. Speaker—51.

THIRD-READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 545—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered Section 171a, relating to husband's liability for wife's torts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 545 passed by the following vote:

AYES—Messrs. Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, White, Woodley, and Mr. Speaker—56.

NOES—Messrs. Fish, Ford, and Schmitt—3.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1558—An Act to amend Sections 1195, 1198, and 1199, of the Political Code, relating to books and records of ballots and number of ballots to be provided by the county clerk or registrar, and the destruction of unused ballots—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 164—An Act to amend Section 628f of the Penal Code of the State of California, relating to clams, and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON ATTACHÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Attachés, to whom was referred Assembly Bill No. 699—An Act to amend Section 526 of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Attachés, to whom was referred Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Also: Assembly Bill No. 1013—An Act to amend Section 261 of the Political Code

of the State of California, relating to the duties of officers of the Senate and Assembly.

Also: Assembly Bill No. 698—An Act to amend Section 268 of the Political Code of the State of California, relating to salaries of officers and employees of the Assembly and Senate.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

HOOR OF RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until all the reports of the committees were received.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

Also: Assembly Bill No. 1563—An Act relating to land liable to assessment to pay the cost of municipal or other local improvements, under any law of this State, in the possession and occupation of persons, firms, companies or corporations, and used by any such person, firm, company or corporation for rights of way or other easement thereon devoted to public use under a franchise authorizing such use, and providing for the extension of the lien of any such assessment to the right of way, or other easement thereon and to the franchise of any such person, firm, company or corporation, and providing for the enforcement of such lien; also providing an alternative method of enforcing payment of such assessment.

Also: Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee, on Judiciary, to whom was referred Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 90, relating to conduct of public officials.

Also: Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Also: Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Also: Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

Also: Assembly Bill No. 888—An Act to amend Sections 658, 659 and 660, Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

Also: Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure, relating to waiver of jury trial.

Also: Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Also: Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be designated Sections 950, 951 and 952, relating to records on appeal.

Also: Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953a, 953b, and 953c of the Code of Civil Procedure, relating to papers on appeal.

Also: Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure, relating to costs on appeal.

Also: Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 689—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 13—Approving certain amendments in the charter of the city of Eureka, in Humboldt County, State of California, voted for and ratified by the qualified electors of said city, at a special municipal election held therein on the 15th day of April, 1912—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

SCOTT, Chairman.

The above reported Senate concurrent resolution ordered on file for adoption.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 213—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges, for the city and county of San Francisco, and providing for their compensation.

Also: Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge, and for his compensation.

Also: Assembly Bill No. 294—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 308—An Act to amend Section 67a of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of eight additional Superior Court judges in counties of the first class and providing for their compensation.

Also: Assembly Bill No. 208—An Act to provide one additional judge of the Superior Court of the county of Riverside.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE A JOINT RESOLUTION.

The following request for permission to introduce a joint resolution was presented:

By Messrs. Beck and Wall:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: We ask permission to introduce the accompanying joint resolution, the title of which reads as follows: A request for permission of the National Government, under such terms and conditions as may be necessary, to permit an increased number of stock and sheep to graze within the National Forest and other Federal reservations.

RECESS.

At twelve o'clock and ten minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1067—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 422, relating to the possession of firearms by minors.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 1, line 7, strike out the words "air rifle or other deadly weapons."

AMENDMENT No. 2.

On page 1, lines 8 and 9, strike out the words "air rifle or other deadly weapons."

Motion lost.

During further consideration of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 1, line 7, strike out the words "other deadly weapon," and insert in lieu thereof the words "spring gun."

AMENDMENT No. 2.

On page 1, line 8, strike out the words "other deadly weapons," and insert in lieu thereof the words "spring gun."

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1067, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1368—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of

the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

Mr. Hinkle asked for and was granted unanimous consent to have the above Assembly bill re-referred to Committee on Ways and Means, and retain its place on file.

SPEAKER PRO TEM. IN THE CHAIR.

At two o'clock and twenty minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 625—An Act to amend section two thousand six hundred ninety-two of the Political Code of the State of California, relating to private roads and private ways for canals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 625 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Strine, Stuckenbruck, Tulloch, Wall, Walsh and Wyllie—56.

NOES—Mr. White—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 1—Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of President and Vice President of the United States by a direct vote of the people.

During consideration of the resolution, the following amendments were submitted by the committee:

On page 1, line 8, strike out the word "and" after the word "people".

Also: On page 1, strike out all of lines 9, 10, 11, 12, 13, 14 and 15.

Also: On page 2, line 2, strike out the remainder of the line following the word "people".

Also: On page 2, strike out all of lines 3, 4, 5, 6, 7, 8 and 9.

Also: On page 2, lines 11 and 12, after the word "Convention," add the words "for the above purposes."

Amendments adopted.

Resolution ordered to reprint, re-engrossment and on file for passage.

Assembly Joint Resolution No. 16—Relative to the endorsement of Newlands regulation bill as introduced in the sixty-first Congress, third session, and as amended April 30, 1912.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 16 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater,

Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Wyllie—60.
NOES—None.

Assembly Joint Resolution No. 16 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 16.

Relative to the endorsement of Newlands regulation bill as introduced in the Sixty-first Congress, third session, and as amended April 30, 1912.

Realizing the wise forethought of our forefathers in framing the Constitution of the United States, and in granting to Congress certain powers, among these to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States, and being convinced that it is the function of the Federal Government to maintain and extend navigation, and to develop the same by the full use of our inland water ways, we therefore earnestly request that the problem of the control of flood waters be given earnest and prompt attention by the Federal Government, to the end, that the appalling loss of life and property should cease.

In furtherance thereof, it becomes a part of our duty to request the Federal Government to provide for the common defense and general welfare for the people of our common country, as set forth in the following resolution, which we most earnestly present:

Resolved, That it is the sense of the members of the Legislature of the State of California that the appalling loss of life and property throughout our entire country, from uncontrolled flood waters, should cease.

Resolved, That this Legislature unanimously endorses the Newlands river regulation bill, as introduced in the sixty-first Congress, third session, and as amended April 30, 1912, together with the appropriations therein contained, and request the passage of said bill as an act worthy of our government, believing such legislation, as is set forth in the Newlands river regulation bill, will prevent such losses as our country is suffering from, and permit the further rapid and safe developments of the resources of our country.

Resolved, That the large sums called for in the Newlands bill and the additions thereto, to be furnished by the states, that will be necessary to fully develop the resources of the various states of the Union, are amply justified by the results that will be secured from the wise expenditures provided for by such legislation; and it is further

Resolved, That this resolution be spread upon the minutes of this session of the Legislature, and that copies thereof be sent to the President, to the President-elect, and to the Congress of the United States, at Washington.

Mr. Brown moved that the Assembly resolve itself into the Committee of the Whole for the purpose of having Dr. H. W. Wiley address the Assembly upon the question of safeguarding the public health.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Johnstone in the chair.

Dr. H. W. Wiley addressed the Assembly.

Mr. Brown moved that a vote of thanks be tendered Dr. Wiley.

Motion carried.

Mr. Brown moved that the committee do now rise and report progress and ask leave to sit again.

Motion carried.

IN ASSEMBLY.

Speaker pro tem. Johnstone in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

GENTLEMEN: The Committee of the Whole have sat, and do now report progress, and ask leave to sit again.

JOHNSTONE, Chairman.

SPEAKER IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following joint resolution, herewith returns the same with the recommendation that the authors be permitted to introduce it. The title of said joint resolution is as follows:

A request for permission of the national government under such terms and conditions as may be necessary to permit an increased number of stock and sheep to graze within the national forest and other federal reservations.

BOHNETT, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Wyllie, and Mr. Speaker—66.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Strine: Assembly Bill No. 2038—An Act making an appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Bill read first time, and referred to Committee on Normal Schools.

By Messrs. Beck and Wall: Assembly Joint Resolution No. 23—A request for permission of the national government under such terms and conditions as may be necessary to permit an increased number of stock and sheep to graze within the National Forest and other Federal reservations.

Read, and referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred the following resolution:

Resolved, That the Committee on State Prisons and Reformatory Institutions are hereby instructed and empowered to inquire whether prisoners confined in San Quentin and Folsom state prisons are now, or have been within the last two years,

subjected to cruel and unusual punishments, and especially to what extent the strait-jacket is being used at said prisons upon prisoners confined in said prisons or in any of the reformatory institutions of this State for the purpose of discipline or punishment; and said committee is hereby directed to report to the Assembly in writing the result of their investigations as soon as practicable. That said committee have full power to subpoena witnesses, administer oaths, take testimony, send for persons, books, and papers, and that a stenographer be assigned to said committee, and that said committee have leave to visit San Quentin and Folsom prisons, and to hold meetings at said prisons.

Have had the same under consideration, and recommend that it be amended to read as follows:

Resolved, That the Committee on Prisons and Reformatories are hereby instructed and empowered to inquire whether prisoners confined in San Quentin and Folsom state prisons are now, or have been within the last two years, subjected to cruel and unusual punishments, and especially to what extent the strait-jacket is being used at said prisons upon prisoners confined in said prisons or in any of the reformatory institutions of this State for the purpose of discipline or punishment; and said committee is hereby directed to report to the Assembly in writing the result of their investigations as soon as practicable. That said committee have full power to subpoena witnesses, administer oaths, take testimony, send for persons, books, and papers, and that a stenographer and sergeant-at-arms be assigned to said committee, and that said committee have leave to visit San Quentin and Folsom prisons, and to hold meetings at said prisons.

And respectfully recommend that the same be adopted as amended.

ELLIS, Chairman.

Mr. Brown moved the adoption of the report and resolution.

During consideration of the report, the following amendment was submitted by Mr. Brown:

Amend by striking out all after the word "that" in line eleven and insert in lieu thereof the following: "A sub-committee thereof, to consist of five members, to be named by the Speaker, have leave to visit San Quentin and Folsom prisons, and to hold meetings at said prisons for the purpose of making said investigation, and that said sub-committee have full power to subpoena witnesses, administer oaths, take testimony, send for persons, books and papers. That the stenographer and sergeant-at-arms herein provided for accompany said sub-committee."

Amendment adopted.

The question being on the adoption of the report and resolution as amended.

The roll was called, and the report and resolution, as amended, adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Wyllie, and Mr. Speaker—66.

NOES—None.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER. SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Assembly Bill No. 601—An Act to repeal Section 1624 of the Political Code of the State of California, requiring the appointment of school census marshals.

Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Assembly Bill No. 1269—An Act to provide for the compilation, printing, binding, publishing and distribution of a roster of state, county, city and federal officials, election laws and corporation laws.

Assembly Bill No. 555—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Assembly Bill No. 1002—An Act to amend section four hundred fourteen of the Political Code of California, relating to the employees of the Secretary of State, and providing a salary for the same.

Assembly Bill No. 444—An Act to amend Section 1576a of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Assembly Bill No. 734—An Act to amend sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Assembly Bill No. 1581—An Act to provide for the recovery of damages by a husband, wife, child, parent, guardian, employer or other person from any person or persons accepting or taking or assisting in any way in the accepting or taking of money or other thing of value in any game of chance prohibited by the laws of this State.

Assembly Bill No. 1109—An Act to amend Sections 1 and 7 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and to add a new section thereto, to be designated as Section 3a, relating to the duties and powers of the commissioner and his appointees.

Assembly Bill No. 353—An Act declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur, or which are used for such purposes, and providing for the abatement and prevention of such nuisances by injunction and otherwise.

And report that the same have been correctly engrossed.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Schmitt, Miss Margaret Wood was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Miss Eleanor Wood was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gelder, Mr. M. M. Bennett was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Strine, Mr. A. W. Richardson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. John S. Blair was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. C. W. Childs was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dower, Mr. Robert Kelly was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dower, Mr. C. Dewick was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. Max Friedman was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bohnett, Mr. C. H. Cheney was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. F. Cuttle was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. Timothy Lee was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. O. Neil was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. Claud M. Gill was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Simpson, Mr. W. N. Forker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. F. M. Woodson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. C. C. Boynton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mr. P. J. Cowler was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. Bob Hunter was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. J. Rollin Fitch was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Messrs. W. F. Snyder and A. Swenson were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clarke, Mr. and Mrs. E. E. Newell were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mrs. H. W. Colson and Miss Fannie Lane were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. L. W. Buttner was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mr. G. C. Freil was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fish, Mr. G. J. Griffin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. Pierce H. Ryan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Mouser, Mr. J. W. Kyle was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Mr. J. B. Dusenberry was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. L. D. Windrum was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnson, Mr. E. E. Keech was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Judson, Dr. Charlotte Baker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Canepa, Mr. Robt. L. Long was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Capt. Foster was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Libby, Mr. F. W. Searly was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Dr. C. Schaff was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mr. W. T. Densmore was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. W. W. Dwyer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. P. J. Harney was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. L. C. Hough was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. Frank Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. A. Streller was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. A. H. Biewener was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Mr. F. H. Davis was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Mr. and Mrs. David Vaughn were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Walsh, Mr. Frank Schittmer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hayes, Mr. G. W. Wilson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. H. E. Barnum was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mrs. Hester Griffith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Messrs. David Williams and C. H. Greenman were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. P. H. Ryan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bush, Mr. John F. Barry was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roberts, Miss Helen Todd was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. W. P. Fuller, Jr., was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. H. J. Bross was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnstone, Mrs. Carrie P. Bryant was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. K. C. Hamilton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. M. C. Spalding was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and forty-five minutes p.m., on motion of Mr. Smith, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, March 19, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

PETITIONS.

The following petitions were received and ordered printed in the Journal:

By Mr. Shannon:

We, the undersigned, being qualified electors of the State of California, do respectfully petition the Legislature of the State of California to make the kindergarten an integral part of the public school system of the State, by the passage of certain amendments to Sections 1662 and 1663 of the Political Code, as embodied in Assembly Bills Nos. 600 and 603, introduced by Hon. Egbert J. Gates, and in Senate Bills Nos. 585 and 586, introduced by Senator William J. Carr.

ISABEL BETHUNE (and others).

By Mr. McDonald:

WHEREAS, The State Legislature has under consideration certain bills to compel the removal from San Francisco of all cemeteries, which will also mean the ultimate destruction of Lone Mountain; and

WHEREAS, Such legislation, if enacted, would work great hardship upon the poor of our city, from which wealthy land speculators would derive great financial gain, to say nothing of the desecration of the cities of the dead and the removal of cherished landmarks; therefore, be it

Resolved, That we are unalterably opposed to the removal of the cemeteries and do hereby petition the State Legislature to refuse to enact any legislation with this object in view.

(Signed) T. C. LYNCH.
N. F. INGRAM.

Unanimously adopted by Local Union No. 19, March 10, 1913.

ALLAN PARK,
Recording Secretary Brotherhood of Painters, Decorators
and Paperhangers of America.

By Mr. Smith:

To the Assembly of the State of California:

The persons herein represented earnestly petition your honorable body to refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

This request was indorsed by a vote of about 250 persons, most of them adults, at Centennial Presbyterian Church, Oakland, Cal., on the sixteenth of March, 1913.

HUBERT E. HAYES, Pastor, presiding.

MOTION.

Mr. Bohnett moved that the reception of reports of standing committees be postponed until eleven o'clock and forty-five minutes a.m.

Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 143—An Act to amend Section 321 of the Penal Code of the State of California, relating to lottery tickets.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill read first time, and referred to Committee on Public Morals.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Judson:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to prohibit hotels, restaurants, cafés, barber shops,

dining cars, railroad companies, and sleeping car companies from allowing "tips" to be given to employees, to prohibit all persons from giving same to employees, to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same.

Referred to Committee on Introduction of Bills.

By Mr. Hinkle:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying resolution, the title of which reads as follows: "Assembly concurrent resolution, approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held therein for that purpose, on the 27th day of February, 1913."

Referred to Committee on Introduction of Bills.

SECOND-READING OF ASSEMBLY BILLS.

Assembly Bill No. 1558—An Act to amend Sections 1195, 1198, and 1199 of the Political Code, relating to books and records of ballots and number of ballots to be provided by the county clerk or registrar and the destruction of unused ballots.

During second reading of the bill, the following amendments were submitted by committee:

AMENDMENT No. 1.

In line 1 of the title strike out the figures "1195, 1198," and insert in lieu thereof the figures "1198."

Amendment adopted.

AMENDMENT No. 2.

Strike out all of lines 1 to 14, inclusive, on page 1, and lines 1 to 29, inclusive, on page 2.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 30, strike out the figure "2," and insert the figure "1."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 1, strike out the figure "3," and insert in lieu thereof the figure "2."

Amendment adopted.

AMENDMENT No. 5.

On page 3, strike out the words "that has" in line 4, all of lines 5 to 10, inclusive, and the words "for such election" in line 11, and insert in lieu thereof the following: "Ten general tickets for every eight or fraction of eight electors registered in the election precinct for such election; and an additional ten ballots for each election precinct that has less than thirty registered electors."

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 11, strike out the word "further."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 164—An Act to amend Section 628f of the Penal Code of the State of California, relating to clams, and prescribing a penalty for taking or gathering clams under a certain size, or having

more than a certain number in possession during any one calendar day.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, Section 1, line 7 of the printed bill, insert after the word "shell," the following: "or less than four and three eighths inches over the greatest length of the shell."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 699—An Act to amend Section 526 of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

On page 1, line 12, strike out the word "three," and insert in lieu thereof, "two."

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 8 of the printed bill, after the period following the word "day," add the following sentence: "Each clerk shall be a stenographer or be qualified by education and experience to fill a clerical position."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1013—An Act to amend Section 261 of the Political Code of the State of California, relating to the duties of officers of the Senate and Assembly.

During second reading of the bill, the following amendment was submitted by the committee:

On line 4 of the printed bill, after the word "clerk" which appears the second time in the line, add the words "the minute clerk."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 698—An Act to amend Section 268 of the Political Code of the State of California, relating to salaries of officers and employees of the Assembly and Senate.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, lines 11 and 12, strike out the words "who also shall be Journal clerks."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1563—An Act relating to land liable to assessment to pay the cost of municipal or other local improvements, under any law of this State, in the possession and occupation of persons, firms, companies or corporations, and used by any such person, firm, company or corporation for rights of way or other easement thereon devoted to public use under a franchise authorizing such use, and providing for the extension of a lien of any such assessment to the right of way, or other easement thereon, and to the franchise of any such person, firm, company or corporation, and providing for the enforcement of such lien; also providing an alternative method of enforcing payment of such assessment.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 90, relating to conduct of public officials.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 2, strike out the words "and imprisonment," and insert in lieu thereof the words "or imprisoned."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 3, after the word "years," strike out the comma, and add the words "in the state prison,".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 4, strike out the word "Section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "Section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "Section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 888—An Act to amend Sections 658, 659 and 660, Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 12, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 14, strike out the period following the word "affidavits" and add the following words: "and in other cases after the filing of notice."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure, relating to waiver of jury trial.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "Section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "Section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be designated Sections 950, 951 and 952, relating to records on appeal.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 6, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 3.

On page 5, line 15, strike out the word "Section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953, 953*a*, 953*b* and 953*c* of the Code of Civil Procedure, relating to papers on appeal.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 1, strike out the word "Section" and the figure "1."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure, relating to costs on appeal.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, before the word "The", add the figures "1027" and a period.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "Section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 213—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges, for the city and county of San Francisco, and providing for their compensation.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 294—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 308—An Act to amend Section 67*a* of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of eight additional Superior Court judges in counties of the first class and providing for their compensation.

During second reading of the bill, the following amendments were submitted by the committee:

On page 1, Section 67*a*, line 3, strike out the word "twenty," and insert in lieu thereof the word "eighteen"; also, strike out the word "eight," in the title, and insert in lieu thereof the word "six."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 208—An Act to provide one additional judge of the Superior Court of the county of Riverside.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, Section 2, line 4, strike out the words "within ten days after taking effect of this Act," and insert in lieu thereof the following: "On or before the 1st day of July, 1914."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 249 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bowman, Bradford, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Scott, Shannnon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 63—An Act to amend Section 549 of the Civil Code of the State of California, relating to the furnishing of water for family use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 63 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bowman, Brown, Bush, Byrnes, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitz-

gerald, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

During third reading of the bill, Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

In line 4, page 1 of the printed bill, after the comma following the word "town," insert the following: "and which has contracted with said city or town to install and connect fire hydrants upon being directed so to do by the legislative body of such city or town."

Also: In line 6, page 1 of the printed bill, strike out the word "the," and insert in lieu thereof the word "said."

Also: In line 6, page 1 of the printed bill, strike out the words "of such incorporated city or town."

Also: In line 5, page 2 of the printed bill, strike out the comma following the word "ordinance," and insert the following: "and consistent with said company's contract with said city or town."

Motion carried.

The Speaker appointed Mr. Smith as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 50, with instructions, do now report that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 964—An Act to add a new section to the Political Code of the State of California, to be designated as Section 3084, relating to the issuance of burial permits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 964 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 971 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, White, Wyllie, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1889—An Act to amend Section 1131 of the Political Code, relating to the designation of places in precincts for holding elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1889 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Clark, Wm. C., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Scott, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1109—An Act to amend sections one and seven of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and to add a new section thereto to be designated as section three *a*, relating to the duties and powers of the commissioner and his appointees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1109 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shearer, Slater, Strine, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1656—An Act to amend Sections 4 and 11 of an Act entitled "An Act to regulate and license the conducting and operating of employment agencies and to provide a revenue therefrom, for the enforcement of the provisions of this Act and other Acts relating to employment agents and employment agencies," approved March 6, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1656 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Dower, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 19—Relative to establishing game refuges in the national forest reserve in the State of California.

The question being on the adoption of the joint resolution.

The roll was called, and Assembly Joint Resolution No. 19 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—66.

NOES—None.

Assembly Joint Resolution No. 19 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 19.

Relative to establishing game refuges in the national forest reserve in the State of California.

WHEREAS, There is in the State of California over twenty-five million acres of national forest reserves, containing a large variety of wild game animals and birds; and

WHEREAS, Because of the largely increasing population adjacent to such forest reserves, many species of wild animals and birds are facing extinction and there is a necessity for the protection and preservation of such game animals and birds, that they have places of refuge where they can propagate and increase unmolested;

Resolved, That the Senate and Assembly of the Legislature of the State of California in joint action, memorialize Congress to set aside all or part of each of the national forest reserves in California as game refuges in which the taking or hunting of game animals and birds shall be prohibited.

Resolved, That our Senators and Representatives in Congress be requested to use all honorable means to secure the passage of a measure or such other action as may be necessary, declaring said lands as game refuges for the protection and conservation of the game therein.

Resolved, That a copy of this resolution be forwarded to the President of the United States, the Secretary of the Interior, the Secretary of Agriculture, the respective houses in Congress, and to each of our Senators and Representatives in Congress now in office, and those who will assume office on March 4, 1913.

Assembly Joint Resolution No. 20—A resolution relative to a federal income tax.

The question being on the adoption of the joint resolution.

The roll was called, and Assembly Joint Resolution No. 20 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Richardson, Roberts, Scott, Shartel, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

Assembly Joint Resolution No. 20 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 20.

Relative to a federal income tax.

WHEREAS, The proposed amendment to the Federal Constitution conferring upon Congress the power to levy and collect an income tax, will shortly be ratified by the several states; and

WHEREAS, An income tax would help to equalize the burden of government, and tend to strengthen the central government in time of war and other emergencies; therefore, be it

Resolved, That the Senate and Assembly of the State of California hereby join in requesting the Congress of the United States to enact, at the earliest possible date, appropriate legislation providing for the levy and collection of an income tax; be it further

Resolved, That our Senators and Representatives in Congress be requested to do their utmost to forward such legislation; and be it further

Resolved, That a copy of these resolutions be forthwith transmitted by the Secretary of the Senate to the President of the Senate of the United States and the Speaker of the House of Representatives of the United States, and a copy hereof sent to each member of Congress from the State of California.

Assembly Joint Resolution No. 21, relative to requesting the United States to recognize the republic of China.

The question being on the adoption of the joint resolution.

The roll was called, and Assembly Joint Resolution No. 21 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgens, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

Assembly Joint Resolution No. 21 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 21.

Relative to requesting the United States Congress to recognize the republic of China.

WHEREAS, The modern democratic statesmen of China have successfully contested and defeated the Manchurian dynasty which had reigned with despotic power some five hundred years; and which had by taxation and oppression, crushed ambition and diminished enterprise, reducing its people to a very low standard of living and hindering them from developing their wonderful resources; and

WHEREAS, These humane statesmen having aroused the slumbering native genius of the Chinamen and out of their victory, have established a republic which has maintained its independence remarkably well under the circumstances; and

WHEREAS, The leading spirits in this new régime stand for a broader democratic management of their country's resources and industries, insuring more general distribution of the result of enterprise to all its people than now prevails in western countries; and

WHEREAS, The six great financial countries are withholding a negotiated loan of \$600,000,000 to the Chinese republic, desired by them to develop government enterprises (including industries), demanding that these financial powers shall supervise the expenditure, evidently with the intention to maintain private monopoly, fearing China may develop public monopolies;

Resolved, That the Senate and Assembly of the State of California hereby join in requesting that the Congress of the United States urge upon the national administration to at once recognize the long-neglected republic of China, to the end that their credit may be improved—that independent loans may be secured—that the republic may go onward to develop its unimproved land and wonderful resources, and draw the Chinese together from all foreign lands to their own country, bringing with them ideas gathered from all lands to work out their destiny at home and develop a higher civilization;

Resolved, That copies of these resolutions be forthwith transmitted by the Clerk of the Assembly, to the President of the United States Senate and the Speaker of the House of Representatives of the United States, and a copy hereof to each member of Congress and each newly elected member of Congress.

Assembly Bill No. 1330—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

During third reading of the bill, Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, strike out all of lines 15 to 18, inclusive.

Motion carried.

The Speaker appointed Mr. McDonald as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1330, with instructions, do now report that the instructions of the Assembly have been carried out.

McDONALD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 979 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Scott, Shannon, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1581—An Act to provide for the recovery of damages by a husband, wife, child, parent, guardian, employer or other person, from any person or persons, accepting or taking or assisting in any way in the accepting or taking of money or other thing of value in any game of chance, prohibited by the laws of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1581 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer,

Polsley, Richardson, Roberts, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuck-enbruck, Sutherland, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—56.

NOES—Messrs. Collins, Dower, Ferguson, Ford, Nolan, Schmitt, Shannon, Walsh, and White—9.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 855—An Act to amend the Code of Civil Procedure by repealing Sections 749, 750 and 751, and adding to Title 10 of Part 2 thereof a new chapter, to be known as Chapter 3a, to consist of Sections 750a, 750b, 750c, 750d, 750e, 750f, 750g, 750h, 750i, 750j, 750k, and 750l, providing a simplified method for ascertaining and establishing title to real property and determining all adverse claims thereto.

Also: Assembly Bill No. 856—An Act to amend the Code of Civil Procedure by repealing Sections 841, 845, 846, 849, 850, 854, 856, 857, 858, 872, and 886, amending Sections 844, 847, 851, 852, 853, 855, 859, 860, 871, 873, 879, and 890, and adding Sections 844a, 847a, 855a, 865a, 874a, and 874b, relating to proceedings in justices' courts, simplifying and revising the rules of pleading and practice therein, eliminating technicalities and delays, and providing for the prompt appearance of parties, framing and trial of issues, and rendition of judgment in actions in such courts.

Have had the same under consideration, and respectfully report the same back, with committee substitutes therefor, and recommend that the substitutes be adopted.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Oil Industries, to whom was referred Assembly Bill No. 61—An Act to prevent injury to oil, gas or petroleum bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum bearing strata or formations by the penetration or infiltration of water therein," approved March 20, 1909—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GREEN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Oil Industries, to whom was referred Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GREEN, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1303—An Act to amend section twenty-three hundred and forty-nine of the Political Code of the State of California, relating to certain streams and waters and the navigability thereof as public ways—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

Also: Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof.

Also: Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

INMAN, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving, and dredging the channel of San Rafael Creek—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended and be re-referred to Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to the Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Also: Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

Also: Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending sections two, nine, eleven, twelve, fifteen, sixteen, twenty and twenty-seven, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

Also: Assembly Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

ELLIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Also: Assembly Bill No. 1514—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

Also: Assembly Bill No. 1518—An Act to add a new section to the Penal Code to be known as section twelve hundred two *a*, relating to indeterminate sentences.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ELLIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

ELLIS, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 1990—An Act to add a new section to the Penal Code of the State of California, to be numbered 650b, and relating to remuneration for time lost to prisoners of the State who have been improperly or unjustly incarcerated—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Judiciary.

ELLIS, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Also: Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Also: Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Also: Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Also: Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Also: Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same, and making an appropriation for that purpose.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

ELLIS, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 832—An Act making an appropriation to pay the claim of the California Highway Construction Company for money expended and labor performed in and upon the construction and completion of state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee, and further recommend that it be re-referred to the Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs, and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Also: Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57 and 59 thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

FISH, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Also: Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FISH, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances—and report that the same has been correctly re-re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1567—An Act to amend an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and to provide for officers of said courts, and to fix the compensation of certain officers thereof," which Act became a law under constitutional provision, without the Governor's approval, March 5, 1901; by adding a new section thereto, to be numbered 10½, relating to the selection of jurors and the impaneling of juries in such courts.

Assembly Bill No. 92—An Act to provide for prompt relief and medical attention in case of accidents to employees and travelers upon railroads by compelling common carriers by railroads to maintain hospital cars.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock m. the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened.
Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, strike out the comma (,) and insert in lieu thereof a period (.).

Also:

On page 1, line 6, strike out all after the comma, and insert in lieu thereof the following: "The costs of any such bridge or bridges shall be paid out of the general fund of the county treasury, and the costs of maintaining and keeping in repair of said bridge or bridges may be borne by said county and said costs of so maintaining and keeping in repair of said bridges shall be paid out of the general fund of the county treasury."

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 956, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, strike out all after the word "the" in line 8, and insert in lieu thereof the following: "general fund of the county treasury."

Motion carried.

The speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1017, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 580—An Act to amend Section 628c of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 580 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strino, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 754—An Act to amend Section 14 of an Act entitled "An Act to create a fireman's relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 20, 1905.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 754 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Collins, Dower, Emmons, Ferguson, Finnegan, Fitz-

gerald, Ford, Gabbert, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California, to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1314 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 555—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 555 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Brown, Bush, Byrnes, Canepa, Cary, Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 35, strike out the words after the word "dollars," and insert the words "per month."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 534, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 1002—An Act to amend section four hundred fourteen of the Political Code of California, relating to the employees of the Secretary of State, and providing a salary for the same.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 15, strike out the word "deputy," and insert in lieu thereof the word "secretary."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1002, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 1269—An Act to provide for the compilation, printing, binding, publishing and distribution of a roster of state, county, city and federal officials, election laws and corporation laws.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, after the word "copies," insert the word "each."

Also: On page 1, line 6, strike out the word "two," and insert in lieu thereof the word "five."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1269, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the state register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

On motion of Mr. Bohnett, the above Assembly bill was re-referred to Committee on Ways and Means.

Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 734 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Griffin, Guiberson, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Shearer, Simpson, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weidon, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

During third reading of the bill, Mr. Wyllie moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 7, following line 14, add the following: "Sixteenth. On the recommendation of the county superintendent of schools, boards of school trustees and city boards of education are hereby empowered to enter into contract with the national government to receive money from said national government for the Indian children in attendance in the schools under the jurisdiction of said boards, in addition to any money that may be appropriated for such schools by the State and the county. Any money received on such contract shall be transmitted to the county superintendent of schools to be by him paid into the county treasury to the credit of the state school fund of such school district. On the receipt of such money the superintendent shall notify the clerk of the board of school trustees of the receipt of the money."

Motion carried.

The Speaker appointed Mr. Wyllie as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 434, with instructions, do now report that the instructions of the Assembly have been carried out.

WYLLIE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 441 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Collins, Dower, Ellis, Emmons, Ferguson, Fish, Fitzgerald, Ford, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Polsley, Richardson, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 442 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Roberts, Scott, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, White, Wyllie, and Mr. Speaker—55.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 444—An Act to amend Section 1576a of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 444 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Scott, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of school of each county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 445 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Brown, Byrnes, Clark, Wm. C. Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Richardson, Schmitt, Scott, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1503 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C. Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shearer, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Bill No. 688—An Act to amend an Act entitled “An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof,” which became a law under the constitutional provision without the Governor’s approval February 25, 1901, as subsequently amended, by amending section two thereof, relating to the proceedings for the calling of an election therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 688 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bohnett, Brown, Bush, Byrnes, Cary, Clark, Wm. C. Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Roberts, Scott, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 690—An Act to amend section eight hundred seventy-five of an Act entitled “An Act to provide for the organization, incorporation and government of municipal corporations,” approved March 13, 1883, as subsequently amended, relating to the powers of the

presidents and presidents pro tem. of boards of trustees of cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 690 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Collins, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILL.

Senate Bill No. 689—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, and concurrent resolution, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles are as follows:

By Mr. Judson: An Act to prohibit hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from allowing "tips" to be given to the employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same.

By Mr. Hinkle: Assembly concurrent resolution approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held thereon for that purpose, on the 27th day of February, 1913.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Judson: Assembly Bill No. 2039—An Act to prohibit hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from allowing "tips" to be given to the em-

ployees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same.

Bill read first time, and referred to Committee on Corporations.

By Mr. Hinkle: Assembly Concurrent Resolution No. 22—An Act relative to approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held thereon for that purpose, on the 27th day of February, 1913.

Read, and referred to Committee on Municipal Corporations.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received and read:

SACRAMENTO, CAL., March 19, 1913.

To the Assembly of the Legislature of the State of California.

GENTLEMEN: We, your committee appointed Saturday, March 15, 1913, to investigate conditions surrounding the cement industry, have visited the Santa Cruz Portland Cement Company's plant at Davenport; the Long Wharf, at Oakland, California; and the Cowell Cement Mills, at Bay Point, and herewith submit testimony taken at said places as our partial report.

BAGBY,
McDONALD,
CARY,
BLOODGOOD,
WELDON,
Committee.

(First witness examined at Santa Cruz Cement Company's plant.)

Q. What is your name? A. G. Faloki.

Q. Are you willing to take an oath? A. No.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. No (not understanding).

Q. No; you don't understand. I am your friend; I want to ask you some questions, and I want to have you tell me the truth. Hold up your right hand.

Q. Now, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. Yes.

Q. Have you ever been sick from the dust here? A. No.

Q. Is your nose ever sore? A. No.

Q. Does your throat ever get sore? A. No.

Q. Nor your eyes? A. No.

Q. Can you always hear good? A. Yes.

Q. Are your ears ever sore? A. No.

Q. How long have you worked here? A. From five to six years.

Q. Were you ever sick during that time? A. Oh, once I was sick for about two weeks. It was my stomach; the doctor gave me medicine; I took it.

Q. You say your eyes never troubled you? A. No.

Q. Have any of your friends here ever been sick? A. No, none sick.

Q. Are you sure? Haven't any of the fellows here been sick? Do you understand me? A. Sure, I understand. Some fellows get sick sometimes; they all come back to work.

Q. Does the dust make them sick? A. Dust? No have dust here. No have dust where I work.

Q. Where is the dust, then? Where is the bad dust? A. Oh, over in the grinding room.

Q. Get dusty there? A. Sometimes.

Witness excused.

Another employee sent before the committee.

Q. I am one of the men who are looking up some things about the dust here. I want to ask you a few questions. Will you answer them? A. Yes.

Q. Hold up your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. Yes.

Q. What is your name? A. A. Bragini.

Q. How long have you worked here? A. A year.

Q. Were you ever sick here? A. No.

- Q. Does the dust bother you at all? A. No.
Q. Nose ever sore? A. No.
Q. Eyes? A. No.
Q. Where do you work? A. Down there in the kiln room; lots of dust some-
times.
Q. Are any of the boys ever sick here? A. No.
Q. Open your mouth; let's see back in there. (Condition reported healthy.)
Q. Do your ears ever get sore? A. No.
Q. Do you cough much? A. Never.
Q. Isn't there anybody here ever sick? A. Not that I know of.
Q. Do the boys ever complain? A. No.
Witness excused.
Another employee brought before the committee.
Q. Hold up your right hand to take an oath. Do you solemnly swear to tell the
truth, the whole truth, and nothing but the truth, so help you God? A. Yes, sir.
Q. What is your name? A. Frank Ozzari.
Q. How long have you worked here? A. So long, three years; I no remember;
two years, or maybe three years. I work outside before, now I work inside.
Q. Does the dust hurt your nose any? A. No.
Q. Ears? A. No.
Q. Ever cough? A. No.
Q. Is your stomach all right? A. Yes.
Q. Have you a family? A. No.
Q. How long do you work here every day? A. Today I work twenty-four hours,
long shift.
Q. What time did you begin? A. 6.30 this morning.
Q. You don't work 24 hours every day, do you? A. No, one time I work 24
hours.
Q. How long the rest of the week? A. Twelve hours.
Q. How much do you get? A. Twenty-two and a half cents an hour.
Q. You've worked here two or three years? A. Yes, over three years.
Q. Doesn't your throat ever get sore? A. Sometimes I have sore throat.
Q. Ever have any trouble with your lungs? A. No.
Q. Ever so sick you couldn't work here? A. Oh, once I get sore throat, I lay
off little while.
Q. No trouble with your ears? A. No.
Q. Hearing good? A. Yes.
Q. You say that once a week you work 24 hours? A. Yes.
Q. Everybody here the same way? A. Yes.
Witness excused.
Another employee brought before the committee.
Q. What is your name? A. Warren Wolfe.
Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but
the truth? A. Yes, sir.
Q. How long have you worked here? A. Over six years.
Q. Did you ever work in any other plant? A. Yes, I worked in New York state
three years, and I was in the Edison plant one year.
Q. What work did you have? A. I'm in the kiln-room. In the Edison plant I
worked in the sacking room.
Q. Were you ever sick on account of cement dust? A. No.
Q. Does your throat ever trouble you? A. No.
Q. Nor your nose? A. No.
Q. Nor your eyes? A. Not a bit.
Q. Lungs ever get sore? A. No. I have been sick, but the dust wasn't the cause
of it at all.
Q. How long do you work here a day? A. One day a week I work 24 hours, then
I rest 12 hours. All the rest of the time I work 12 hours a day.
Q. And what about your pay here? A. Well, they get paid by different rates.
We firemen get 25 cents an hour.
Q. Do all the men get paid by the hour? A. I think so; yes.
Q. What do you get for a 24-hour day? A. Twenty-five cents an hour.
Q. You say you get to rest a day after working 24 hours? A. Yes, about.
Tomorrow morning early, I'll go home, and come back about ten minutes past five
tomorrow night. I work my 24 hours, and then rest from 6.30 a.m. to 5.30 p.m.;
that's 11 hours' rest.
Q. You get an hour off for noon on a 12-hour day? A. No, there isn't any dinner
hour off; we eat while we are working. We can't take any time off; these fires
have got to be kept going.
Q. How do you get your pay? A. By check.
Q. How many hours a week do you work altogether? A. About 84 hours a week.
Q. What day do you have off? A. I don't have any day off; after working 24
hours, we can rest 12 hours. Sometimes I work 13 regular days, then rest one.
Q. Do you work by the hour? A. Yes.
Q. Whenever you take a vacation, do you lose that much money? A. Yes.

Q. Have you a family? A. No. I'm a single man.

Q. All the men don't get the same pay, do they? A. Some of the power men get 44 cents an hour.

Q. Who owns this store near here? A. I really don't know, Mr. Reddy, I think.

Q. And who owns the saloon? A. I don't know.

Q. Doesn't the company have anything to do with either one? A. No. This company just owns this outfit.

Witness excused.

Employee brought before the committee.

Q. We want to ask you a few questions about the work here. Hold up your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. Yes.

Q. What is your name? A. A. Gibanali.

Q. How long have you worked here? A. About five years.

Q. Where have you worked? A. In the drier for three years and in the tool-mill for two years.

Q. Is it dusty there? A. Sure, its dusty everywhere.

Q. You're not working now, are you sick? A. I have been sick.

Q. Did you go to a doctor? A. Yes, I went to the company's doctor.

Q. Is it the dust that makes you sick? A. I cannot tell.

Q. Why yes, you can tell us. We're your friends. Does this cement dust make you sick? A. I don't know. The doctor tell me to come back.

Q. Is it your nose? A. No.

Q. Your eyes? A. No.

Q. Your chest? A. I can't tell, the doctor he say no.

Q. Is it your mouth? Open your mouth and let me see it. I'm a doctor. A. Are you a doctor? Dr. Bagby: Yes. Witness: It isn't my mouth, it's my head. (Takes off hat) (exemous condition).

Dr. B. Oh, I see, are there any other men in the factory like you, sick like this? A. No, I don't think so.

Q. Do you think cement dust did this? A. Yes, sir; I think so.

Q. You have been here five years and never saw it on any of the men? A. No, sir.

Q. This saloon here, who owns it, the company? A. No.

Q. Does the company own the store? A. No, Buerte owns the store, I think.

Q. Do you eat good? A. Yes.

Q. Sleep good? A. Yes.

Q. Ears all right? A. Sure.

Q. All right in here (chest)? A. Sure.

Q. Did the boss fire you? What for? A. Well, I had worked for three days. I wanted my \$6; he go to give me five; I ne take that, I want my pay; I want my \$6. He say "No," so he fire me.

Witness excused.

New witness brought before committee.

Q. Speak English? A. Not much.

Q. Do you swear to tell the truth, the whole truth, and nothing but the truth? A. Yes.

Q. What is your name? A. I. Goablosso.

Q. How long have you worked here? A. About five years and a half.

Q. Ever been sick here? A. No.

Q. Dust hurt your lungs? A. No, seem good for me.

Q. Nose hurt ever? A. No.

Q. Nor your eyes? A. No.

Q. Ever hear of the other men being sick? A. No.

Q. Any of them complain? A. No.

Q. How much do you get working here? A. I get 22½ cents an hour.

Q. How long do you work to-day? A. To-day I work 24 hours. Every other week I work 24 hours.

Q. How is your throat? I am a doctor. Let me look at it. (Reported healthy.)

Q. Your ears are all right, are they? A. Sure.

Q. Ever hear of anybody getting sick here? A. No.

Q. None of your friends ever sick? A. No.

Q. Anybody in the hospital? A. What?

Q. Is there any sick person in the hospital? Sick house—Isn't there anybody sick over there? A. No understand.

Q. No hay amigos en el hospital? A. No, not amigos.

Witness dismissed.

Foreman brought before committee.

Q. Your name? A. G. N. Nolan.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth? A. Yes, sir.

Q. How long have you worked in this place, Mr. Nolan? A. Six years.

Q. Do you spend most of your time in this department? A. No, not all of the time.

Q. You are constantly going back and forth in all departments? A. Yes, sir.

Q. Your lungs have never bothered you? A. Not a bit.

Q. How about your eyes—does this dust affect them? A. It only irritates them, like any dust would. There aren't any bad effects.

Q. Is your nose ever sore? A. No.

Q. And your throat? A. My throat is all right. Of course, sometimes we get choked a little, everybody does. It affects people different. Sometimes I get choked, but I always get right over it in the fresh air.

Q. What do you consider the dustiest place? A. Well, the sacking room they say is the dustiest, and that isn't working today.

Q. From what you know, does the dust have any bad effects on these laborers? A. Not that I know of.

Q. Is there anybody in the hospital with sickness due to the dust? A. No—at least, I don't think so.

Q. What persons do you put in the hospital? A. Well, the fellows that get hurt on the machinery here, and those that get hurt over in the quarry.

Q. How do they get hurt in the quarry? A. Oh, I don't know; they have accidents over there.

Q. How many men have been killed in the mill since you've been here? A. Three, I think. I'm not certain.

Q. Was the cause of death of either of those three men due to the fact that the dust was in the air and they couldn't see? A. No, they got killed by carelessness with the machinery.

Q. Have any deaths or injuries resulted from the conditions of the atmosphere in here? A. No.

Q. You allow any of your employees to go to the hospital when he gets sick? A. Yes. He can either go to our hospital, or get his medicine and take it to his home. Lots of them get medicine of the company's doctor.

Q. Do you still pay the men while they are in your hospital? A. We give them \$1.00 a day while they are in our hospital.

Q. How many men do you employ? A. I don't know exactly. Right here in this building we have ten men.

Q. Are you pretty sure that the dust has no bad effects? A. Yes, I'm pretty sure it hasn't.

Q. What is the general nature of those who are sick once in a while? A. Well, I'm not prepared to say. I don't have anything to do with that part of it. You would have to see the doctor.

Q. Have you noticed any of the men here with a steady cough? A. If there are any men with a steady cough, I haven't seen them.

Q. Don't any of these fellows ever wear nose-guards over their faces? A. No. They would rather work without them. We used to have them here; had them for all the fellows, but they threw them away. They wouldn't use them.

Q. Do the men who load ships use them? A. Well, I don't know at all. We don't have anything to do with ships here.

Q. Do you furnish all your men with these nose-guards? A. No, but if any of them asked for them, we would give them to them. You see, most of these fellows are foreigners, and they have never heard of a nose-guard before. However, if they asked for one, they could get it.

Q. Do you find it hard to get men to work here? A. Not a bit. I could change my force every week if I wanted to. Always find men.

Q. Isn't it a fact that if the dust in here were abolished, you could get help easier? A. Well, yes, I suppose so, but I don't ever have any trouble getting men. Lots of the fellows don't mind the dust a bit. Some of them can't stand it two hours without being sick. It all depends on the fellow.

Q. Do you pass through the sacking room often? A. Yes, every day several times.

Q. Any complaints from the men in there? No, they don't complain.

Q. Would you say that the men are as healthy as men in other occupations?

A. Well, I can't say as to that. I am not prepared to say.

Q. What nationality are most of the men? A. Most of these fellows are Italians.

Q. Citizens, or non-citizens? A. Probably 90 per cent of them are non-citizens.

Q. How many men have you in the whole institution? A. Well, with the quarry and all, there are somewhere between 80 and 100.

Q. And how often do you pay the employees? A. Once a month.

Q. Pay them by check? A. Yes.

Q. Do you ever board the cars here where they are packing the cement in for shipment? A. Yes, lots of times.

Q. Any complaints? A. No. You see in a car there is more ventilation than there is in a building or ship. They can always get ventilation in a box-car.

Q. What is the output of the plant here daily? A. About 5,000 barrels a day.

Q. Compared with the other plants in the State, is this dustier than the others? A. I don't know. I was never in the others.

Q. Have you a family? A. Yes. I live here.

Q. Do you know the cost of these sacks to the company? A. No, I don't know what these sacks cost.

Q. As foreman here, do you hire and discharge these men yourself? A. Well, I do some of the hiring, and when I want to fire a fellow, I do that, too.

Q. We saw one fellow out here that you had discharged. You had a reason for discharging him? A. Yes, sir; I did.

Q. Please state it. A. Well, he laid off on his own account, and wouldn't come to work when sent for, and I know that he was peddling most of the time he was off.

Q. You say that you have worked in eastern plants? A. Yes, sir.

Q. Is the mode of packing and handling the cement about the same? A. Yes, sir, just about the same. Lots of the places use the paper bags for short trips.

Q. How about the cloth bags with paper linings? A. Well, they are all right, only when the paper breaks, the dust is just like before. Then when the bag is returned to us to fill again, the paper is most always cut or broken, and it takes a new one.

Q. When these bags are new, isn't the mesh closer together than when the bag has been used three or four times? A. Yes, the cement going out through the little holes carries lots of the little fibres with it, and a bag that has been used three or four times leaks worse than a new one.

Q. Do you recognize this bag which I have marked "Exhibit 'A'" as one of the new bags used in this mill? A. Yes.

Q. Do you recognize this bag which I have marked "Exhibit 'B'" as one of the bags used in this mill which has been used twice? A. Yes.

Q. Do you recognize this bag as one which has been used for cement more than once, or several times? A. Yes.

Witness excused.

New witness before committee.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. I do.

Q. How many men do you employ here on the mill? A. Between 70 and 80.

Q. Most of them are foreigners? A. Most of them are foreigners, yes.

Q. Do the men stay at this job for quite a while usually? A. Yes, as a general rule they work quite a while. They go and come just as in other professions and trades.

Q. Do you hear any of them complaining of the dust? A. No, I don't ever hear them complain. I work in the laboratory, and naturally I—

Q. Are there men in the hospital now? A. Yes.

Q. Do you know why they were sent there? A. From injuries and accidents about the mill and quarry.

Q. Do you know, or did you ever know of a man being sent to the hospital as a result of the dust here making him sick? A. No, I don't know of any such case.

Q. Do you know much about the conditions in packing and sacking the cement? A. No; I have nothing to do with that part of it.

Q. Don't you think that re-packing the cement in double sacks would do away with effects of dust? A. It might, but so far there has not been invented a good double sack. The ones dipped in paint are hard to tie; they are so stiff around the top that there is always a hole left when the top is tied. The paper sack inside a cloth one is good for short single hauls.

Q. Don't you think by looking at these sacks here, that the mesh is much more spread apart in the sacks which have been used than in the new sacks? A. If it is, it is impossible to tell the difference with the naked eye.

Q. After the sacks are weighed on your scales, are they weighed again before delivery? A. Not that I know of.

Q. Do you sell them according to weight in wholesale? A. Yes.

Q. Do you know what per cent is lost by the cement escaping through the coarse mesh and holes? A. No—probably very small.

Q. It makes no difference to the company how much is lost in transit by leakage, after the sacks have been weighed on your scales, does it? A. I don't know. I guess not.

Witness excused.

New witness brought before committee:

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. Yes, sir.

Q. You are the manager of this plant here? A. I'm general superintendent of the Standard plant, yes, sir. Mr. F. H. Davis.

Q. What would you say as to the general health of the men employed here? A. Excellent.

Q. Aren't there any complaints from the dust? A. No, the men don't complain. Of course, some men can't stand any dust, and they don't stay with us, but our men don't complain.

Q. What would seem to you the dustiest part of the mill? A. Well, the men in the sacking department have about the worst of it.

Q. Do you think the dust in there has bad effects on them? A. The dust irritates their eyes, just like it does yours and mine, but they always get over it.

Q. Have you any men in the hospital who are in there on account of the dust? A. No.

Q. The company has its own doctor? A. Yes.

Q. They also have a hospital? A. Yes, we have a hospital over on the hill where we take our fellows.

Q. What is the matter with the men who you say are in there? A. Some of them are injured in accidents about the plant.

Q. Any lung trouble? A. No, sir.

Q. How many men altogether are employed by the Standard? A. About 70 or 80 in all, I believe.

Q. How many men are in the hospital? A. Twelve, I think.

Q. Does the company own the saloon here? A. No, sir.

Q. It owns the store, doesn't it? A. No, we only own the plant.

Q. What do the full sacks weigh when they are shipped from your plant? A. 95 pounds.

Q. Are they weighed after that? A. Not that I know of.

Q. Where do you ship cement outside of California? A. Washington, Oregon, the Philippines and Honolulu.

Q. What does a sack from your plant weigh in Washington? A. I don't know. Probably the same as it did when it left here.

Q. Did you ever receive a complaint of short weight after shipment? A. No, never a complaint of short weight.

Q. You say there is a doctor in that hospital? A. Yes, he has his dwelling there; lives there all the time.

Q. Is the hospital for regular patients? A. No, it is the company's private hospital. We pay the doctor so much a month for taking care of our men.

Q. Have you any compensation for a workman who gets injured, and is in the hospital? A. Yes, we pay a man \$1.00 per day all the time he is in the hospital.

Q. Don't you ever have a man in the hospital with a sickness caused by dust? A. Never a one.

Q. Do many men have colds, bad colds? A. Not that I know of.

Q. No men have to lay off on account of the dust? A. Not that I ever heard of.

Q. Do any of your men have coughs? A. Oh, some may have coughs, but only temporary, as with a cold or something like that.

Q. Now, Mr. Davis, can't you tell us of one case of sickness in the plant resulting from cement dust? A. No, sir; in all my experience here, and I've been here seven years, I never knew of a single case of sickness where dust was the cause.

Q. Do you dock your men when they are off in the hospital? A. Yes, we dock them \$1.00 a month from their wages, but at the same time, we pay them \$1.00 a day for all time in the hospital. And they are taken care of and given good medical treatment besides. There never was a man treated here, but what was perfectly contented. Just to show you how the men are let me tell you what happened the other day. A man employed by the Pacific Gas and Electric Company put his head accidentally on a high voltage wire, carrying 1,000 volts and was electrocuted. He had a wife and little baby and the men in our plant passed around a hat and raised \$300.00 for that wife. That shows what sort of fellows they are. And this fellow was not employed by us, either.

Q. Do you believe, Mr. Davis, that the more a sack is used, the more open its mesh becomes? A. After three or four times using, it probably is looser than it was at first, yes.

Q. About how many times do you use a sack, on an average? A. Six times, or until it is worn out. We hardly ever use them more than six times.

Q. Did you ever use these painted sacks? A. Yes, but they are not satisfactory. They crack, and we don't get them back; we use them about once.

Q. How much more does a painted sack cost than a regular sack? A. About three cents more.

Witness dismissed.

Committee examining loading of ship "Frances Leggett" at Oakland.

Q. What is your name? A. W. T. Bevert.

Q. Will you take an oath? A. Yes.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth? A. Yes, sir.

Q. How long have you worked out here? A. Over three years.

Q. What is your business? A. I'm foreman of the loading gang.

Q. You are constantly loading cement on ships at this port? A. Yes; we load lots of things here besides cement, though.

Q. When you load cement does the dust bother much? A. Yes.

Q. Is it the same on all ships? A. Yes; some are more ventilated than others, but there is always dust.

Q. Is this ship here the class of boats that usually carries cement? A. Well, this boat is regarded as the best type for cement. This is the best boat. Most of the other boats have only one hatchway, and that makes the air awful, there is no ventilation. This ship has three, and another thing, the engine is in the back end

of the boat; usually it is in the middle. That gives all the room in one place, the way this ship is.

Q. Do you think the dust of cement has any really bad effects on the men? A. Oh, yes, I'm sure of it.

Q. How has it affected you? A. My hair. When I came here four years ago I had a fine head of hair, and now look at it; just a little left. It's lots lighter, too.

Q. Are you sure the cement did this? A. Well, I don't know what else would.

Q. Any other men around here have trouble like this? A. Yes, they all say it's hard on the hair.

Q. Is it a general opinion that cement dust is injurious? A. Oh, yes.

Q. How dusty does it ever get here? A. Well, it gets so dusty that the men can't stand it; they come to the air and hang their heads out to get a fresh breath.

Q. Did you ever know of a really bad case where the cement affected the hair? A. No.

Q. Do any of the men have to lay off from work on account of this dust? A. Yes, lots of times the fellows just have to lay off, they get so sick.

Q. How long does it take them to recuperate? A. Oh, in a week or so they get over it.

Q. Do you ever handle plaster paris? A. Yes, but not often.

Q. Do you consider it injurious? A. Yes, about the same as cement, but we don't handle anywhere near so much of it.

Q. Has it any bad effects like cement? A. Well, I don't know about the bad effects, but it makes an awful dust, and it is awful disagreeable.

Q. Would you rather handle cement than plaster? A. Yes, I believe I would.

Q. Is cement and plaster put up in same kind of bags? A. Yes, most always.

Q. How does the plaster dust affect the men? A. Why, the dust burns their eyes so, and dries up the nose.

Q. Are these sacks you are loading today better than ordinary? A. Yes, these are all new sacks; usually we get second-hand sacks which are torn more and leak more dust.

Q. The older a sack gets, does it let out more cement when handling? A. Yes, you see the cement seems to eat the fiber of these jute sacks, and pretty soon it's leaking like everything.

Q. Have you ever had any experience with double sacks—a paper sack with a cloth one on the outside? A. No, we never get those kind here.

Q. You say this is a good class of ship? A. Yes, sir, the best kind.

Q. Better than the ordinary? A. Yes.

Q. Better than the old kind? A. Yes.

Q. What is the old kind like? A. It only has one hatch; this has three.

Q. Even this kind gets dusty down in the hold, doesn't it? A. You bet it does.

Q. Which do you think is the better cement bag, cotton or jute? A. The canvas bag holds up best.

Q. Would you recommend paper bags with cloth outside for all cement? A. From what I know of them, I believe I would.

Q. Is there any difference in box cars? Is there any preference? A. No, they are always the same—always dusty. Sometimes, even with the doors open, a fellow can't see from one end of the car to the other for the dust.

New witness brought before committee. (Hold of Frances E. Leggett.)

Q. What is your name? A. Ed. Alexander.

Q. Are you willing to take an oath? A. Yes, sir.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. Yes, sir.

Q. What is your nationality? A. Scotch.

Q. Are you a citizen of the U. S.? A. Yes.

Q. How long have you worked here? A. I've worked off and on here loading ships for four years.

Q. You load all kinds of ships? A. Yes, sir.

Q. What do you think of this ship? A. This is the best kind, its all open.

Q. You would call this a first-class ship, then? A. Yes.

Q. Not much dust here to bother? A. No, not much.

Q. Does it ever get bad in this ship? A. Yes, when there isn't much wind the air down there just stays still and it's hard to breathe.

Q. Ever laid up? A. Yes, I've had to lay off lots of times.

Q. You think it was due to dust? A. Yes, sir.

Q. How did it affect you? A. Couldn't eat, didn't have any appetite.

Q. Has it produced a cough? A. Yes, especially in the morning, I cough a lot.

Q. You've got a bad-looking nose there; was that caused by cement? A. Yes, the cement gets caught in there and hardens. Lots of times I get cement caught there and have to blow it out in chunks. Sometimes I cough up cement and blood.

Q. Are you sure it was cement? A. Yes, I can see it.

Q. Ever have a doctor about it? A. No.

Q. Cement dust ever affect your ears? A. No.

Q. Do you think it has affected your eyes? A. Well, it makes them red and watery.

Q. As a general rule, is it the opinion that cement affects the eyes? A. No, I don't think so.

Q. You say your sight is failing; how old are you? A. Forty years.

Q. Outside of the irritation of the nose, and the loss of appetite, the dust is not really injurious, is it? A. No, I guess not.

Q. How long did you say you have worked here? A. Four years.

Q. Do you sometimes lose work on account of sickness? A. Yes, I've lost a little now and then.

Q. Does the dust ever choke you? A. You bet; lots of times I have to come out in the air and spit out a lot of cement from my throat and blow it out of my nose. Sometimes I vomit blood, too.

Q. You say you have vomited blood? A. Yes, last Friday night I threw up over a cupful of blood.

Q. Was there any cement in it? A. Yes.

Q. Are you sure, do you remember it? A. Yes, sir.

Q. Are there any men laid up now from the effect of cement dust? A. There are some men laying off sick.

Q. Sick from cement? A. I guess so.

Q. Did you ever have a doctor for your trouble? A. No, not for my stomach. I had a doctor when I got my hand cut.

Q. Did the cement hurt your hand any when it was cut? A. Yes, it seemed to poison it. Nights, when I took off the bandage, there would be cement on my hand which had come through the pores of my skin.

Q. Weren't you working in the cement at the time? A. No, I had laid off.

Q. You're sure the cement came through your skin, and not from the outside? A. Yes.

Q. How long since you had worked in cement that time? A. I had laid off for five months.

Q. Did your stomach still trouble you when you were laid off? A. Not all the time, but two months after I had worked in cement, I could still cough it up.

Q. You're sure that you coughed up cement that long after you had worked in it? A. Yes, sir, I saw it.

Q. Do you think that a double sack for cement would eliminate all this dust?

A. Yes.

Q. Some of the ships are dustier than this, aren't they? A. Yes, the littler steamers are bad.

Q. You say your sight is failing and you think it is caused by cement? A. Yes.

Q. What is the general belief among the men regarding the dust-proof sack? A. I don't think they know much about it. We don't handle any here.

Q. The men all believe that the dust hurts them, don't they? A. Yes.

Q. Have you ever heard the men say how it affected them? A. Yes, they say they can't eat. Lots of the fellows go home after a day here and don't eat a bit of supper.

Q. That's a good thing, isn't it? A. Well, it's a saving; I don't know how good it is.

Q. Where do you live? A. In San Francisco, on Sixth street.

Q. Is there any other material you have to deal with that has bad effects? A. Yes, sulphur.

Q. Is that bagged like this? A. Yes.

Q. Handle any plaster-paris? A. No, we don't handle much of it.

Q. Have you anything to say as to effect of its dust? A. No, cannot say anything about it.

Q. Is there another man in this gang who has worked here a long time? A. Yes.

O. Point him out to me.

Witness excused.

Q. What is your name? A. A. R. Sullivan.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth. A. Yes, sir.

Q. What is your nationality? A. Irish-American.

Q. Where were you born? A. Boston, Massachusetts.

Q. And how long have you worked at this business? A. Fourteen years.

Q. Have you worked on all kinds of ships? A. Yes.

Q. What kind of ship is this? A. This is the best kind, all open.

Q. What is the worst kind, do you think? A. The one with just one hatch.

Q. What is it like when you are loading in a ship with one hatch? A. Sometimes the dust is so thick we can't see at all, hardly.

Q. Is this ship always like this? A. No, when it isn't raining, it is dustier. And there is a wind this afternoon, too.

Q. Does the rain make much change? A. Yes, it keeps down lots of dust.

Q. If the conditions were always like this, would the men care? A. No.

Q. Were you ever laid up? A. Yes, six months once.

Q. What was the trouble? A. Cement lodged in my chest.

Q. How did you know that was what it was? A. Well, I could feel it, and when I breathed then I knew it was cement.

- Q. Have a doctor? A. Yes.
- Q. He treated you for cement on the chest? A. No, he treated me for lumbago.
- Q. Did you or any of the men here ever have pneumonia? A. Not that I know of. I never had it.
- Q. How many men work at this business? A. We have 3,500 in our organization.
- Q. Do they all load cement? A. They do when that is all there is to do. Lots of the fellows just won't do it. No fellow does it unless he has to.
- Q. Why are you working here? A. Well, I have a family, and I have to live.
- Q. What other trouble did you ever notice? A. I don't have much appetite after I've been working in this stuff.
- Q. Do you have chest trouble every time you work in cement? A. Yes, every time.
- Q. And yet you keep it up? A. Well, it's all I can get to do.
- Q. Ever notice any catarrhal condition of your nose? A. Yes.
- Q. Have a doctor for that? A. Yes, the doctor treated me for catarrh before I began to work in cement.
- Q. Did you get over it all right? A. Well, I'm not over it, but it's better.
- Q. Your eyes ever trouble you? A. No.
- Q. How old are you? A. 34.
- Q. As a rule, the men here are generally healthy? A. Yes, most of the time.
- Q. In case you have a sore on your hand, does the cement make it worse? A. Yes, it don't heal up quick.
- Q. There isn't any poison in it, is there? A. No, I don't think so.
- Q. Do you know of anyone being laid up permanently? A. Well, there was one fellow who had an operation on his throat—he just got out of the hospital. I guess he'll be all right, though.
- Q. What was the operation for? A. They took a stone out of his throat.
- Q. Did you see the stone? A. No.
- Q. All you know about it is just hearsay? A. Yes.
- Q. You load sulphur here sometimes, don't you? A. Yes, but that isn't bad. What dust there is irritates my eyes, but you get over it.
- Q. What about plaster-paris? A. We don't get much of that; only two or three times a year.
- Q. Does flour ever go by this ship? A. No.
- Q. You say you have been sick and laid off several times—how much time have you lost in the four years? A. Well, in the four years I expect I've lost about one.
- Q. One what? A. One year, about a quarter of the time.
- Q. Is it the general belief that cement penetrates the system, and comes out through the pores? A. Yes, the fellows believe that.
- Q. Did the doctor tell you that there was cement inside you? A. Yes, he told me to quit this work, not to work in cement any more.
- Q. And you were compelled to come back from necessity? A. Yes.
- Q. Are all the men here compelled to work here from necessity? A. I guess they all are. None of them would work here if they could help it.
- Q. Have the longshoremen any preference? A. I don't know, but they hate to work in cement.
- Q. Did you ever cough up cement independent of blood? A. No, it is in little blood clots. In my nose the same way, too.
- Q. All the men here believe cement dust to be injurious, do they? A. Yes.
- Q. Ever see any men around here spit up blood while they are working? A. No. I don't think so.

Committee in box car loading "Frances Leggett."

- Q. What is your name? A. John C. Watson.
- Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth? A. Yes, sir.
- Q. How old are you? A. Fifty-three.
- Q. How long have you worked at this? A. Seven years.
- Q. Do you always work in the cars? A. No, sometimes I'm down in the hold.
- Q. You have worked in all kinds of ships? A. Yes.
- Q. What do you think is the worst kind? A. Those steam schooners with double gears hoisting into one hatch.
- Q. Why is that the worst kind? A. There is only one hatch, and no ventilation.
- Q. How about this kind of a ship? A. Oh, this is all right—three hatches.
- Q. The dust doesn't have much effect where there are three hatches? A. No.
- Q. How large are the hatches usually? A. On some ships they are small and some are large. On the little ships the hatch is about the size of this car.
- Q. If all ships were the size of this one, and the hatches as big, there would be no complaint? A. No.
- Q. This car is ventilated all right, isn't it, with both doors open? A. This is pretty good—these sacks are new—but sometimes, if you're on this side of the car, you can't see the other end at all.
- Q. That is the way it is with old sacks, is it? A. Yes.
- Q. Is there much difference between the dust of new and old sacks? A. Yes, a lot

of difference. The dust from a new sack doesn't amount to much, but an old one is bad.

Q. Were you ever sick from the dust? A. Yes, last year a month and a half I laid off—I had cement in my stomach.

Q. How did you know it? A. Well, I took salt water, and that made me vomit and the cement came up.

Q. How much cement? A. Oh, I guess about a teaspoonful. It was in flat pieces, like my finger nails.

Q. Ever have any trouble with your nose? A. No.

Q. Ever notice catarrhal condition of your head? A. Yes, I had catarrh before I began.

Q. Ever have a doctor for it? A. No.

Q. Ever have sore eyes? A. No, only when its windy.

Q. You ever notice that your eye sight is failing? A. Yes, that's why I have to wear glasses.

Q. What is the effect of the dust on a person's eyes? A. Just about like other dust, it makes them sore sometimes.

Q. Have you noticed any poisonous effect from the cement? A. No.

Q. Any other material you handle have any effect on you? A. Well, sulphur hurts my eyes, but it doesn't last long. We don't handle much sulphur.

Q. Is it not a fact that the strong objection to cement is because so much of it is handled? If you handle the same amount of lime or plaster paris, wouldn't there be the same objection? A. I really don't know. No one likes to handle cement. We don't do it unless we have to.

Q. You say you have been working at this six years? A. Yes, sir.

Q. During that time, what is the longest time you ever handled cement continuously? A. About two weeks.

Q. How much time do you lay off at the end of a job? A. Oh, a few days, or a couple of weeks; until we can get another job.

Q. You handle all sorts of other material? A. Yes.

Q. And how much time do you spend in cement? A. About half the time, I guess.

Q. Then half of all the time you are working you are working in cement, is that it? A. Yes.

Q. Have you ever handled cement put up in double sacks? A. Very little—once we had a few sacks of it.

Q. Was the dust bad then? A. Hardly any dust.

Q. Was there any complaint from these sacks? A. No.

Q. Who was that small shipment for? A. It went to some government job; all government work cement is shipped in double sacks.

Q. How much loss would you say there usually is from a poor sack? A. Oh, a pound and a half to two pounds, in the worst sacks.

Q. Did you ever gather any up from the floor here after the car was empty? A. No.

Q. How much would you say was left on the floor? A. About 100 pounds, I guess.

Q. Ever weigh it? A. No.

Q. Was what was left on the floor from just one broken sack, or from all of them? A. It was from different ones.

Q. And what wages do you get here? A. I get fifty cents an hour.

Q. Fifty cents an hour for eight hours, or for nine? A. For nine. After that I get seventy-five cents an hour.

Q. Is it a fact that no longshoreman will take a job of unloading cement unless it is absolutely necessary? A. Well, I never take it unless I have to, and I guess none of the fellows do.

COMMITTEE AT COWELL CEMENT PLANT, BAY POINT, CALIFORNIA.

(First witness, hotel at plant.)

Q. What is your name? A. Baldwin, N. I.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. I do.

Q. What is your business here? A. I'm hotelkeeper.

Q. For what? A. For the Cowell cement plant.

Q. Do you measure the groceries, provisions, etc., which you buy for the kitchen? A. Occasionally I do.

Q. Ever find short weight? A. No, sir.

Q. When were your scales tested? A. About a year ago.

Q. Who tested them? A. I balanced them myself before I used them.

Q. How much a week do the men pay to board here? A. Different prices; \$20.00, \$22.50, and \$25.00 per month, according to the board.

Q. In serving the food, did you ever notice a sickness, nausea or lack of appetite of the laborers? A. No, sir.

Q. Do you know of your knowledge that the men who eat here have come right out of the factory where the dust is? A. Yes, sir.

Q. And there is no lack of appetite? A. No, sir.
Q. What is the general health of the men who eat here? A. Excellent; they seem to get fat here.

Q. Do you have charge of the sleeping apartments? A. Yes, sir.

Q. Have you ever noticed any trouble in the way of pneumonia or biliousness?
A. No, sir.

Q. How long have you been here? A. Seven years.

Q. At what hours are the meals served? A. First breakfast at five, one at six, dinner at twelve and supper at five and six.

Q. Do the men take midnight lunches with them? A. Yes, in paper bags.

Q. They also take lunches in the daytime, too, don't they? A. Yes, sir.

Q. Where do the men eat these lunches? A. In the factory.

Q. Do you know of your own knowledge that the men eat these lunches where the dust is prevalent? A. No, I really don't know.

Q. How long have you been hotelkeeper here? A. Seven years.

Q. In that time have there been any cases of sickness? A. No.

Q. Not one? A. None that I know of.

Q. Since you have been here, how many men have been killed? A. I do not know.
I cannot say.

Q. Do you think that the general health of the men in the plant is good? A. According to the way they eat, they are surely healthy.

Q. Do you know of your own knowledge that the men who work in the dustiest places board here? A. Yes, sir.

Witness dismissed.

New witness before committee.

Q. Your name? A. Frank B. Cone.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God? A. Yes, sir.

Q. What is your capacity around here? A. I am the physician to the plant.

Q. How long have you been here? A. Since October 26, 1912.

Q. How many men have you in the plant? A. About 285 or 300 are employed here.

Q. Can you tell us of any sickness? A. Very little.

Q. Does anybody ever get hurt here? A. No, only the usual accidents and misfortunes.

Q. Any lung trouble here? A. Not that I know of.

Q. Bronchitis or pneumonia? A. Only one case.

Q. Laryngitis? A. None whatever.

Q. Any la grippe? A. No.

Q. Was the bronchitis due to dust or cold? A. To a cold.

Q. Were any nasal passages stopped up? A. No.

Q. Have you examined any post-nasal passages? A. No.

Q. Have you noticed any larynx trouble? A. There were several men examined, but there was no record that the larynx was in any way disturbed.

Q. How about the men's eyes? A. There were a few cases of eye trouble, but these were the results of accidents. A puff in the engine room sometimes puts stuff in the men's eyes, and it takes one or two days to relieve the trouble.

Q. Then you would say that the cement dust in no way affects the men's eyes?
A. There is no eye trouble here now, nor there never has been.

Q. Did you ever make a post-mortem examination of any man killed here? A. No, but I have seen one.

Q. Since you have been here, have there been any cases of stomach trouble?
A. No, there are very few cases. The men work and exercise and never complain.

Q. Do the men seem to have good appetites? A. Yes, it is always good. I never have to give them anything for their stomach.

Q. Do you eat at the laborers' table? A. No, I eat at a private table.

Q. Do you know of your own knowledge that the men from the plant generally eat here? A. Yes, about 90 per cent of them eat here. There are thirty cottages, and some men live in them with their families, but all the rest practically live right here.

Q. Do you know that the men from the sacking department eat here? A. No, they eat up at the other end. The men in the sacking department do not work as regular day laborers. They work in gangs, under contract.

Q. How long has the hospital been here? A. Three or four years.

Q. How many patients in it now? A. One patient, as the result of a small accident.

Witness dismissed.

Committee in sacking room.

Q. What is your name? A. G. Scotte.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth? A. Yes.

Q. How long have you worked here? A. Four years.

Q. Ever been sick? A. No.

Q. Dust bother you very much? A. No.

Q. Do you wear anything on your nose to keep out the dust? A. No.

Q. Do you ever cough? A. No.

Q. Nose bother you? A. No.

Q. Nor your eyes? A. No.

Q. Were you ever under the doctor's care? A. No.

Q. Do you always work in the sacking room? A. Yes.

Q. Let me look at your throat. (Condition reported healthy, inspected by all members of committee.)

Q. Eat good at night? A. Yes.

Q. Do you always eat good? A. Yes.

Q. Hear good? A. Yes.

Q. Just as good as four years ago? A. Yes.

Q. Do you hear better than you did four years ago? A. Yes.

Q. Do you see better now? A. All the same.

Q. Eat just the same? A. Yes.

Witness dismissed.

New employee before committee.

Q. What is your name? A. Mark Piedmont.

Q. How long have you worked here? A. Four and one half years.

Q. Ever sick? A. No.

Q. Did you ever lose a day in those four and one half years? A. Yes, three or four months; I broke my hand.

Q. When you broke your hand, was the skin broken? A. No.

Q. Good appetite? A. Yes.

Q. No better than four years ago? A. Just the same.

Q. Can you taste things good? A. Yes.

Q. Has the cement dust had any effect on you? A. All the same.

Q. How many Italians work here? A. About thirty.

Q. Any of them working in the sacking department? A. Yes.

Chairman—"Get me one."

Witness dismissed.

New employee before committee.

Q. What is your name? A. Cleckner.

Q. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth? A. Yes.

Q. About how long have you been in this business? A. Seventeen years.

Q. Most of the time in the sacking department? A. Eight years in the sacking department.

Q. Have you had an opportunity to observe the men in the sacking department? A. Yes.

Q. Does the dust have any bad effects on them? A. Not that I can see.

Q. Do you remember of any men being sick from the dust? A. No.

Q. None of the men complain? A. No.

Q. Do you know of any men in the hospital who were sick from dust? A. No.

Q. Did you ever hear of a man spitting blood? A. No.

Q. Ever hear of a man with cement in his stomach? A. No.

Q. Ever hear of a case of blood poisoning from the cement? A. I never saw or heard of any.

Q. Let me look at your throat. (Throat inspected by committee, throat reported in healthy condition.)

Witness dismissed.

New witness before the committee.

Q. What is your name? A. Erglino.

Q. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth? A. Yes.

Q. Do you work in this mill? A. Yes.

Q. In what department? A. Sacking department.

Q. How much do you make a day? A. \$4.50, \$5.00 or \$6.00.

Q. Did you ever pack cement in a double bag? A. No.

Witness dismissed.

New witness before committee.

Q. What is your name? A. W. H. George.

Q. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth? A. Yes.

Q. What is your position here? A. Secretary and general manager.

Q. How long have you been here? A. I have been in the business since I was 14, and have been here since the beginning of the plant.

Q. How many men are now working in the plant? A. 285 or 300.

Q. Do you notice any sickness among the men? A. No, sir.

Q. Do you have any trouble getting help? A. No, sir.

Q. Do any of the men complain of the dust? A. I never hear a complaint.

Q. Have there been any deaths from sickness? A. No, sir.

Q. Was there ever any pneumonia here? A. Not a case.

Q. Do all the men eat good? A. Yes.

Q. Their eyes and ears are all good? A. Yes.

Q. How many times do you use these sacks? A. I couldn't tell you; until they are worn out.

Q. Do you find there is any more loss with the old sacks than with the new? A. No.

Q. How much does a sack weigh when it leaves here? A. Ninety-five pounds gross.

Q. Have you ever received a complaint of shortage? A. No. In fact it sometimes runs over 95 pounds.

Q. Your men are all free from disease? A. Yes.

Q. Do the men complain of any trouble from inhaling dust? A. No.

Q. You have been here since the beginning of the plant; did you ever use a dust-proof container? A. Yes, once we used it on a small job.

Q. What is the capacity of the plant? A. Four thousand barrels a day.

Q. How long has this been the capacity? A. Ever since the plant began.

Q. Do you shift your men around, or do they work in the same places? A. The same men work in the same places, usually.

Q. Do you have any trouble getting help? A. No.

Q. Where do you go for help when you need it? A. To the state employment agency or to Trace's in Frisco.

Q. How much do you pay for laborers? A. Twenty cents an hour.

Q. Do you recognize this sack marked "Exhibit D" as a container from your plant? A. Yes.

Q. Have you ever packed cement in these bags inside of cloth sacks. A. Very little.

Q. What is the expense of these paper sacks? A. Twenty-five dollars per thousand.

Q. How much a sack? A. Two and one half cents.

Q. What would be the extra labor cost if you used these sacks inside of cloth sacks? A. I really don't know. Our sacking is done by contract.

Q. What would be the cost per barrel for using these sacks? A. Two cents a barrel more.

Q. Would this paper bag go inside a jute bag easy? A. No, but a bag made for the purpose would.

Q. What would be the cost of a bag made for the purpose? A. They are all the same price.

Q. What would be the cost per day for labor to set this paper bag inside the jute bag? A. It would cost \$2 per day per man, but that isn't the way we would do it.

Q. Will you get a hundred of these bags and have your sackers make an estimate of the work if these paper bags are put inside jute bags? A. I couldn't get the paper bags in California; I would have to send East for them.

Q. How do you pay your men? A. By check on the San Francisco bank.

Q. Is there any extra cost for cashing these checks? A. No.

Q. Where are they cashable? A. At the town of Concord, two and one half miles away.

Q. Have you ever had saloons near your plant? A. Yes, up to two years ago.

Q. Did you ever find a laborer incapacitated as a result of drink? A. More or less.

Q. Is the labor more efficient since the saloons have been cleaned out? A. Absolutely.

Q. Fewer accidents? A. Yes.

Q. What per cent of your laborers have families? A. Twenty-five per cent.

Q. Please give me roughly the percentages of nationalities in the plant. A. I should say 40 per cent were Americans, and 60 per cent Greeks, Portugese and Italians.

Q. Separating them, what per cent are Greeks? A. About 7 per cent are Greeks.

Q. Are most of them married? A. No.

Q. Which are the best laborers? A. The Greeks.

Q. Are they in the quarry or mill? A. Both.

Q. How much per pound does your cement retail at in San Francisco? A. That depends on the small dealers.

Q. Can you give me an estimate? A. Two hundred pounds would cost \$2.55 per barrel, delivered at the Cliff House.

Q. Do you export any cement in barrels? A. No, sir.

Q. Do you ship it in the State in barrels? A. Yes.

Q. Do you ship any in double sacks? A. No.

Q. For what purpose was this cement which you put in double sacks used? A. It was shipped to the Philippines for the Government.

Q. Why did you double sack it? A. Because the bids called for it.

Q. What extra charge was made? A. I don't exactly remember; my impression was twenty cents per barrel.

Q. What is the monthly wages of the sackers? A. They don't get regular wages, but they earn from \$100 to \$125.

Q. Do you know of any cement plant in the State which uses double sacks? A. No.

Q. Do you know of any outside the state which do? A. No.

Q. At your estimate of 20 cents per barrel as an increased cost of sacking, what disadvantage would there be to you to use this for export? A. It would shut us out of a lot of bids.

Q. How much of your business do you think you would lose? A. Thirty-three and one third per cent.

Q. If all plants in the State were required to pack cement in double sacks to what disadvantage would it place you in this State? A. It would let the Japs in.

Q. What margin does the present tariff allow you? A. Thirty-two cents.

Q. Would the consumers use the same amount in barrels as they do now in sacks? A. There would be no difference.

Q. What would barrels made of wood cost you? A. About 25 cents apiece.

Q. What would metal barrels cost you? A. We got a price on them once at 65 cents apiece; but a metal barrel wouldn't do; they buckle.

Q. Could you get wooden barrels if you tried? A. Yes, from the East. Not long ago I bid on a Mare Island job, and we were beaten by foreign competition.

Q. Is Japanese cement the same quality as American? A. The regulations are met by the mixture.

Q. Would cement be just as near the same price in barrels as in sacks? A. It would be about the same price.

Q. Would the cement cost more at retail in barrels? A. Yes. The freight on barrels would be more. A barrel weighs 25 pounds.

Q. Is the cost for packing four bags in dust-proof containers more than for packing a barrel? A. Yes, it would be more.

Q. What would a 200-pound capacity barrel cost? A. The same as a lime barrel.

Q. How much could you allow back on it each time? A. Fifteen cents, but we would have to patch it up every time.

Q. If you used the dust proof container you would not get back as much cement as you would in your regular sacks, would you? A. No, but that doesn't amount to anything with us.

Q. It costs you more to pack cement in sacks than in barrels? A. Yes.

MOTION.

Mr. Brown moved that the above partial report of the special committee be received, printed in the Journal, and the committee be given further time in which to make a further report.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following bills:

Assembly Bill No. 875—An Act to amend Section 288 of the Penal Code, relating to lewd and lascivious acts against children.

Assembly Bill No. 1949—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relative to certain corporations stating further facts in articles of incorporation.

Assembly Bill No. 1507—An Act to amend Section 293 of the Civil Code of the State of California, relative to prerequisite to filing articles of incorporation and amounts to be subscribed and to be fixed.

Assembly Bill No. 847—An Act defining the term "quasi-public uses," as applied to grants, leases, or approval of leases, heretofore or hereafter made by the State, of tide or submerged lands.

Assembly Bill No. 694—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their skill and labor."

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess, or which may hereafter own or possess, tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish

harbor lines for such waters, validating harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof.

Assembly Bill No. 408—An Act to establish police courts in cities of the sixth class and to fix their jurisdiction.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

RE-REFERENCE OF BILLS.

On motion of Mr. Fish, Assembly Bill No. 846 was recalled from Committee on Corporations and re-referred to Committee on Municipal Corporations.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Gelder, Mr. J. V. Frazer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. C. E. Keyes was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Emmons, Mr. C. Oliver was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wall, Mr. Leo Gilbert was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Miss Bessie J. Wood was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mr. Ralph H. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. W. B. Lawson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hayes, Mrs. Sarah J. Dorr was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Farwell, Mrs. Mark Keppel was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. W. P. Fuller, Jr., was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Miss Gertrude M. Colson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. W. S. Van Pelt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mrs. R. R. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Farwell, Mr. H. N. Rogers was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Farwell, Mr. C. W. Rogers was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Woodley, Miss Minerva Herrinton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. C. W. Childs was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. H. S. Williamson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mr. H. L. Conahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gelder, Mr. Henry Hanson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Messrs. L. C. Hunter and T. H. Ryan were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gabbert, Mr. A. C. Hardison was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Woodley, Miss Marian Woodley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ford, Mr. R. H. Morey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. L. R. Mead was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. Ben Blow was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Mr. Robert S. Levy was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Benedict, Mr. J. D. Hunter was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Dr. E. E. Duncanson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Strine, Mr. A. W. Richardson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gates, Miss Blanche Morse was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Judge G. W. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. E. E. Laugenour was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. Paul Scharrenberg was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Miss Helen Scharrenberg was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Canepa, Mr. Robert L. Long was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Mr. J. Finlay was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. J. W. Keyes was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Byrnes, Mr. Thomas Fox and Frank Daroux were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Dr. C. Hamilton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. J. C. McCaughran was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dower, Mr. William Derrick was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cary, Mr. and Mrs. W. P. Taylor were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Shearer, Mr. F. T. Spencer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Mr. D. A. Spencer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. J. W. Davy was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. E. E. Dell was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Mr. J. R. Welch was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roberts, Mrs. W. T. Bryant and Mrs. George Anderson were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ferguson, Mr. Mark H. Raynsford was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cary, Dr. H. J. Wright was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bloodgood, Mr. Jas. G. Stafford was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Weldon, Mrs. M. B. Potter was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hayes, Mr. Andrew P. Hill was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bradford, Mr. Jesse M. Whited was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. James M. Oliver was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. F. J. Trainor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cary, Mr. Cuthbert M. Fleisner was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Slater, Mr. T. D. Loynahan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Dr. O. G. Freyermuth was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and ten minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, March 20, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke,

Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Pelsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

PETITIONS.

The following petitions were received and ordered printed in the Journal:

By Mr. Alexander:

HOLLISTER, CAL., January 18, 1913.

We, the undersigned fruitgrowers and taxpayers of San Benito County, California, do hereby protest against any such extension of the women's eight-hour law and against the passage of any bill that will tend to operate so as to prevent women or children from working at the fruit-curing and preserving business to such extent daily as they may desire.

H. W. SCOTT (and others).

Also:

SOLEDAD, CAL., March 15, 1913.

To the Legislature of the State of California:

The following resolution was unanimously adopted and a copy of the same ordered sent to the Assemblyman of this district, now at Sacramento:

Resolved. That we, members of the Fort Romie Grange No. 358, Patrons of Husbandry, assembled, enter protest against the enactment of Assembly Bill No. 1620, and in its stead we urge the passage of the Ellis-Butler bill (Senate Bill No. 672, Assembly Bill No. 615) which prohibits the sale of intoxicants within a radius of one and one half miles from any university in the State.

LEE DUDGEON, Master.

JENNIE DUDGEON, Secretary.

Also:

To the Legislature of the State of California:

The petition of the undersigned respectfully represents: That they are citizens and voters of said State, residing in Monterey County, California, and at the places of residence therein set opposite their respective names and within four miles of that certain military reservation known as the Presidio of Monterey;

That they heartily approve of the provisions of Assembly Bill No. 1639, introduced February 3, 1913, by Mr. G. W. Wyllie, entitled "An Act making unlawful the sale or other disposition of alcoholic liquors within a certain distance of any United States or state military or naval reservation with certain exceptions," and do hereby earnestly request its passage by the Assembly and by the Senate of said State of California as speedily as possible.

JOHN J. PARDEE (and others).

Also:

To the Legislature of the State of California:

The petition of the undersigned respectfully represents: That they are citizens and voters of said State, residing in Monterey County, Cal., and at the places of residence therein set opposite their respective names and within four miles of that certain military reservation known as the Presidio of Monterey;

That they heartily approve of the provisions of Assembly Bill No. 1639, introduced February 3, 1913, by Mr. G. W. Wyllie, entitled "An Act making unlawful the sale or other disposition of alcoholic liquors within a certain distance of any

United States or state military or naval reservation with certain exceptions," and do hereby earnestly request its passage by the Assembly and by the Senate of said State of California as speedily as possible.

R. L. ROBERTS (and others).

Also:

SOLEDAD, CAL., March 15, 1913.

To the Legislature of the State of California:

The following resolution was unanimously adopted and a copy of the same ordered sent to the Assemblyman from this district, now at Sacramento:

Resolved, That we, members of the Fort Romie Grange No. 358, Patrons of Husbandry, assembled, favor the passage of a bill which will prohibit the sale of alcoholic beverage within a radius of four miles of an army post or naval station in this State, except such as are located in cities of the first class; it is also

Resolved, That we favor Assembly Bill No. 1865 and Senate Bill No. 1647, to amend the local option law, so that the whole county outside of cities over 5,000 shall be one unit.

LEE DUDGEON, Master.

JENNIE DUDGEON, Secretary.

By Mr. Cary:

To the Legislature of the State of California, Fortieth Session:

We, the undersigned women and girls, who work, and those interested in the harvesting, curing, canning, drying or packing of perishable fruits, do hereby protest against any legislation limiting the number of hours which we may work. Such legislation deprives us of the opportunity of healthful, congenial work at good wages. It also tends to take the work away from us and to give it to Orientals. It will also work irreparable injury to the entire fruit industry of the State of California.

We respectfully submit that the present eight hour law for women is sufficient, and hereby petition you to leave that law as it now is.

MRS. L. R. PAYTON (and others).

By Mr. Gabbert.

To the members of the Senate and Assembly of the Legislature of California.

GENTLEMEN: The undersigned, voters of Ventura County, California, hereby petition you to enact the Anderson-Moorhouse measure (Senate Bill No. 1647, Assembly Bill No. 1865), providing for such amendment of the Wyllie local option law as will make the county, including cities and towns having a population of less than 5000, a unit for elections under said local option law.

Believing that the enactment of this measure would promote the best interests of the people, we respectfully present this petition.

H. C. BUELL (and others).

By Mr. Guiberson:

HANFORD, CAL., February 12, 1913.

At a regular meeting of the directors of the Kings County Chamber of Commerce held on the above date the following resolution was introduced and unanimously adopted.

WHEREAS, Bills have been introduced in the Assembly of California affecting the interests of fruit growers, packers and shippers of green fruit and all persons interested in the handling of green and perishable fruits; and

WHEREAS, Said bills are more particularly known as Assembly Bills Nos. 858 and 1511, these two bills relating to the limiting of the working hours of women and girls in cutting sheds and packing-houses to eight hours a day while working with fresh and perishable fruits and vegetables; and

WHEREAS, The directors of the Kings County Chamber of Commerce have received a report from a committee appointed to investigate the sentiment of the fruit growers, packers, and women engaged in the work of handling fresh and perishable fruits and vegetables, said committee reporting that in their investigations they find it is the unanimous opinion of all parties interested in the growing and handling of green fruits in this county that such legislation as proposed in Assembly Bills Nos. 858 and 1511 is detrimental to the best interests of the fruit growers and will work a hardship on the women and girls employed in handling such fruits; therefore, be it

Resolved, That we, the directors of the Kings County Chamber of Commerce, believe that it will be detrimental to the best interests of the fruit industry of this country to have such bills enacted into a law; and be it further

Resolved, That we are emphatically opposed to the passage of any law revising or amending the present eight-hour law relating to work in the cutting sheds or packing houses and other places where green and perishable fruits are handled; and be it further

Resolved, That we urge our Representative and Senator to oppose the passage of any bill proposing to revise, amend or change the present eight-hour law that relates

to the working hours in fruit cutting sheds, packing houses and canneries, and that a copy of these resolutions be forwarded to Hon. E. O. Larkins, Senator, and Hon. J. W. Guiberson, Assemblyman from this district.

[SEAL]

Attest: W. BERNSTEIN.
President Kings County Chamber of Commerce.

Also:

HANFORD, CAL., March 15, 1913.

WHEREAS, The counties committee on resolutions reported a resolution to the counties convention assembled in Oroville, December 6 and 7, 1912, endorsing a larger State Fair; and

WHEREAS, The Kings County Chamber of Commerce believes that large benefits would be received from a larger and more complete State Fair and that the educational advantages received would be of untold benefit; therefore, be it

Resolved, That the Kings County Chamber of Commerce, through its board of directors, in meeting assembled, are heartily in favor of the enlarging and expansion of the California State Fair; and be it further

Resolved, That we do endorse and adopt the resolution of the counties committee of the California Development Board, heretofore mentioned, and direct that the secretary send copies of this resolution to Hon. E. O. Larkins, Senator, and Hon. J. W. Guiberson, Assemblyman from this district.

KINGS COUNTY CHAMBER OF COMMERCE.

By B. B. PRICE, Secretary.

By Mr. Johnson:

Located near the mountains where there have been disastrous mountain fires, and knowing the necessity of reliable forest rangers and need of proper fire fighting equipment; therefore, be it

Resolved, That the Woman's Club of Upland, Cal., petition our Senator and Assemblymen to work for increased appropriation for forestry.

MRS. F. H. MANKER.

MRS. E. L. WESTLAND.

Committee.

By Mr. Gelder:

LAUREL GROVE, March 5, 1913.

WHEREAS, The present Constitution of the State of California requires the continuance for local purposes of the general property tax system, which grows more and more burdensome to our communities while still failing to provide adequate public funds, and

WHEREAS, Certain features of the general property tax are being abandoned, to great public advantage, by many communities in Canada and other countries where home rule in taxation is permitted;

Resolved, That we urge the submission to our voters of Assembly Constitutional Amendment No. 7, which would allow such localities of California as should desire to improve their method of local taxation to avail themselves of the best knowledge and the most successful experiments in this department of public administration.

Endorsed by the Laurel Grove Improvement Club.

JOHN DUFFY, President, 3366 Laurel Ave., Fruitvale.

C. HUBMAN, Secretary, 3620 Delaware St., Fruitvale.

Also:

DIMOND, CAL., March 5, 1913.

WHEREAS, The plan of raising local revenue by the general property tax, as now expressly required by the Constitution of California, is generally admitted to be difficult, expensive and burdensome; and

WHEREAS, We, as a club and as individuals, have given considerable attention to various changes in the general property tax system, which have been successfully adopted in countries outside the United States, and notably in the west Canadian provinces, which changes we believe to be just and based on sound economic principles;

Resolved, That we favor, and urge upon our representatives in the Legislature, the submission to our voters for their action of Assembly Constitutional Amendment No. 7, which, if approved, will permit California cities and counties to adopt by referendum vote the same or other desired changes in our mode of assessing property for local taxation.

MRS. ELIZABETH FERN, President.
(2648 Harold St.)

MRS. ELIZABETH ROUNSWELL, Secretary.
(3345 Georgia St.)

Above resolution was adopted unanimously and signed by president and secretary of Fruitvale Civic Club No. 1, at its regular meeting March 5th. Original in my possession.

E. ROUNSWELL.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 379—An Act to amend section eight hundred and fifty-eight of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Also: Senate Bill No. 454—An Act to amend section six hundred one of the Penal Code, relating to the malicious use of explosives and providing penalties therefor.

Also: Senate Bill No. 539—An Act to amend section thirteen hundred and thirty-three of the Penal Code of the State of California, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 379 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 454 read first time, and referred to Committee on Judiciary.

Senate Bill No. 539 read first time, and referred to Committee on Revision of Criminal Procedure.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Nolan:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: Making the appropriation made by Chapter 705, Statutes of 1911, for printing, binding, ruling and all other work performed, and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from section four of this Act) ten thousand dollars, available for the distribution of said Blue Book.

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. Bagby:

WHEREAS, There was appointed by the Speaker, as per resolution adopted March 15th, the following named members of the Assembly: Messrs. Bagby, Bloodgood, Cary, McDonald, and Weldon, as a special committee for the purpose of investigating the various cement plants of the State, said resolution providing for stenographer and sergeant-at-arms;

WHEREAS, Said committee has submitted the following as statement of actual expenses:

Railroad fare from Sacramento to San Francisco, March 16-----	\$17 50
Pullman service, Sacramento to San Francisco, March 16-----	10 50
Street car fare to depot-----	25
Breakfast, Oakland Mole-----	6 35
Railroad fare to Santa Cruz and return to San Francisco (7 people at \$5.30)-----	37 10
Hotel St. George, luncheon-----	5 25
Auto from Santa Cruz to Davenport and return, half day-----	12 00
Dinner at Odeon-----	11 00
Service at Hotel Argonaut (6 people), rooms-----	24 00
Meals at Hotel Argonaut (7 people) rooms-----	17 65
Car fare and ferry tickets to Oakland Mole, to visit ship, March 17	1 65
Car fare return to hotel-----	30
Railroad fare from San Francisco to Bay Point, March 18-----	7 70
Phone from Bay Point to San Francisco-----	40
Railroad fare from Bay Point to Port Costa-----	3 10
Phone from Port Costa to San Francisco-----	40
Paper and carbon, Ellison-----	50
Telegram to San Francisco-----	25
Railroad fare from Port Costa to Sacramento-----	12 60

Total -----\$168 50

Now therefore, the undersigned chairman recommends that the said committee be allowed its actual expenses as above set forth, and that a warrant for said amount be drawn in favor of Henry C. Bagby, chairman of committee.

BAGBY, Chairman.

Resolution read, and referred to Committee on Contingent Expenses.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 61—An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein," approved March 20, 1909.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2 of the printed bill, strike out all of line 15 and all of line 16 down to and including the brackets following the figure "3" in said line, and in lieu thereof insert "2."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 19 of the printed bill, strike out the figure "4," and insert in lieu thereof the figure "3."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 20 of the printed bill, strike out the figure "5," and insert in lieu thereof the figure "4."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 29, after the comma, insert the following: "So far as ascertained,".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 24 of the printed bill, strike out the words "petition of three." and insert in lieu thereof "recommendation of ten."

Amendment adopted.

AMENDMENT No. 6.

On page 3, strike out the words "of at" in line 27; also, all of line 28 and the words "State of California" in line 29, and in lieu thereof insert the following: "or a graduate geologist."

Amendment adopted.

AMENDMENT No. 7.

On page 4 of the printed bill, strike out all of line 10 following the period in said line; also, all of lines 11, 12, 13, 14, 15, 16 and 17, and all of line 18 down to and including the period in said line.

Amendment adopted.

AMENDMENT No. 7½.

On page 4 of the printed bill, in line 18, strike out the word "and," and in lieu thereof insert the following: ", operated or".

Amendment adopted.

AMENDMENT NO. 8.

On page 5 of the printed bill, strike out the period in line 7, and insert in lieu thereof the following: "and district commissioners appointed by the governing bodies of districts so organized shall have all of the powers and perform all of the duties of commissioners appointed by boards of supervisors as provided in this Act, and all of the provisions of this Act shall apply to districts so organized, except that no commissioner appointed by a board of supervisors as herein provided shall have or exercise any jurisdiction in such district; *provided, however*, that nothing herein contained shall be construed to prevent the appointment by the board of trustees of a district of a commissioner appointed by a board of supervisors to serve as district commissioner."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 855—An Act to amend the Code of Civil Procedure by repealing Sections 749, 750 and 751, and adding to Title 10 of Part 2 thereof a new chapter to be known as Chapter 3a, to consist of Sections 750a, 750b, 750c, 750d, 750e, 750f, 750g, 750h, 750i, 750j, 750k, and 750l, providing a simplified method for ascertaining and establishing title to real property and determining all adverse claims thereto.

Mr. Benedict moved that the report of the Committee on Judiciary recommending committee substitute for the above bill be adopted, and that Assembly Bill No. 855 be withdrawn from the file.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood Bohnett, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, Moorhouse, Morgenstern, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2040 substituted for Assembly Bill No. 855.

Assembly Bill No. 855 withdrawn and ordered stricken from the file.

Assembly Bill No. 2040 read first time, and ordered on file in place of Assembly Bill No. 855.

Assembly Bill No. 856—An Act to amend the Code of Civil Procedure by repealing Sections 841, 845, 846, 849, 850, 854, 856, 857, 858, 872 and 886, amending Sections 844, 847, 851, 852, 853, 855, 859, 860, 871, 873, 879 and 890, and adding Sections 844a, 847a, 855a, 865a, 874a and 874b, relating to proceedings in justices' courts, simplifying and revising the rules of pleading and practice therein, eliminating technicalities and delays, and providing for the prompt appearance of parties, framing and trial of issues, and rendition of judgment in actions in such courts.

Mr. Benedict moved that the report of the Committee on Judiciary, recommending committee substitute for the above bill, be adopted, and that Assembly Bill No. 856 be withdrawn and stricken from the file.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 2041 substituted for Assembly Bill No. 856.

Assembly Bill No. 856 withdrawn, and ordered stricken from the file.

Assembly Bill No. 2041 read first time, and ordered on file in place of Assembly Bill No. 856.

Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2 of the printed bill, in line 30, after the second word "of," insert the following: "a majority in acreage of".

Amendment adopted.

AMENDMENT No. 2.

On page 2 of the printed bill, in line 31, strike out all of line 31 following the word "district," and all of line 32 down to and including the second word "or," and in lieu thereof insert the following: "or a majority".

Amendment adopted.

AMENDMENT No. 3.

On page 4 of the printed bill, strike out all of line 14 following the period; also, all of lines 15, 16, 17 and 18, and all of line 19 down to and including the comma in said line 19, and in lieu thereof insert the following: "The members of the board shall receive as compensation for services rendered by them in the performance of their duties the sum of ten dollars per day each for each day's service actually and necessarily rendered by them in the performance of their duties, together with all necessary expenses incurred by them."

Amendment adopted.

AMENDMENT No. 4.

On page 12 of the printed bill, in line 2, strike out the words "the county in which the lands of".

Amendment adopted.

AMENDMENT No. 5.

On page 12 of the printed bill, in line 3, strike out the words "are situated".

Amendment adopted.

AMENDMENT No. 6.

On page 12, in line 5, of the printed bill, strike out the words "such county," and in lieu thereof insert the following: "the county in which the lands of the district are situated".

Amendment adopted.

AMENDMENT No. 7.

On page 14 of the printed bill, strike out all of Sections 28 and 29, and in lieu thereof insert the following:

"SEC. 28. All work necessary for the protection of oil, gas or petroleum-bearing strata or formation, and for the prevention of the infiltration or intrusion of water therein, in any oil and gas protection district formed under the provisions of this Act, shall be done under the supervision and shall be in charge of a district commissioner appointed by the trustees of the district. Said district commissioner shall receive such salary or compensation as may be fixed by the trustees of the district and shall hold his office during the pleasure of the trustees. The trustees shall also have power to appoint one or more deputies to assist the said commissioner in the performance of his duties. Said deputies shall at all times be subject to the direction of said district commissioner, and shall hold office during the pleasure of the trustees, and receive such salaries or compensation as shall be fixed by the trustees. The salaries of the district commissioner and his deputies shall be payable monthly out of the funds of the district.

"SEC. 29. The district commissioner hereinbefore referred to shall have all of the powers now vested, or which may be hereafter vested, by law in commissioners.

to be appointed by boards of supervisors in the several counties in this State under laws now in force, or which may be enacted hereafter, to prevent injury to oil or gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein; and no commissioner appointed by a board of supervisors shall have any jurisdiction or authority to act within any district formed under the provisions of this Act; *provided, however*, that nothing herein contained shall be construed to prevent the trustees of a district organized under the provisions of this Act from appointing as district commissioner a person appointed as county commissioner by the supervisors of the county wherein such district is situated."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1303—An Act to amend section twenty-three hundred and forty-nine of the Political Code of the State of California, relating to certain streams and waters and the navigability thereof as public ways.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, after line 24, add a new section, as follows:

"Sec. 2. The foregoing conveyance is made upon the condition that the city of Berkeley shall, within five years from the approval of this Act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than five hundred thousand dollars, and shall, within five years after the approval of this Act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than five hundred thousand dollars shall be expended thereon within five years from the approval of this Act, exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this Act conveyed to the city of Berkeley shall revert to the State of California."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, after line 26, add a new section, as follows:

Sec. 2. The foregoing conveyance is made upon the condition that the city of Alameda shall, within five years from the approval of this Act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than two hundred thousand dollars, and shall, within five years after the approval of this Act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than two hundred thousand dollars shall be expended thereon within five years from the approval of this Act, exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then

the lands by this Act conveyed to the city of Alameda shall revert to the State of California.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 2, strike out the word "fifteenth" and insert "thirty-first."

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 4, 5 and 6, strike out the words "which price so fixed shall not be more than one cent per bag in excess of the net cost of producing the same, exclusive of prison labor."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 3, strike out the word "five" and insert in lieu thereof "ten."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

During second reading of the bill, the following amendment was submitted by the committee.

On page 1, line 9, strike out the word "reasonable" and insert in lieu thereof "actual."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending sections two, nine, eleven, twelve, fifteen, sixteen, twenty and twenty-seven, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

During second reading of the bill, the following amendment was submitted by the committee:

On page 4, line 2, after the word "to," insert the following: "the custody and guardianship of said school until he or she shall become twenty-one years of age."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1514—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as section twelve hundred two *a*, relating to indeterminate sentences.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NO. 1.

On page 1 of the printed bill, in line 10, insert the words "or association" after the word "corporation" and before the word "is."

Amendment adopted.

AMENDMENT NO. 2.

On page 1 of the printed bill, in line 11, insert the words "or members" after the word "stockholders" and before the word "at."

Amendment adopted.

AMENDMENT NO. 3.

On page 1 of the printed bill, in line 12, insert the words "or members" after the word "stockholders" and before the word "at."

Amendment adopted.

AMENDMENT No. 4.

On page 1 of the printed bill, in line 13, insert the words "or association" after the word "corporation" and before the word "is."

Amendment adopted.

AMENDMENT No. 5.

On page 2 of the printed bill, in line 1, insert the words "or association" after the word "corporation" and before the word "organize."

Amendment adopted.

AMENDMENT No. 6.

On page 2 of the printed bill, in line 2, insert the words "or members" after the word "stockholders" and before the word "at."

Amendment adopted.

AMENDMENT No. 7.

On page 2 of the printed bill, in line 3, insert the words "or members" after the word "stockholders" and before the word "for."

Amendment adopted.

AMENDMENT No. 8.

On page 2 of the printed bill, in line 4, insert the words "or association" after the word "corporation" and before the word "becomes."

Amendment adopted.

AMENDMENT No. 9.

On page 2 of the printed bill, in line 8, insert the words "or association" after the word "corporation" and before the word "is."

Amendment adopted.

AMENDMENT No. 10.

On page 2 of the printed bill, in line 9, insert the words "or members" after the word "stockholders" and before the word "at."

Amendment adopted.

AMENDMENT No. 11.

On page 2 of the printed bill, in line 12, insert the words "or association" after the word "corporation" and before the word "is."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57 and 59 thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 7, of the printed bill, between lines 6 and 7, insert the following:

"SEC. 2½. Section 10 of the public utilities act is hereby amended to read as follows:

"Section 10. (a) The annual salary of each commissioner shall be ten thousand (10,000) dollars. All officers, experts, engineers, statisticians, accountants, inspectors, clerks and employees of the commission shall receive such compensation as may be fixed by the commission. The commissioners, attorneys, secretary, rate expert and assistant secretary shall be civil executive officers and their salaries as fixed by law or the commission shall be paid in the same manner as are the salaries of other state officers. The salary or compensation of every other person holding office or employment under the commission shall be paid monthly from the funds appropriated for the use of the commission, after being approved by the commission, upon claims therefor to be audited by the Board of Control.

"(b) All expenses incurred by the commission pursuant to the provisions of this Act, including the actual and necessary traveling and other expenses and disburse-

ments of the commissioners, their officers and employees, incurred while on business of the commission, shall be paid from the funds appropriated for the use of the commission, after being approved by the commission, upon claims therefor to be audited by the Board of Control."

Amendment adopted.

AMENDMENT No. 2.

In the last line of the title, after the comma following the number "5," insert the number "10."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Bill read second time, and ordered to engrossment and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title, strike out the words "an Act" where they first appear in said line, and insert in lieu thereof the following: "Section 6 of an Act of the Legislature of the State of California,".

Amendment adopted.

AMENDMENT No. 2.

On page 2, after line 17, add a new section as follows:

SEC. 7a. The Governor of the State of California is hereby authorized to receive delivery on behalf of the State from the city of San Diego, any conveyance of tide lands which may be made by the said city to the State of California for an armory for the National Guard of California and National Guard purposes, the said parcel of tide land not to exceed five acres; also the tide land now occupied by the Naval Reserve Armory and wharf located on the bay of San Diego at the foot of Twenty-eighth street of the city of San Diego, California, for the use of the Naval Militia of the State of California; said parcel of tide land to be conveyed shall not exceed five acres. For such purposes the said city of San Diego is hereby authorized to recede and convey to the State of California the aforesaid mentioned parcels of tide lands.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1374 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Slater, Strine, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 408—An Act to establish police courts in cities of the sixth class and to fix their jurisdiction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 408 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—60.

NOES—Mr. Finnegan—1.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Green:

Amend title as follows: After the word "class" in second line of title, insert the following: "governed by charter wherein no provision is made for a judicial system."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war, and to provide for relief to such soldiers, sailors and marines, under certain circumstances.

SPECIAL ORDER SET.

On motion of Mr. Inman, the consideration of the above Assembly bill was made a special order for Friday, March 21, 1913, at eleven o'clock a.m.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and thirty-five minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 694—An Act to amend an Act entitled "An Act to authorize and regulate the employment of prisoners in the state prisons of this State and to provide for the disposition of the products of their skill and labor."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 694 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohuett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Wyllie—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At eleven o'clock a.m. Hon. C. C. Young, Speaker of the Assembly, in the chair.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 353—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisances are maintained from maintaining, conducting or permitting said nuisances.

The question being on the passage of the bill.

Mr. Schmitt moved that the Assembly go into executive session for the purpose of considering the bill.

Motion lost.

Mr. Shannon moved that the bill be re-referred to Committee on Judiciary.

Motion lost.

During third reading of the bill. Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 15, after the word "nuisance," insert the following: "upon granting a temporary or permanent writ of injunction, the court or judge must require, except when it is granted on the application of the people of the State, a county or a municipal corporation, a written undertaking on the part of the applicant with sufficient sureties to the effect that he will pay to the party enjoined, such damages not exceeding an amount to be specified as such party may sustain by reason of the injunction, if the court finally decides that the applicant was not entitled thereto. The amount of said undertaking shall in no event be less than one thousand dollars. Within five days after the service of the injunction, the person may except to the sufficiency of the sureties in the manner provided in Title VII, Chapter III, of the Code of Civil Procedure.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bagby, Canepa, Collins, Ford, Libby, McCarthy, McDonald, Nolan, Richardson, Ryan, Schmitt, Scott, Shannon, Walsh, and White—15.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohuett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Roberts, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—63.

On motion of Mr. Bohuett, the further consideration of bill was postponed temporarily.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 593—An Act to amend Section 3075 of the Political Code relating to the office of State Registrar of the Bureau of Vital Statistics and the State Board of Health and providing for deputies, clerks, and assistants and their compensation—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 220—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Also: Assembly Bill No. 221—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

Also: Assembly Bill No. 1607—An Act to prevent the entrance of contagious or infectious diseases into the State of California, to prevent the spread of any of said diseases that may have gained entrance or may gain entrance in the future, and appropriating money to be used for such purpose.

Also: Assembly Bill No. 1945—An Act to provide for sanitary inspection and investigation in certain foreign and oriental ports from which dangerous diseases may be introduced into California; specifying the general character of this work; and making an appropriation to the State Board of Health therefor.

Also: Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as number two thousand nine hundred eighty-two *a*, providing for a sanitary engineer to the State Board of Health, and fixing his salary.

Also: Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the state hygienic laboratory.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be re-referred to Committee on Ways and Means.

FITZGERALD, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 98—An Act relating to immigrants and immigration, creating a commission

of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and that it be re-referred to the Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller, as provided in Section 3572 of said Political Code.

Also: Assembly Bill No. 1624—An Act to amend Section 3398 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the State for the location in the United States land office of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended also provides that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken, and also relating to amending or correcting selections, re-selections, amended selections, designations and re-designations.

Also: Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved March 1, 1911, by amending section one thereof, relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Also: Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections, and providing the fee therefor.

Also: Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Also: Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed from the State of California to the Government of the United States, of certain lands erroneously conveyed or patented to said State by said government," approved May 1, 1911.

Also: Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Also: Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newton jetties,' and repealing an Act entitled 'An Act to authorize the Lauritzer Company of San Francisco, a corporation, to sue the State of California,'" approved March 23, 1907," approved March 20, 1911.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

Also: Assembly Bill No. 560—An Act to amend Section 210 of the Code of Civil Procedure of the State of California, relating to the selection, listing and time of service of jurors.

Also: Assembly Bill No. 1020—An Act to amend Section 4300a of the Political Code of the State of California.

Also: Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1578—An Act to amend section two hundred and twenty-four of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Assembly Bill No. 103—An Act to amend section four hundred sixty-five of the Civil Code of the State of California, relating to powers of railroad corporations.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 154—An Act to amend section one hundred and three and one half of the Code of Civil Procedure, said amendment relating to clerks of justice courts in cities or towns of the second and one half and third classes, and appointments, salaries and duties of same.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

Assembly Bill No. 295—An Act to amend Section 6 of an Act of the Legislature of the State of California, entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, and adding a new section thereto, to be known as Section 7a.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 699—An Act to amend section five hundred twenty-six of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

Assembly Bill No. 491—An Act repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Assembly Bill No. 437—An Act to amend Section 1583 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

Assembly Bill No. 19—An Act to amend Section 3658a of the Political Code of the State of California, relating to maps for assessment purposes.

Assembly Bill No. 294—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Assembly Bill No. 412—An Act to amend section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, prescribing his duties and powers.

Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code relating to the powers and duties of normal school boards.

Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Assembly Bill No. 213—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges, for the city and county of San Francisco, and providing for their compensation.

Assembly Bill No. 1563—An Act relating to land liable to assessment to pay the cost of municipal or other local improvements, under any law in this State, in the possession and occupation of persons, firms, companies or corporations, and used by any such person, firm, company or corporation for rights of way or other easement thereon devoted to public use under a franchise authorizing such use, and providing for the extension of the lien of any such assessment to the right of way, or other easement thereon and to the franchise of any such person, firm, company or corporation, and providing for the enforcement of such lien; also providing an alternative method of enforcing payment of such assessment.

Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Also: Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, an amendment to Section 23a of Article IV of the Constitution of the State of California, relative to the limitation of expense for officers and employees of the Legislature.

Also: Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend section thirteen of article eleven, relating to supervision, regulation and conduct of the affairs of irrigation, reclamation or drainage districts.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ANNOUNCEMENT.

The Speaker announced that in accordance with instructions of the Assembly he appointed Messrs. Ellis, Farwell, Johnston, McCarthy and Ryan the sub-committee on state prison investigation.

RECESS.

At twelve o'clock m. the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

SENATE THIRD-READING FILE.

Senate Concurrent Resolution No. 13—Approving certain amendments in the charter of the city of Eureka, Humboldt County, State of California, voted for and ratified by the qualified electors of said city, at a special municipal election held therein on the 15th day of April, 1912.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 13 finally adopted by the following vote:

AYES—Messrs. Ambrose, Beck, Bowman, Brown, Bush, Brynes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Finnegan, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Senate concurrent resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 13.

Approving certain amendments in the charter of the city of Eureka, in Humboldt County, State of California, voted for, and ratified by the qualified electors of said city, at a special municipal election held therein on the 15th day of April, 1912.

Certificate of the chief executive and city clerk of the city of Eureka, State of California, as to the adoption and ratification of certain amendments to the charter of said city of Eureka, submitted to the qualified electors of said city on the 15th day of April, A. D. 1912.

PREAMBLE.

Be it known, that

WHEREAS, The city of Eureka, of the county of Humboldt, State of California, has at all times mentioned herein been and now is a municipal corporation of said State of California, containing a population of more than thirty-five hundred (3500) inhabitants, and is now, and has been ever since the second Monday in July, A. D. 1895, organized and existing and acting under a freeholders' charter adopted under and by virtue of Section 8, Article XI, of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the 26th day of January, 1895, and approved by the Legislature of the State of California on the 12th day of February, 1895, (Statutes of 1895, pages 355 to 405 inclusive); and

WHEREAS, A petition, signed by more than fifteen (15) per centum of the qualified electors of said city of Eureka, computed on the total number of votes cast therein for all candidates for Governor at the last preceding general election at which a Governor was elected, was on the 1st day of March, 1912, filed in the office of the city clerk of said city of Eureka, petitioning the council thereof to submit certain proposed amendments to the charter of said city, which amendments were therein set forth in full, and which are hereinafter set forth in full, to the qualified electors of said city of Eureka; and said petition having been duly examined by the city clerk of said city and found by him to be signed by the requisite number of qualified electors of said city, and being by him duly certified, was presented to said council in the manner required by law; and

WHEREAS, Upon the presentation of said petition to said council, said council did on the 8th day of March, 1912, duly enact and adopt ordinance number 600 of said city of Eureka, which ordinance was on said date approved by F. W. George-son, the mayor and chief executive of said city, and which ordinance was thereafter published for the time and in the manner required by law; and

WHEREAS, By said ordinance number 600 a special municipal election in and for said city of Eureka was duly called, to be held on the 15th day of April, 1912, and by said ordinance it was ordered and ordained that all of said amendments set forth in said petition be submitted to the qualified electors of said city at said special election for ratification or rejection; and

WHEREAS, All of said proposed amendments to said charter were duly published, pursuant to the order of said council for ten (10) times in the *Eureka Herald*, a daily newspaper of general circulation printed, published and circulated in said city of Eureka, and

WHEREAS, Each and all of said proposed amendments were duly submitted to the qualified electors of said city of Eureka at said special election held on said 15th day of April, 1912, which said special election was held not less than twenty (20) days nor more than forty (40) days after the completion of the publication of such proposals for ten (10) times in said daily newspaper; and

WHEREAS, In and by said ordinance, so passed, approved and published, as aforesaid, said proposed amendments, respectively, were submitted to the qualified electors of said city at said special municipal election; and

WHEREAS, On the 16th day of April, 1912, at a meeting of said council of said city of Eureka, duly convened in accordance with law and with the provisions of said charter of said city, said mayor and council of said city of Eureka did duly and regularly canvass the returns of said special municipal elections, so held on the 15th day of April, 1912, and did find thereon that all of said proposed amendments to said charter, hereinafter particularly set forth, were, and each of them was duly ratified by the majority of the electors voting thereon; and

WHEREAS, Said mayor and council, after canvassing said returns, and at said meeting so held as aforesaid, after said canvass, did duly find and declare that said proposed amendments, and each and all of them, had been ratified by the majority of the electors voting thereon; and

WHEREAS, Said amendments so ratified by the electors of said city of Eureka, at said special municipal election held on the 15th day of April, 1912, are now submitted to the Legislature of the State of California, for approval or rejection, as a whole, without power of alteration or amendment, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, No other proposed amendment to said charter had been submitted to the electors of said city of Eureka within two (2) years immediately prior to said 15th day of April, 1912;

Now, therefore, the undersigned, F. W. Georgeson, the mayor and chief executive of the city of Eureka, and J. P. Wunderlich, city clerk and ex officio clerk of the council of said city, authenticating their signatures with the official seal of said city,

Do hereby certify, that said amendments to said charter of said city, so ratified by the majority of the electors voting thereon at said special municipal election, held on the 15th day of April, 1912, as submitted to said electors and ratified by said electors are in the words and figures as follows, and are and shall, if so approved by said Legislature, be in the words and figures following, to wit:

Subdivision 36 of Section 43 of Article II of the charter of the city of Eureka is hereby amended so as to read as follows:

Subdivision 36. To provide for supplying the city of Eureka and its inhabitants with light, heat, motive power, telephone, street railroads or any other public utility of any kind or character or name, and to construct or purchase, own, control, maintain and operate any and all such public utilities: *provided, however*, that no such construction or purchase shall be made unless first authorized by a vote of the majority of the electors voting at any general or special election, at which the proposition may be submitted.

Subdivision 46 of Section 43 of Article II of the charter of the city of Eureka is hereby amended so as to read as follows:

Subdivision 46. To provide for supplying the city and its inhabitants with water, ice, meat, or any other food products or necessities of life, and to construct or purchase, own, control, maintain and operate its own water supply, ice plant, slaughter house, cold storage plant, meat markets, or any other property necessary to produce, preserve and distribute to consumers any or all such products; and in owning and operating such public enterprises the city shall have all the rights and powers that are granted by the laws of the State to private corporations in conducting similar enterprises; *provided, however*, that no such water works, ice plant, cold storage plant, slaughter house, meat markets or other public enterprises shall be established or purchased by the city of Eureka unless first authorized by a vote of the majority of the electors of said city at any general or special election at which the proposition may be submitted.

Section 43 of Article II of the charter of the city of Eureka is hereby amended by adding a new subdivision thereto, to be known as and numbered Subdivision 62, which said subdivision shall read as follows:

Subdivision 62. To sell within or without the city, at such rates as the council by ordinance shall from time to time establish, street car service, telephone service, light, heat, use of public slaughterhouse, or use of any public utility owned or controlled by the city; and the council shall likewise by ordinance provide for the terms, and rates on which the department of public works shall sell within or without the city, water, ice, meat, rock or the product of any other public enterprise which the city may now or hereafter control or own.

Section 86 of Article VI of the charter of the city of Eureka is hereby amended so as to read as follows:

Section 86. Whenever the council shall determine, or shall be instructed by initiative petition, that the public interest requires the construction, or acquisition, or completion, of any public work, or enterprise, of any nature, kind, character or name, which is authorized in this charter, the cost of which in addition to other expenditures of the city, will exceed the income and revenue provided for in any one year, they may, by ordinance, submit a proposition to incur a debt for such purpose, and proceed therein as provided in section eighteen of article eleven of the Constitution of this State and general law; *provided*, that such indebtedness shall not bear more than five per cent interest per annum, and that no bond issued therefor shall be sold for less than par value and to the highest bidder after advertising for sealed proposals therefor. Nor shall any such bonds be issued or sold during any one year in excess of the actual expenditures incurred in that year.

Section 95 of Article VII of the charter of the city of Eureka is hereby amended so as to read as follows:

Section 95. All contracts for building shall be awarded to the lowest bidder therefor, furnishing adequate security, to be determined by the board, after due public notice published for not less than ten days in one daily paper of the city, but if the board deem advisable the work may be done by day labor and all supplies purchased in the open market.

Section 162 of Article XI of the charter of the city of Eureka is hereby amended so as to read as follows:

Section 162. If at any time the city shall become the owner of any light or power system, heating system, telephone system, street railway system, water system, ice plant, slaughterhouse, cold storage plant, meat market, or any other public utility or public enterprise, the council shall appoint a superintendent of public works, who shall hold said office until his successor shall have been elected and qualified at the first regular city election to be held after the establishment of this office. The regular term of this office shall be two years and the compensation for same shall be fixed by ordinance by the council.

Section 163 of Article XI of the charter of the city of Eureka is hereby amended so as to read as follows:

Section 163. The superintendent of public works shall have supervision of the construction, alteration, repair, operation and maintenance of all public utilities or public enterprise of every kind and nature, owned or hereafter to be acquired or operated under the control of the city, not in this charter assigned to another department, subject to such regulation by ordinance as the council may from time to time enact. He shall have supervision over the acquisition of all materials and supplies necessary to carry on the work of his department. All contracts for work and materials must be made by said superintendent in the manner provided in this charter for making contracts, and approved by the council. And all pay rolls and accounts for the same, before being paid by the council, shall first be passed upon by the superintendent, who shall thereupon certify them to the council for payment.

And, the said F. W. Georgeson, as mayor and chief executive of said city, and J. P. Wunderlich, as clerk of said city and ex officio clerk of the council of said city, do hereby further certify that they have this day carefully compared the foregoing proposed and ratified amendments to the charter of said city of Eureka with the original petition requiring their said submission to said qualified electors for ratification or rejection, as aforesaid, and with said ordinance number 600, submitting them to the qualified electors of said city at a special municipal election held in said city on the 15th day of April, 1912, and with the proceedings of the council of said city on file in the office of said clerk, subsequent to the passage of said ordinance and the filing of said petition and relating to the adoption of said amendments, and from said comparison and examination they find, and hereby certify that the foregoing contains a true, full, exact and correct copy of said charter amendments to said charter of said city of Eureka, so ratified as aforesaid.

And we further hereby certify that the facts set forth in the preamble of this certificate preceding said amendments to said charter are, and each of them is, true.

And, for and on behalf of said city, we, being hereinbefore duly authorized, do hereby request the Legislature of the State of California to adopt and approve each of said amendments to said charter, as a whole, and to take such other and further steps and proceedings as may be necessary to perfect such approval.

In witness whereof, we have hereunto set our hands and caused our signatures, authenticated by the official seal of said city, to be hereunto attached, this 21st day of January, 1913.

[SEAL]

F. W. GEORGESON,

Mayor and Chief Executive of the City of Eureka.

Attest: J. P. WUNDERLICH,

City Clerk of the City of Eureka, and ex officio

Clerk of the Council of the City of Eureka.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring (a majority of all members elected to each house, voting for the adoption of this resolution and concurring therein), That the said amendments to the said charter of said city of Eureka, herein set forth as presented and submitted to and adopted and ratified by the qualified electors of said city of Eureka, be and the same are hereby approved as a whole for and as amendments to and as part of said charter of said city of Eureka.

Assembly Concurrent Resolution No. 1.—Approving seventeen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 1 adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Eumons, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polesley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—60.

NOES—None.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Approving seventeen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

WHEREAS, The city and county of San Francisco, State of California, contains a population of over four hundred and sixteen thousand inhabitants, and has been ever since the eighth day of January, in the year one thousand nine hundred, and is now organized and acting under a freeholders' charter adopted under and by virtue of section eight of article eleven of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city and county at an election held for that purpose on the twenty-sixth day of May, one thousand eight hundred and ninety-eight, and approved by the Legislature of the State of California on the twenty-sixth day of January, one thousand eight hundred and ninety-nine (Statutes of 1899, page 241), and which charter was not amended within an interval of two years immediately prior to the tenth day of December, one thousand nine hundred and twelve; and

WHEREAS, The legislative authority of said city and county, namely, the board of supervisors thereof, duly proposed to the qualified electors of the city and county of San Francisco, thirty-seven certain amendments to the charter of said city and county of San Francisco by the submission of thirty-seven proposals, entitled as follows, to wit:

Charter Amendment No. 1.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section thereto to be known as Section 10, Chapter II of Article II, authorizing the board of supervisors to acquire and dispose of land for civic center purposes and exchange parcels of land with the board of trustees of the public library and reading rooms."

Charter Amendment No. 2.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new subdivision to Section 1 of Chapter II of Article II, designated as No. 37, and adding a new section to Article XIV, designated as Section 13, relating to the use of the streets and Lobos Square by the Panama-Pacific International Exposition Company."

Charter Amendment No. 3.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Sections 1, 2, 5, 8, 9, 11, 12, 17 and 19 of Article XIII, and adding a new section designated as Section 7½ to Article XIII, relating to the civil service commission, its powers and duties and appointments to be made and regulations for the employees serving under the civil service laws."

Charter Amendment No. 4.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 of Chapter IV of Article IV, Sections 1 and 2 of Chapter VI of Article IV, Section 1 of Chapter VII of Article IV, Sections 1 and 2 of Chapter V of Article V, Sections 1 and 2 of Chapter VI of Article V, and adding a new section to Article XVI designated as Section 42, relating to the election, term of office and compensation of certain county officers, and of their deputies and employees."

Charter Amendment No. 5.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 and adding a new section to be known as Section 2 of Chapter IV of Article IX, relative to establishing a two-platoon or two-shift system in the San Francisco fire department, increasing the number of officers and members, and creating shifts and watches therefor."

Charter Amendment No. 6.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Article XII by adding thereto Chapter 1 to consist of Sections 1 to 16 inclusive of said Article XII, Chapter II and Chapter III, relating to public utilities, the acquisition and construction thereof, the appointment, organization and powers of a public service commission and the appointment, organization and powers of a board of water construction."

Charter Amendment No. 7.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Sections 2, 3 and 4 of Chapter I of Article XI and adding a new section to Article XVI designated as Section 42, relating to the qualifications and salaries of the employees of the department of elections."

Charter Amendment No. 8.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 of Chapter III of Article IV, Sections 1 and 2 of Chapter II of Article IV, Section 1 of Chapter V of Article IV, Section 1 of Chapter II of Article V and adding a new section to Article XVI designated as Section 42, relating to and increasing the salaries of the officers and employees in the offices of the treasurer, auditor, tax collector and increasing the salary of the city attorney."

Charter Amendment No. 9.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county, by amending Sections 1, 2 and 3 of Chapter IX of Article IX, adding new sections to Chapter IX of Article IX, designated as Sections 7, 8 and 9, and adding a new chapter to Article IX designated as Chapter X, relating to the department of electricity, the compensation of its deputies and employees, providing for a relief fund and increasing its powers."

Charter Amendment No. 10.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 6 of Chapter V of Article VIII, and adding a new section to Article XVI designated as Section 42, relating to the increase of the detective force of the police department and the salaries thereof."

Charter Amendment No. 11.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 of Chapter IV of Article VIII, and adding a new section to Article XVI designated as Section 42, relating to the increase of the salary of the chief of police."

Charter Amendment No. 12.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Subdivision 18 of Section 1 of Chapter II of Article II, relating to appropriations for the celebration of holidays."

Charter Amendment No. 13.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 2 of Article XVI, relating to the residence of officers and employees of said city and county."

Charter Amendment No. 14.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 9 of Article XII, relating to the limit of bonded indebtedness and exceptions therefrom."

Charter Amendment No. 15.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county, by amending Section 11 of Chapter I of Article III thereof, relating to the rate of taxation."

Charter Amendment No. 16.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county, by amending Section 11 of Article XIV thereof, relating to the expenditure of taxes levied for the maintenance of parks."

Charter Amendment No. 17.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Subdivision 36 of Section 1, Chapter II of Article II thereof, relating to the appropriation for exempt firemen."

Charter Amendment No. 18.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Sections 1, 2 and 14 of Chapter III, Article VI thereof, relating to the opening, extending, widening, straightening and closing of streets and the condemnation and acquisition of land and property necessary therefor and the performance of street work in connection therewith."

Charter Amendment No. 19.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Chapter VIII of Article VI thereof, relating to tunnels, subways and viaducts."

Charter Amendment No. 20.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 33 of Chapter II of Article VI thereof, relating to the method of improving streets."

Charter Amendment No. 21.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to Article XVI, designated as Section 29½ of Article XVI, relating to the establishment of a revolving fund for tunnel and street improvements."

Charter Amendment No. 22.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to Chapter II of Article II, to be designated Section 10, relating to exchange of a portion of relief home tract."

Charter Amendment No. 23.

"Describing and setting forth an amendment to the charter of the city and county of San Francisco, State of California, by adding a new section to Article XVI thereof, to be numbered Section 1½, relating to the qualification of officers."

Charter Amendment No. 24.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 3 of Chapter V of Article IV, relating to duties of city attorney."

Charter Amendment No. 25.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 1 of Chapter VII of Article V thereof, relating to justices' courts and justices of the peace."

Charter Amendment No. 26.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 4 of Chapter X of Article VIII and Section 5 of Chapter VII of Article IX thereof, relating to the pensioning of any family or any officer, member or employee of the police or fire departments who may be killed while in the performance of his duty."

Charter Amendment No. 27.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new chapter to Article XI, designated as Chapter VI, relating to local option for districts."

Charter Amendment No. 28.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and

county by amending Sections 1, 2 and 4 of Chapter II of Article VIII; Sections 1 and 2 of Chapter I of Article IX, adding a new section to Chapter II of Article IX, to be designated Section 5; Sections 1, 2, 3 and 4 of Article X, and repealing Sections 6, 7, 8, 9, 10 and 11 of Article X, relating to the organization, membership and powers of the police, fire and health departments."

Charter Amendment No. 29.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Chapter I of Article XI by adding a new section thereto, to be known as Section 6, relating to additional power for the Board of Election Commissioners."

Charter Amendment No. 30.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding four subdivisions to Section 1 of Chapter II of Article II, designated as Subdivisions 38, 39, 40 and 41, relating to the powers of the board of supervisors

Charter Amendment No. 31.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new subdivision to Section 1 of Chapter III of Article VIII, designated as Subdivision 8, relating to the power of the police commissioners to conduct investigations affecting the police department."

Charter Amendment No. 32.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding to Article XIV thereof, relating to park and the park commissioners, a new section, to be known as Section 6a."

Charter Amendment No. 33.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Sections 1, 2, 3, 4 and 5 of Chapter I of Article VI, and adding a new section to Chapter I of Article VI, designated as Section 5a, relating to the organization, membership and powers of the board of public works."

Charter Amendment No. 34.—Franchises.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending Section 12 of Chapter I and Sections 5, 6 and 7 of Chapter II of Article II thereof, and by repealing Sections 7a, 7b and 7c of Chapter II of Article III thereof, relating to the granting of franchises for street railways and other public utilities, and providing for the surrender and resettlement of franchises and rights now held by persons, companies or corporations operating street railways or other public utilities within the limits of said city and county."

Charter Amendment No. 35.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county, by amending Section 12 of Article XII, relating to tax levy to provide for payment of the interest and bonds of the city and county."

Charter Amendment No. 36.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county, by adding a new section, to be numbered Section 10a, to Article XII, relating to the sale of library bonds for building in civic center."

Charter Amendment No. 37.

"Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county, by adding a new subdivision to Section 1 of Chapter II of Article II, designated as Subdivision 42, relating to a planning commission"; and

WHEREAS, Said thirty-seven proposals aforementioned containing said proposed amendments to said charter were, in accordance with the provisions of section eight of article eleven of the Constitution of the State of California, published for ten days after their passage in the *Daily Journal of Commerce*, a daily newspaper

of general circulation in the city and county of San Francisco and the official newspaper of said city and county; and

WHEREAS, The said legislative authority of said city and county did by Ordinance No. 2085 (new series), of the board of supervisors, approved November 19, 1912, call a special municipal election, to be held in the city and county of San Francisco, on the tenth day of December, one thousand nine hundred and twelve, and ordered placed upon the ballot at said election, the said thirty-seven several proposals to amend the charter of the city and county of San Francisco; and

WHEREAS, Said special municipal election was held in said city and county of San Francisco, on the tenth day of December, one thousand nine hundred and twelve, which day was more than twenty days and less than forty days after said proposed charter amendments had been published for ten days in the *Daily Journal of Commerce* newspaper; and

WHEREAS, On the sixteenth day of December, one thousand nine hundred and twelve, and thereafter at meetings duly convened in accordance with law, the board of supervisors of said city and county duly and regularly canvassed the returns of said special municipal election, and duly declared the results thereof, said board being by law authorized to conduct, manage and control the holding of said elections and all matters pertaining to such elections in said city and county; and

WHEREAS, At said special election so held on the tenth day of December, one thousand nine hundred and twelve, seventeen of said proposed amendments were ratified by a majority of the electors of said city and county voting thereon, to wit: Charter amendments numbered one, two, three, thirteen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-six, thirty, thirty-one, thirty-two, thirty-six, and thirty-seven, and that all other amendments received less than a majority of the votes of the electors voting thereon and were not ratified; and,

WHEREAS, Thereafter, to wit on the thirtieth day of December, one thousand nine hundred and twelve, the said board of supervisors duly filed in the clerk's office of said board, the "Official statement of votes polled at the special election held in the city and county of San Francisco, State of California, on Tuesday, the tenth day of December, A.D. 1912, for charter amendments"; and

WHEREAS, The said seventeen charter amendments so ratified by the electors of the city and county of San Francisco, are now submitted to the Legislature of the State of California for approval or rejection as a whole without power of alteration or amendment, in accordance with section eight of article eleven of the Constitution of the State of California, and are in words and figures as follows, to wit:

Charter Amendment No. 1.

That a new section be added to Chapter II of Article II of the charter, to be known as Section 10 and to read as follows:

Section 10. The board of supervisors may acquire land in the district bounded by Market street, Golden Gate avenue and Franklin street, for the purpose of establishing a civic center, and when it appears to the advantage of the city and county so to do it may acquire land in excess of the actual requirements, and may dispose of any such excess in exchange for other lands within such district or for the purpose of acquiring additional lands or for the erection of structures thereon. It may convey to the State of California a parcel of land in such district for the purpose of the erection of a state building thereon and in consideration therefor may receive from the State any parcel of land in such district now owned by the State; and with the consent of the board of trustees of the public library and reading rooms it may exchange parcels of land with the said board of trustees, and upon such exchange said board of trustees is hereby authorized to relinquish control of such land as may have been heretofore set apart for its use. It may authorize the erection of an auditorium by the Panama-Pacific International Exposition Company, or of an opera house, museum, or other structure, provided the ownership of such structure shall always be vested in the municipality.

Charter Amendment No. 2.

To amend Section 1 of Chapter II of Article II by adding a new subdivision to Section 1, to be numbered 37, to read as follows:

The board of supervisors shall pass such ordinances governing the use and closing of streets, the erection, use, alteration, demolition and control of buildings and structures of every nature and description; the installation, use and control of plumbing, water, gas, steam, sewerage and other pipes and instrumentalities; the use and control of electric light, power, and other wires, conduits, generating, transmitting and other apparatus; the erection and maintenance of steam boilers, steam, gas, and other engines and apparatus; the maintenance and control of fire and police protection, and governing any and every other matter necessary, proper or expedient for the safety, convenience and welfare of the public within that portion of the city and county of San Francisco which has been or may be selected as the site for the holding of the Panama-Pacific International Exposition. The provisions hereof, and the ordinances adopted hereunder, shall supersede all conflicting provisions of this charter, and all conflicting provisions of any ordinance heretofore passed, so far as the same apply to the site herein specified, until the first day of

January, 1917: *provided*, that no ordinance passed by virtue of any provision herein contained shall be operative outside of the limits of the site hereinabove specified.

To amend Article XIV by adding thereto a new section to be known as Section 13, and to read as follows:

Section 13. Notwithstanding anything in this article contained, the Board of Park Commissioners are hereby authorized and directed to transfer to the Panama-Pacific International Exposition Company (a corporation organized under the laws of the State of California, March 22, 1910), the exclusive possession, use, management and control of Lobos Square, such management, control, possession and use to be for the purpose of the Panama-Pacific International Exposition and to terminate not later than one year after the closing of such exposition.

Charter Amendment No. 3.

That Section 1 of Article XIII is hereby amended to read as follows:

APPOINTMENT AND REMOVAL OF COMMISSIONERS.

Section 1. The mayor shall appoint three persons as civil service commissioners, who shall constitute the civil service commission. The persons so appointed shall before taking office, make under oath, and file in the office of the county clerk, the following declaration: "I am opposed to appointments to the civil service as a reward for political activity, and will execute the duties of civil service commissioner in the spirit of this declaration." The term of one commissioner shall terminate at twelve o'clock noon, July 1, 1915; the term of another shall terminate at twelve o'clock noon, July 1, 1917, and the term of another shall terminate at twelve o'clock noon, July 1, 1919. On the expiration of the term of any such commissioner the mayor shall appoint a successor with like qualifications to serve as a commissioner for a term of six years. Each of the commissioners shall receive an annual salary of twelve hundred dollars. The commissioners may be removed from office in the same manner as are elective officers of the city and county and not otherwise. The supervisors shall appropriate annually not less than twelve thousand five hundred dollars for the expenses of the commission, and not less than five thousand dollars additional for the inspection service provided in Section 14 of this article.

That Section 2 of Article XIII is hereby amended to read as follows:

CLASSIFIED SERVICE.

Section 2. The commissioners shall classify, in accordance with duties attached thereto, all places of employment in or under the offices and departments of the city and county, not exempted under Section 11 of this article, or which may be created hereafter and not specifically exempted by this charter. The commissioners may grade, and from time to time regrade, the positions covered by any class, in accordance with salaries and duties, to the end that like salaries shall be paid for like duties. The commissioners may from time to time provide by rule for the manner in which such positions shall be filled. New positions when created shall be classified, graded and filled in accordance with these provisions. Before any new position is created, the authority creating such position shall secure from the civil service commission the proper designation of such position, and the title of such position shall correspond with the classifications adopted in accordance with the provisions of this section. In other than the bureaus of engineering and architecture no appointee shall hold a position carrying a salary above the maximum established for the grade for which he has qualified except by securing such promotional rating as the commission shall direct. Any classification or grading may be amended or abolished by the commission, and classes calling for similar qualifications may be consolidated but persons who have been appointed from any such class shall retain any position lawfully held thereunder so long as such position is maintained unless removed in accordance with the provisions of Section 12. The places of employment not exempted shall constitute the classified civil service of the city and county, and no appointment to any such place shall be made except in accordance with the provisions of this article and the rules adopted thereunder by the civil service commission.

That Section 5 of Article XIII is hereby amended to read as follows:

EXAMINATIONS.

Section 5. The commissioners shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the city and county to be examiners; and if in the official service it shall be a part of their official duty, without extra compensation, to conduct such examinations as the commissioners may direct, and to make return and report thereof to the commissioners. The commissioners may substitute any other person, whether in or not in such service, in the place of any one so selected, or may themselves act as such examiners. Applicants for positions in the mechanical trades and occupations may, in the discretion of the commission, be rated solely on experience and physical qualifications, which may be demonstrated by such evidence and in such manner as the commission may direct; and the applicants may be sub-

mitted to such further tests as the commission may require. Examination of laborers shall relate only to physical qualifications and experience, and laborers establishing their fitness shall rank upon the register in order of priority of application. No question in any examination shall relate to political or religious opinions or affiliations.

That a new section is hereby added to Article XIII, numbered 7½, to read as follows:

PROVISION FOR THE DISABLED.

Section 7½. When a civil service employee other than members of the police and fire departments who has served three years in his position has become incapable through age, accident or other disability of satisfactorily performing the duties of the positions covered by the class in which he has qualified, the civil service commission may, in its discretion, at the request of the appointing power, authorize his transfer to another class whose duties are within his capacity, and may, by a unanimous vote order that he be preferred for appointment to a designated position; but such position shall be one having a smaller compensation than the position from which he may be transferred, and the compensation shall not be increased subsequent to his appointment thereto.

That Section 8 of Article XIII is hereby amended to read as follows:

PROMOTIONS, BASIS OF.

Section 8. The commissioners shall provide for promotion in the classified service on the basis of ascertained merit and standing upon examination; and shall provide, wherever practicable, that vacancies shall be filled by promotion. All examinations for promotions shall be competitive among such members of the next lower rank, as established by the commissioners, as desire to submit themselves to such examinations. The commissioners shall submit to the appointing power the names of not exceeding three applicants having the highest rating for each promotion.

That Section 9 of Article XIII is hereby amended to read as follows:

DUTY OF HEADS OF DEPARTMENTS—CANDIDATES HIGHEST ON REGISTER.

Section 9. Whenever a position classified under this article is to be filled, the head of the department or office controlling such position shall notify the commission of that fact, and the commission shall then certify to the appointing officer the name and address of one or more candidates in the discretion of the commission, but not exceeding three, standing highest upon the register for the class or grade to which the position belongs. In making certification for employment sex shall be disregarded, except when some statute, the rules of the commission, or the appointing power specifies sex. The commission shall not certify the name of any person who in the judgment of the commission is not of good moral character, or who has secured a place upon the eligible lists by fraud, concealment of fact, or by violation of the rules of the commission; and having certified such person shall cancel such certification; and the commission shall remove the name of any such person from all civil service registers.

That Section 11 of Article XIII is hereby amended to read as follows:

DEPARTMENTS GOVERNED BY THIS ARTICLE.

Section 11. Subdivision A. The provisions of this article shall apply to the following offices and departments of the city and county. The county clerk, the assessor, the tax collector, the sheriff, the auditor, the recorder, the treasurer, the coroner, the clerks and stenographers of the justices' and police courts, the board of public works, the police department, the fire department, the board of election commissioners, the board of health, the department of electricity, the board of supervisors, the civil service commission, and all boards and departments controlling public utilities, but the following deputies, clerks and employees in said offices and departments shall be exempted therefrom: the chief deputy of the county clerk; the chief deputy and the deputy designated as the cashier of the assessor; the chief deputy and the cashier of the tax collector; four deputies of the sheriff designated as the under sheriff, the chief bookkeeper, the attorney, and the cashier; the deputy auditor; the chief deputy of the recorder; four employees of the treasurer designated as the cashier, the chief deputy, one assistant deputy designated as bond deputy, and one clerk; the chief deputy and the autopsy physician of the coroner; the city engineer; the secretary of the board of public works; the city architect; the registrar of the board of election commissioners; the justices' clerk; the chief of police; the chief engineer and secretary of the fire department; the chief of the department of electricity; the clerk of the board of supervisors; all physicians appointed by the board of health; persons appointed by the mayor, under the authority of this charter; the chief deputy and the head of any bureau or department created by this charter or by ordinance; the chief examiner and special examiners appointed by the civil service commission, and persons employed by the commission to exercise the authority conferred by Section 14 of this article; the manager or superintending head of each public utility; attorneys and physicians employed to perform duties included in their profession; persons employed by the board of supervisors for temporary

service in positions requiring high technical skill; persons employed in positions having a confidential relation to the head of the department in which the employment is held, but not more than one such position shall be established in any department; persons employed on public works outside the city and county. Any person who has served in any position in the office of the assessor, the coroner, the recorder, the county clerk, the sheriff, the office of the justices' clerk, the board of supervisors or the treasurer for a period of one year continuously prior to the approval of this amendment and who shall be actually employed in any of said offices at such time is hereby declared to be appointed within the provisions of Article XIII of this charter to the position to which he may be assigned and shall be entitled to all the benefits of said article thereafter.

PREFERENCE FOR QUALIFIED EMPLOYEES.

Subdivision B. The following persons securing standing on the eligible lists in examinations shall be preferred for appointment:

1. Persons employed in the operating service of the Geary Street Park and Ocean Railroad Company on May 5, 1912, such preference to be solely for employment in the municipal railroad service.

2. Persons employed in the operating service of any public utility acquired by the city who have been so employed for not less than one year; and such persons so employed at the time a public utility is acquired by the city shall continue in their positions. All officers, courts, boards or heads of departments vested in this charter with the power to appoint deputies, clerks, stenographers or other employees of any designation whatsoever shall make appointments only in accordance with the provisions of this article and the rules adopted thereunder and any appointment not so made shall be void.

That Section 12 of Article XIII is hereby amended to read as follows:

DISMISSALS FOR CAUSE ONLY—TRIALS AND SUSPENSIONS.

Section 12. No person employed in the classified civil service shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Pending the hearing of such charges, the appointing officer or department may suspend the person so accused, but such suspension shall not be valid for more than thirty days upon any charge unless the hearing thereon shall be delayed beyond such time by the act of the person so accused. When such charges are filed with the appointing officer or officers of the department in which the employee serves, such officers shall publicly hear and determine such charges. The finding of such officers shall be final unless, within a period of thirty days therefrom, the employee so tried appeals to the civil service commission against such finding. The appeal must be in writing, and must briefly state the reasons upon which it is based. The commission may confirm the finding, or may require the officers to present in writing the grounds for discharge or dismissal, and may require the submission of additional evidence; and may thereupon make such order as it deems just. The order or decision of the civil service commission upon such appeal shall be final, and shall forthwith be enforced by the appointing officers. If the civil service commission shall reverse or alter the finding of the appointing officer, it may, in its discretion, order that the employee affected shall be paid his salary from the time of his discharge or suspension. The civil service commission may hear and determine charges filed by any citizen, or by the authorized agents of the commission acting under the power conferred by Section 14 of this article, when the appointing power neglects or refuses to act. The appointing officer or officers of a department may, for disciplinary or penal purposes, suspend a subordinate for a period not exceeding thirty days, and such suspension shall carry with it the loss of salary for the period of suspension. Removal or discharge for cause may be upon any of the following grounds: Incompetence; habitual intemperance; immoral conduct; insubordination; discourteous treatment of the public; inattention to duties. The provisions of this section shall not apply to persons employed in the operating department of any public utility.

That Section 17 of Article XIII is hereby amended to read as follows:

SUPPLIES AND EMPLOYEES.

Section 17. The supervisors shall furnish the commission with suitable offices, office furniture, books, stationery, blanks, heat and light, and shall provide for the payment of such other expenses as may be necessarily incurred in carrying out the provisions of this article. The compensation of special examiners employed under Section 5 and of the investigators employed to perform the duties set forth in Section 14 shall be fixed by the commission. The commission may employ such permanent assistants as may be necessary, at such salaries as the supervisors may fix upon the recommendation of the commission. The compensation and salaries herein provided for shall be paid out of the appropriations specified in Section 1.

That Section 19 of Article XIII is hereby amended to read as follows:

VERIFICATION OF PAY ROLLS.

Section 19. The pay rolls or demands for salaries, wages or compensation of all deputies, assistants, clerks and employees of every class or description, without regard to the name or title by which they are known, for each department, board, office or bureau subject to the provisions of this article, shall be transmitted to the civil service commission before presentation to the auditor. The commission shall examine said pay rolls or demands and shall approve the demands of all persons appointed or employed in accordance with the provisions of this article. The pay rolls or demands thus approved, with notation of any item thereof disapproved, shall be then certified by the commission and transmitted by it to the auditor. The auditor shall not approve and the treasurer shall not pay any demand or warrant for salary, wages or compensation unless said demand shall have been approved by the civil service commission.

SCHEDULE.

This amendment shall take effect upon its ratification by the Legislature; *provided*, that the provisions of Section 1 with respect to the appointment of civil service commissioners shall take effect on the dates specified as follows: the term of the successor to the commissioner whose term expires January 8, 1913, shall expire July 1, 1915; the successor to the commissioner whose term expires January 8, 1914, shall be appointed for the term ending July 1, 1917, and the successor to the commissioner whose term expires January 8, 1915, shall be appointed for the term ending July 1, 1919.

Charter Amendment No. 13.

To amend Section 2 of Article XVI to read as follows:

Section 2. All persons appointed to office, position or employment under the city and county must be citizens of the United States, and must, during their respective terms of office or employment actually reside in the city and county, and must have so resided for the period of one year next preceding their appointment; *provided*, that positions requiring expert or technical training may, by resolution of the board of supervisors approved by the mayor, be exempted from this condition, and there shall be imposed in lieu thereof a certification of training and experience. Appointees whose duties are performed outside the city and county shall not be subject to the requirements of this section. All provisions of the charter in conflict with this section are hereby repealed.

Charter Amendment No. 18.

That Sections 1, 2 and 14 of Chapter III of Article VI be amended so as to read as follows:

Section 1. Whenever the public interest or convenience may require, the supervisors shall have full power and authority to order the extending, widening, straightening or closing up, in whole or in part, of any street, avenue, lane, alley, court or place within the city and county and shall have further full power and authority to order the opening of any new street, avenue, lane, alley, court or place within the city and county, and to condemn and acquire any and all lands and property necessary for any of the foregoing purposes, and shall have further full power and authority to order to be done in the same proceeding and as a part thereof any and all street work and street improvement in and on any street, avenue, lane, alley, court or place which the supervisors shall, under the powers conferred upon said supervisors in this chapter and article, order to be extended, widened, straightened or opened. The cost, damage and expense of such opening, extending, curbing, straightening and closing up of any street, avenue, lane, alley, court or place and of said street work and street improvement may be assessed in whole or in part on property benefited or may be paid in whole or in part out of the revenues of the city and county. Two or more streets, avenues, lanes, alleys, courts or places laid out in pursuance of one general plan may be opened under one proceeding, and all street work and street improvement therein and thereon may be done under the same proceeding and the property benefited may be assessed according to the benefit from such general plan for the cost, damage and expense thereof.

The supervisors are further empowered to provide by ordinance, or ordinances, passed by twelve members of the board, the procedure for fully and completely exercising the powers conferred in this section and the procedure provided for in the following sections of this chapter shall not be deemed exclusive. In such ordinance or ordinances if said board deems it expedient, provision may be made for the payment of an assessment levied in pursuance of the provisions thereof in annual installments covering a term not to exceed ten years upon such conditions as to such board may seem reasonable and just, the rate of interest to be made on such payments not to exceed seven per cent per annum. Or the supervisors may by resolution, as in the following sections provided, declare that any such opening, extending, widening, straightening or closing up of any street, avenue, lane, alley, court or place and said street work and street improvement shall be done or made in the manner and in accordance with the following provisions of this chapter or as said provisions may be hereafter amended: in which case the proceedings set out in the following sections of this chapter shall be taken and had.

Section 2. Before ordering such opening, extending, widening, straightening or closing up of any street, avenue, lane, alley, court or place and said street work and street improvements to be made or done the board of supervisors shall pass a resolution declaring their intention so to do and further declaring that the same shall be done or made in the manner and in accordance with the provisions of this section and the following sections of this chapter. Said resolution shall describe the same and the work to be done and the land and property deemed necessary to be taken therefor, and shall specify the exterior boundaries of the district to be affected or benefited by the improvement and work, and to be assessed to pay the damages, costs and expenses thereof.

In case said damage, cost and expense or any proportion thereof, is to be paid out of the revenues of the city and county the supervisors in such resolution may so declare or at any time thereafter and before the complete payment of said damages, costs and expenses, said board may declare and determine that any part or the whole thereof remaining unpaid shall be paid out of the revenues of the city and county.

Section 14. The said board of public works shall thereafter proceed to advertise and collect the various sums delinquent and the whole thereof, including the cost of advertising, which last shall not exceed the sum of fifty cents for each lot, piece or parcel of land separately assessed by the sale of the assessed property in the manner hereinafter specified; and after the date of said delinquency and before the time of such sale herein provided for, no assessment shall be received unless at the same time the five per cent added thereto, as aforesaid, together with the costs of advertising then already incurred, shall be paid therewith. The said property shall be sold and when sold shall be subject to redemption in the manner following, to wit:

1st. The board of public works shall, within ten days from date of such delinquency, begin the publication of a list of the delinquent assessments, which list must contain a description of each parcel of property delinquent, and opposite or against each description, the name of the owner as stated in the assessment roll, and the amount of the assessment, penalty and costs due, including the cost of advertising, which last shall not exceed the sum of fifty cents for each lot, piece or parcel of land, separately assessed. The board of public works shall append to and publish with said delinquent list a notice that unless each assessment delinquent, together with the penalty and costs thereon, is paid, the property upon which such assessment is a lien, will be sold at public auction at a time and place to be specified in the notice. The publication must be made for a period of ten days, in the official newspaper of said city and county of San Francisco. The time of sale must not be less than five days, nor more than ten days, after the expiration of the period of publication of said list, and the place of sale must be in, or in front of, the building wherein is situated the office of the board of public works.

2d. At any time after such delinquency, and prior to the sale of any piece of property assessed and delinquent, any person may pay the assessment on such piece of property, together with the penalty, and costs then due, including the cost of advertising, if such payment is made after the first publication of the list of delinquent assessment. The board of public works shall thereupon mark such assessment "paid," as hereinbefore provided.

3d. On the day fixed for the sale the board of public works must, at the hour of 10 o'clock a.m., commence the sale of the property advertised, commencing at the head of the list, and continuing in the numerical order of lots or parcels of land until all are sold; *provided*, that the board of public works may postpone or continue the sale from day to day until the property is sold. Each lot, piece or parcel of land separately assessed must be offered for sale separately, and the person who will take the least quantity of land, and then and there pay the amount of the assessment, penalty and costs due, including fifty cents to the board of public works for a certification of sale, shall become the purchaser. In case there is no purchaser, for any lot, piece or parcel of land so offered for sale, the same shall be struck off to the said city and county of San Francisco, as purchaser, and the board of supervisors shall appropriate out of the general fund of the treasury, the amount then due against the lot, piece or parcel of land, and shall order the county treasurer to place the same in the special fund for such improvement. No charge shall be made for the certificate of sale when the said city and county of San Francisco is the purchaser.

4th. After making the sale, the board of public works must execute, in duplicate, a certificate of sale setting forth a description of the property sold, the name of the owner thereof, as given on the assessment roll, that said property was sold for a delinquent assessment (specifying the improvement for which the same was made), the amount for which such property was sold, the date of sale, the name of the purchaser, and the time when the purchaser will be entitled to a deed. The board of public works must file one copy of such certificate in its office and deliver the other to the purchaser, or if the said city and county of San Francisco is the purchaser, to the clerk of the board of supervisors, who shall file the same in his office. On the filing of the copy of such certificate in the office of the board of public

works, the lien of the assessment shall vest in the purchaser and is only divested by a redemption of the property, as in this Act provided. The board of public works shall also enter on the assessment roll, opposite the description of each piece of property offered for sale, a description of the part thereof sold, the amount for which the same was sold, the date of the sale, and the name of the purchaser.

5th. A redemption of any parcel of property sold for delinquent assessment may be made by any party in interest, at any time prior to the execution and delivery of a deed therefor, by paying to the board of public works the amount for which the property was sold, and in addition thereto, ten per cent thereon if paid within three months after the date of the sale; twenty per cent if paid within six months; thirty per cent if paid within nine months; forty per cent if paid within twelve months, or fifty per cent if paid at any time after twelve months. When redemption is made, the board of public works shall note that fact on the duplicate certificate of sale on file in its office, and deposit the amount paid with the county treasurer, who shall credit the purchaser named in the certificate of sale with the said amount and pay the same to such purchaser, or his assignee, upon the surrender of the certificate of sale, and upon satisfactory proof of assignment thereof, if any. When the said city and county of San Francisco is the purchaser, the county treasurer shall notify the clerk of the board of supervisors of the redemptions, and such clerk shall thereupon cancel the certificate of sale on file in his office.

6th. At any time after the expiration of twelve months from the date of the sale, the board of public works must execute to the purchaser, or his assignee, on his application, if such purchaser or assignee has complied with the provisions of this section, a deed of the property sold, in which shall be recited substantially the matters contained in the certificate, also any assignment thereof, and the fact that no person has redeemed the property. The board of public works shall receive from the applicant for the deed, one dollar for making such deed, unless the said city and county of San Francisco is the purchaser, in which case no charge shall be made therefor.

7th. The deed of the board of public works shall be prima facie evidence of the truth of all matters recited therein and of the regularity of all proceedings hereunder prior to the execution thereof, and of title in the grantee. It shall be conclusive evidence of the necessity of taking or damaging the lands taken or damaged, and of the necessity of the improvement and work and of the correctness of the compensation awarded for lands taken or damaged.

8th. The board of public works shall from time to time, pay over to the county treasurer all moneys collected by the board on account of any assessments made under the provisions hereof. The county treasurer shall on receipt thereof, place the same in a special fund, designating such fund by the name of the street, avenue, square, lane, alley, court or place for the widening, opening or other improvements for which the assessment was made. Payment shall be made from said fund to the parties entitled thereto upon warrants signed by the members of the board of public works. With respect to all matters provided for or prescribed by this section to be done or performed by said board of public works, the majority of said board may act.

Charter Amendment No. 19.

That Chapter VIII of Article VI be amended so as to read as follows:

CHAPTER VIII.

TUNNELS, SUBWAYS AND VIADUCTS.

Section 1. The board of supervisors are hereby empowered to order the construction of and construct any tunnel, subway or viaduct in, on, under or over any accepted or unaccepted open public street, avenue, lane, alley, place or court within the city and county, or any other land of the city and county, or in, on, under or over any land or water in which and where the city and county may then have an easement or right of way therefor, and to levy the damages, cost and expenses thereof upon private property in the manner and under the procedure and powers in Chapter II of this article provided for street work and street improvement. Said method of procedure shall not be deemed exclusive, but the board of supervisors may, by an affirmative vote of at least twelve of its members, adopt an ordinance which may from time to time be revised or amended, providing a method of procedure for such improvement, work and assessment and for the ascertainment and payment of damages and for the manner in which protests against such assessments and damages awarded may be heard and determined, and for the manner in which such assessment may be collected and paid and property delinquent thereunder may be sold, and for the procedure for fully and completely exercising the powers conferred in this section; and in such ordinance, if said board deems it expedient, provision may be made for the payment of any assessment levied in pursuance of the provisions thereof in annual installments covering a term not to exceed ten years upon such conditions as to the said board may seem reasonable and just, the rate of interest to be paid on such payments not to exceed seven per cent per annum.

Section 2. The board of supervisors are hereby empowered to authorize the acquisition, by purchase or condemnation and to acquire by purchase, or to condemn

and acquire, any and all land, or any easement or right of way therein, thereon, thereunder or thereover, and any property necessary and convenient for any purpose mentioned in Section 1 of this chapter, and to levy the damages, costs and expenses thereof upon private property, in the manner and under the procedure and powers in Chapter III of this article provided, for the opening, extending, straightening and closing up, in whole or in part, of any street, avenue, lane, alley, court or place. But said method of procedure shall not be deemed exclusive, but the board of supervisors may by an affirmative vote of at least twelve of its members, adopt an ordinance, which may from time to time be revised or amended, providing a method of procedure for such acquisition and for the ascertainment and payment of damages and for the manner in which protests against such assessments and damages awarded may be heard and determined, and for the manner in which such assessment may be collected and paid and property delinquent thereunder may be sold, and for the procedure for fully and completely exercising the powers conferred in this section; and in such ordinance, if said board deems it expedient, provision may be made for the payment of any assessment levied in pursuance of the provisions thereof in annual installments covering a term not to exceed ten years upon such conditions as to the said board may seem reasonable and just, the rate of interest to be paid on such payment not to exceed seven per cent per annum. Lands or property which the supervisors deem necessary to take the place of such portion of the street or streets as may be used in the construction of the tunnel, including its portals and approaches, and to restore to the street surface travel thereon are hereby declared to be necessary and convenient lands or property for the purposes mentioned in Section 1.

Section 3. If the board of supervisors deems it expedient, the construction and acquisition mentioned in Sections 1 and 2 of this chapter may be initiated and completed in one proceeding; and in exercising the power to provide by ordinance for methods of procedure hereinbefore provided for such ordinance may provide for a single procedure for the work mentioned in Section 1 and the acquisition mentioned in Section 2 of this chapter. Any existing ordinance providing a method of procedure for the work mentioned in Section 1 of this chapter may be amended so that it may also provide a method of procedure for the acquisition mentioned in Section 2 of this chapter. But the supervisors may, in any case, determine to proceed with the work mentioned in Section 1 hereof and with the acquisition mentioned in Section 2 hereof in separate proceedings.

Section 4. The board of supervisors may, in its discretion, order that the whole or any part of the costs and expenses of any of the work or acquisitions in Section 1 and 2 of this chapter mentioned, or the damages resulting therefrom, be paid out of the treasury of the city and county from such funds as the board of supervisors may designate. Such discretion may be exercised by the board of supervisors at any time prior to the time of making an assessment therefor. Whenever a part of such damages, cost or expense is so ordered to be paid, before the making of an assessment therefor, the board of public works, in making up the assessment providing for such damages, cost or expense, shall first deduct from the whole damages, cost and expense such part thereof as has been ordered to be paid out of the municipal treasury and shall assess the remainder proportionately upon the lots, parts of lots, and lands in the assessment district or districts liable to be assessed therefor.

Section 5. No person, firm or corporation shall ever be granted the exclusive right to operate a street or other railroad through, in or under any tunnel, subway or viaduct constructed or acquired under the provisions of this chapter. Two or more lines of street railways operated under different managements may use the same tunnel, subway or viaduct for the entire length thereof and for five consecutive blocks approaching each end thereof, each management paying an equal portion of the expense for the construction, maintenance and repairs of the tracks and appurtenances used by said railways jointly. The city and county in the operation of a municipal railway may use any such tunnel, subway or viaduct either singly or jointly with any privately operated railway for the entire length thereof and for any number of blocks approaching each end thereof; and in case of joint use of tracks shall pay an equal portion of the expense for the construction, maintenance and repairs of the tracks and appurtenances used by said railways jointly.

Section 6. Two or more tunnels to be constructed in pursuance of one general plan may be so constructed under one proceeding and any or all acquisitions or condemnations of lands or easements or rights of way therein and any property necessary and convenient for the same may be acquired or condemned in the same proceedings and the property benefited may be assessed for the costs, damages and expenses thereof according to the benefit from such general plan.

Charter Amendment No. 20.

That Section 33 of Chapter II of Article VI be amended to read as follows:

Section 33. The method of procedure in this article provided for the improvement of streets, or for the construction of tunnels, subways or viaducts and appurtenances thereto, and for the assessment of the expense thereof or any portion of such expense upon private property shall not be deemed exclusive, but the board of supervisors by an affirmative vote of not less than two thirds of the members thereof,

may by ordinance substitute therefor any method of procedure in any general law of the State of California now in force and effect, or as the same may be amended or that may hereafter be enacted, providing for any such improvements in municipalities, and levying assessments for the expense or portion thereof upon private property; or the said board may by a like affirmative vote of the members thereof, adopt an ordinance which may from time to time be revised or amended, providing a method of procedure for such improvement and assessment; and in such ordinance if said board deems it expedient, provision may be made for the payment of any assessment levied in pursuance of the provisions thereof in annual installments covering a term not to exceed ten years upon conditions as to said board may seem reasonable and just, the rate of interest to be paid on such payments not to exceed seven per cent per annum. In any proceeding for the improvement of streets wherein provision is made for the payment of any assessment in annual installments, the amount of such assessment shall not be limited by the provisions contained in Subdivision 3 of Section 8 of this chapter.

Charter Amendment No. 21.

That a new section be added to Article XVI, designated as Section 29½, and to read as follows:

Section 29½. A municipal indebtedness may be incurred and bonds may be authorized to be issued therefor by the voters for the purpose of facilitating the performance of street or any other kind of public work, or opening of streets, or acquisition of property for any of the aforesaid purposes, the cost of which is to be assessed upon private property benefited thereby; *provided*, that said cost shall in the aggregate exceed the sum of five hundred thousand dollars. To authorize such indebtedness the supervisors shall adopt a resolution declaring the necessity therefor and at any time thereafter may call an election for the purpose of submitting to the electors the proposition of authorizing the issuance of bonds and the incurring of the indebtedness. Such election may be held at the same time as any other election, or otherwise, as the supervisors may determine, but if held at the same time as is a general state or municipal election, separate ballots may be used and the paper on which the ballots are printed shall be distinctively different from that used for the election of officers. The principal and interest on such bonds may be paid from the fund herein provided for or as other bonds of the city and county are redeemed and paid in the discretion of the supervisors. The full faith and credit of the city and county shall be pledged for the punctual payment of the principal and interest. Such indebtedness shall be no part of the debt limited by Section 9 of Article XII of the charter. The maximum rate of interest shall not exceed five per centum per annum and the principal shall be payable at any time after ten years and within twenty years from their date, as may be determined by the board of supervisors. If more than two thirds of the voters voting at such election shall vote in favor of the incurring of the indebtedness, then such bonds may be issued as herein provided. The bonds so authorized shall be sold in such amounts and at such times as the supervisors may direct and the proceeds arising from such sale shall be placed in a special fund known as the public work revolving fund. The moneys in such fund shall be used to pay the cost of any public improvement, the cost of which (or any portion thereof) has been or may be assessed against private property benefited thereby, or may be used to pay the principal or interest on the bonds issued as herein provided. All sums paid on account of such assessments shall be placed to the credit of such fund. Interest shall be charged on all such assessments at the rate of six per centum per annum, from the date of the acceptance of the work for the payment of which the assessments were imposed. Such assessments when exceeding \$25 may be paid in not more than ten annual installments. The supervisors shall, by proper legislation provide for the carrying into effect the provisions of this section.

Charter Amendment No. 22.

That a new section be added to Chapter II of Article II to be numbered Section 10, to read as follows:

Section 10. The board of supervisors in the manner provided in the preceding section, may sell a portion of the Relief Home tract not adapted to public use, being a portion of the Rancho San Miguel and generally described as lying southerly and westerly from the lands of the Spring Valley Water Company. The proceeds arising from such sale shall be used exclusively for the purchase of other lands adjoining such Relief Home tract.

Charter Amendment No. 23.

That a new section be added to Article XVI thereof, to be numbered Section 1½, to read as follows:

Section 1½. No political, religious or partisan qualification shall hereafter be required for election or appointment to any office under the city and county. The right to hold any office or position shall not be limited by sex. Any provision of this charter in conflict with this section is hereby repealed.

Charter Amendment No. 24.

That Section 3 of Chapter V of Article IV be amended so as to read as follows: Section 3. On request of the assessor or the tax collector the city attorney shall commence and prosecute actions for the collection of taxes.

Charter Amendment No. 26.

That Section 4, Chapter X, Article VIII be amended to read as follows:

The commissioners shall, out of the police relief and pension fund, provide as follows for the family of any officer, member or employee of the department who may be killed or injured while in the performance of his duty, and who shall have died within one year from the date of such injury; and the receipt by such officer, member or employee of any relief under this chapter, during his life time shall not bar the said family from the benefits of this section.

First—Should the decedent be married, his widow shall as long as she may remain unmarried be paid a monthly pension equal to one half of the salary attached to the rank held by the decedent at the time of his death.

Second—Should the decedent leave no widow, but leave an orphan child or children under the age of sixteen years, such children shall collectively receive a pension equal to one half the salary attached to the position held by their father at the time of his death until the youngest attains the age of sixteen years.

Third—Should the decedent leave no widow and no orphan child or children, but leave a parent or parents depending solely upon him for support, such parents, so depending, shall collectively receive a pension equal to one half the salary attached to the position held by the decedent at the time of his death, during such time as the commissioners may unanimously determine its necessity.

That Section 5, Chapter VII, Article IX, be amended to read as follows:

Section 5. The commissioners shall, out of the firemen's relief fund, provide as follows for the family of any officer, member or employee of the fire department who may be killed or injured while in the performance of his duty, and who shall have died within one year from the date of such injury, and the receipt by such officer, member or employee of any relief under this chapter, during his lifetime shall not bar the said family from the benefits of this section.

First—Should the decedent be married, his widow shall as long as she may remain unmarried be paid a monthly pension equal to one half of the salary attached to the rank held by the decedent at the time of his death.

Second—Should the decedent leave no widow, but leave an orphan child or children under the age of sixteen years, such children shall collectively receive a pension equal to one half of the salary attached to the position held by their father at the time of his death until the youngest attains the age of sixteen years.

Third—Should the decedent leave no widow and no orphan child or children, but leave a parent or parents depending solely upon him for support, such parents, so depending, shall collectively receive a pension equal to one half of the salary attached to the position held by the decedent at the time of his death during such time as the commissioners may unanimously determine its necessity.

Charter Amendment No. 30.

That there is added to Section 1 of Chapter II of Article II, four new subdivisions to be numbered 38, 39, 40 and 41, to read as follows:

38. To provide for and regulate the purchase, storage and distribution of all supplies for the various offices and departments, and may provide for the establishment of a bureau of supplies, and the employment of a chief of such bureau, with necessary employees and salaries therefor. The bureau so established may furnish all supplies and materials required by any officer or department of the city and county.

39. To prescribe the forms in which demands against the treasury shall be made and presented, and the forms in which warrants shall be drawn by the auditor and delivered for the payment thereof.

40. To prescribe a uniform system of accounting for the various offices and departments.

41. To prescribe forms, methods and facilities for keeping the records, documents and files in any office or department of the city and county, unless otherwise provided by general laws.

Charter Amendment No. 31.

That Section 1 of Chapter III of Article VIII be amended by adding a new subdivision thereto to be known as Subdivision S and to read as follows:

8. The board shall, of its own motion, and without the filing or presentation of any complaint, have power to initiate and conduct investigations of all matters affecting or relating to affairs of the police department or the discipline of the members thereof, and for the conduct of such investigations, shall have power to take and hear testimony touching the matters under investigation, administer oaths and affirmations, and upon such investigations, and upon the trial or hearing of all

matters, jurisdiction to try or hear which is given by this charter to said board, shall have power to issue subpoenas for the attendance of witnesses and the production of books, papers and documents pertinent to the matter under investigation, or to said trial or hearing. Whenever any person subpoenaed to appear and give testimony or to produce such books, papers or documents as required by such subpoena, shall refuse to appear or testify before said board, or to answer any questions which the majority of said board shall decide to be proper and pertinent, he shall be deemed in contempt of said board, and it shall be the duty of the president of said board to report the fact to the presiding judge of the Superior Court of the city and county of San Francisco, State of California, who shall thereupon issue an attachment in the form usual in said Superior Court, directed to the sheriff of said city and county, commanding said sheriff to attach such person and forthwith bring him before said presiding judge of said Superior Court. On the return of said attachment, and the production of the person attached, the said presiding judge shall have jurisdiction of the matter, and the person charged may purge himself of the contempt in the same way, and the same proceedings shall be had, and the same penalties may be imposed and the same punishment inflicted as in the case of a witness subpoenaed to appear and give evidence on the trial of a civil cause before a Superior Court of the State of California. Any member of said board shall have power to issue any subpoena herein provided for.

Charter Amendment No. 32.

That a new section be added to Article XIV, to be known as Section 6a, and to read as follows:

Section 6a. The board of supervisors shall have power and authority to select and set aside by ordinance, in that certain square or park known as Jefferson Square, bounded on the north by Eddy street, on the south by Golden Gate avenue, on the east by Gough street and on the west by Laguna street, a suitable and convenient site upon which may be erected by competent authority a central station for the fire alarm and police telegraph and telephone systems, said station when erected to be under the control and management of the joint commission of the department of electricity, and said joint commission shall have power and authority, when said station is erected, to maintain across said square or park the necessary conduits, wires and lines leading to said station.

Charter Amendment No. 36.

That a new section be added to Article XII, to be known as Section 10a, and to read as follows:

Section 10a. The board of supervisors is hereby authorized to sell certain bonds authorized at an election held September 29, 1903, and described as "Library Bonds," dated July 1, 1904, below the par value thereof, such price, however, not to be less than that which will net the purchaser four and one half per cent per annum according to the standard table of bond values. The signatures of the officers in office at the time such bonds were dated affixed to such bonds shall be sufficient to establish their validity.

Charter Amendment No. 37.

That a new subdivision be added to Section 1 of Chapter II of Article II, designated as Subdivision 42, to read as follows:

Subdivision 42. To provide by ordinance for the establishment of a city planning commission, which shall devise plans for the improvement and beautification of San Francisco. Members of said planning commission shall receive no compensation and shall not be subject to any prohibition forbidding officials from holding more than one office or position. The board of supervisors shall prescribe the duties of said commission, the number and qualifications of the members thereof, and in general shall enact all legislation not expressly forbidden by this charter or by general law necessary or incident to carrying into execution the propositions for which said city planning commission is instituted.

STATE OF CALIFORNIA, }
CITY AND COUNTY OF SAN FRANCISCO. } ss.

This is to certify that we, James Rolph, Jr., mayor of the city and county of San Francisco, and J. S. Dunnigan, clerk of the board of supervisors of said city and county, have compared the foregoing proposed and ratified amendments to the charter of the said city and county of San Francisco with the original proposals, submitting the same to the electors of said city and county at a special municipal election held on Tuesday, the tenth day of December, one thousand nine hundred and twelve, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said charter are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the seal of said city and county of San Francisco, this 3d day of January, one thousand nine hundred and thirteen.

[SEAL]

JAMES ROLPH, JR.,
Mayor of the City and County of San Francisco.

J. S. DUNNIGAN,
Clerk of the Board of Supervisors of the
City and County of San Francisco.

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all the members elected to each house voting therefor and concurring therein). That said amendments to the charter of the city and county of San Francisco, as proposed to and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same are, and each of them is, hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the city and county of San Francisco.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Johnston:

Resolved, That whereas George K. Smith has, after frequent warnings, persisted in the violation of the provisions of Rule No. 78 of the standing rules of this House; therefore, be it

Resolved, That the said George K. Smith be and he is hereby debarred from the privilege of the floor of this House during the remainder of the entire session.

Resolution read, and referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 353—An Act declaring houses of lewdness, assignation and prostitution to be nuisances, providing for the abatement thereof, and providing for enjoining the persons who conduct or maintain the same, and the owner, lessee or agent of the building or place where said nuisance is maintained from maintaining, conducting or permitting said nuisance.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, from lines 9, 10 and 11, strike out all after the word "prostitution in line 9 to and including the word "occur" on line 11.

Motion lost.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 11, strike out the word "shall," and insert in lieu thereof the word "may."

Also: On page 2, line 13, strike out the word "shall," and insert in lieu thereof the following: "may in its discretion."

Motion lost.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 22, after the word "plaintiff," strike out the words "or for want of prosecution."

Also: On page 2, line 23, strike out the word "and," and insert in lieu thereof the word "or."

Also: On page 2, line 25, after the word "dismissal," insert the following: "shall thereupon be."

Motion lost.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 28, after the word "plaintiff", strike out the period, and insert in lieu thereof the following: "provided that such substituted plaintiff shall pay to the original plaintiff all costs and attorney fees theretofore paid or agreed to be paid by such original plaintiff."

Also: On page 2, line 31, before the word "shall," insert the words "and attorney fees".

Motion lost.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, lines 34 and 35, strike out after the word "not," on line 34, the following: "less than two hundred dollars nor".

Also: On page 2, line 36, and on page 3, line 1, after the word "not," on page 2, line 36, strike out the words "less than one month nor".

Motion lost.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 7, strike out the words "musical instruments".

Motion lost.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 10, following the word "execution," strike out all down to and including the word "court," in line 15.

Also: On page 3, line 18, after the word "execution," strike out the comma and all following it down to and including the word "court," in line 20.

Also: On page 3, strike out all of lines 24 and 25 and renumber the subdivisions of Section 8 so as to conform thereto.

Also: On page 3, strike out all in lines 29, 30, 31, 32 and 33.

Also: On pages 3 and 4, strike out all of Sections 9 and 10.

Motion lost.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 6, insert a comma after the word "premises".

Motion lost.

During third reading of the bill, Mr. Scott moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 1, after the word "must," insert a comma.

Also: On page 2, line 3, after the word "name," insert a comma.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

TIME FOR DEBATE EXTENDED.

On motion of Mr. Brown, Mr. Schmitt was granted ten minutes additional time in which to complete his debate.

MOTION.

Mr. Killingsworth moved that the Assembly adjourn.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Bowman, Bradford, Bush, Canepa, Collins, Dower, Ferguson, Ford, Griffin, Inman, Johnson, Geo. H., Johnston, T. D., Killings-

worth, Libby, McCarthy, McDonald, Murray, Nolan, Richardson, Ryan, Schmitt, Scott, Shannon, Walsh, and White—27.

NOES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—53.

TIME FOR DEBATE EXTENDED.

On motion of Mr. Schmitt, Mr. Wyllie was granted ten minutes further time in which to finish his debate.

The roll was called, and Assembly Bill No. 353 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—62.

NOES—Messrs. Bagby, Bush, Canepa, Collins, Ford, Killingsworth, McCarthy, McDonald, Murray, Nolan, Richardson, Ryan, Schmitt, Shannon, Sutherland, Walsh, and White—17.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATIONS OF VOTE.

The following explanations of vote were sent to the desk and ordered printed in the Journal:

MR. SPEAKER: In voting as I did upon Assembly Bill No. 353, commonly known as the "red light" injunction and abatement bill, I acted conscientiously in the belief that the passage of the bill will not only not cure the social evil, but will render it even more intolerable than it now is.

I believe that all of the good women who overwhelmed the members of the Assembly with requests to support the bill, did so with the best of motives, but absolutely without knowledge either of the bill itself or of the subject of which it treats.

If I believed that the bill would even mitigate the social evil, I should be the first to support it, but honestly believing, as I do, that it would aggravate it, I could not without offending my own conscience vote for its passage.

W. A. SUTHERLAND.

MR. SPEAKER: I wish to explain my vote on Assembly Bill 353, known as the "red light" injunction bill. It provides for the confiscation of property, and does not provide any means of support for those deprived of their property until they can gain a livelihood in some other calling. It is a very difficult proposition for one who has fallen, as these women have, to get employment in homes—or any place else, for that matter—and to deprive them of their property and other means of support without providing them with even subsistence, robs the bill of humanitarian consideration without accomplishing the end arrived at.

H. C. BAGBY.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following: Assembly Bill No. 1067—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 422, relating to the possession of firearms by minors—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

Assembly Bill No. 888—An Act to amend Sections 658, 659 and 660, Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure, relating to waiver of jury trial.

Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953, 953a, 953b and 953c of the Code of Civil Procedure, relating to papers on appeal.

Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure, relating to costs on appeal.

Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Assembly Bill No. 1303—An Act to amend section twenty-three hundred and forty-nine of the Political Code of the State of California, relating to certain streams and waters and the navigability thereof as public ways.

Assembly Bill No. 1514—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as section twelve hundred two a, relating to indeterminate sentences:

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Woodley, Dr. Kellogg was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Canepa, Mr. Robert L. Long was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clarke, Mr. W. J. Cooley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mrs. L. C. Hough was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Mr. W. G. Van Pelt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Woodley, Mr. Harold Woodley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mrs. Wright was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fitzgerald, Mr. Geo. K. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fitzgerald, Mr. F. B. Berry was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Beck, Mr. Geo. B. Read was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cary, Mr. H. H. Say was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. J. W. Grimes was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. E. W. Richmond was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Judson, Mrs. Lucy Stoddard was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mrs. Ainsworth and Mrs. Beck were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Schmitt, Mr. Frank W. Brittain was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fitzgerald, Mr. R. H. Bishop was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Walsh, Mr. P. Carew was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Walsh, Mr. Paul A. Carew was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hinkle, Rev. G. H. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Judson, Dr. Charlotte Baker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Moorhouse, Mrs. Hawley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Peairs, Mrs. Hester T. Griffith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hayes, Mrs. Sara J. Dorr was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. Court Newport was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Moorhouse, Miss Harriet Swanson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gelder, Dr. Temple was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. J. C. Francks was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. F. W. Reeder was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. M. M. Bassett was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guill, Mr. John H. Trayner was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Polsley, Mrs. Isadore J. Proutt was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. F. F. Spencer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Farwell, Mr. C. W. Rogers was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ford, Mr. E. Teesdale was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cary, Mr. John Rorden was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. L. E. Kaufman was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. H. J. Bross was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Richardson, Mr. A. W. Richardson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. P. B. Thorton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Judson, Mr. L. Stoddard was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Sutherland, Mr. J. Sims was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. and Mrs. T. C. Hughes were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bush, Mr. F. Barbrack was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnston, Mr. L. R. Mead was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. J. S. Moulton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. E. D. Moulton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clarke, Mr. W. J. Cooley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fitzgerald, Mr. and Mrs. R. E. Cowan were granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At six o'clock p.m., on motion of Mr. Smith, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, March 21, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bolnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Morgenstern, Mr. Gelder was granted leave of absence for the day.

Mr. Wyllie asked for, and was granted, leave of absence for Saturday, March 22, and Monday, March 24, 1913.

On motion of Mr. Guiberson, Mr. Palmer was granted leave of absence until Monday, March 24, 1913.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 10 read first time, and referred to Committee on Public Morals.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 626—An Act appropriating money to pay the expense of maintaining an exhibit of the products of the State of California at the Universal and International Exhibition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year nineteen hundred thirteen.

Also: Senate Bill No. 1104—An Act to amend section sixteen hundred eighty-five

of the Political Code, relating to causes for the suspension or expulsion of school children.

Also: Senate Bill No. 173—An Act to amend section six hundred twenty-six of the Penal Code, relating to the protection of game.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 626 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1104 read first time, and referred to Committee on Education.

Senate Bill No. 173 read first time, and referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 269 of the Political Code, relating to compensation for services after close of session.

Referred to Committee on Introduction of Bills.

By Mr. Weisel:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county," etc.

Referred to Committee on Introduction of Bills.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Sutherland:

WHEREAS, The Assembly bills hereinafter noted deal with subjects which appear to be within the cognizance of the Railroad Commission and concerning which the Railroad Commission appears to have jurisdiction and authority under the Constitution of the State of California and the Public Utilities Act; and

WHEREAS, There are now pending before the Legislature such a multiplicity of measures that it will be impossible to give to all the careful consideration which the subjects deserve; therefore,

For the purpose of relieving the Assembly to some degree from the pressing business of the session and for the further purpose of securing for the Assembly the advice of the Railroad Commission concerning the effect of said bills, copies of the said bills are hereby referred to the Railroad Commission for such consideration and recommendation as said commission may deem proper, and the Chief Clerk of the Assembly is hereby instructed to forward to said commission copies of the following Assembly bills:

Assembly Bill No. 923, relating to the placing, erection, use and maintenance of electric poles, etc.

Assembly Bill No. 924, regulating the placing, erection, use and maintenance of electric poles, etc., and the repeal of certain other Acts.

Assembly Bill No. 1478, relating to the repeal of an Act entitled "An Act regulating the placing, use and maintenance of electric poles," etc., approved April 22, 1911.

Assembly Bill No. 1479, repealing an Act to regulate the construction and maintenance of subways, manholes, etc., approved April 22, 1911.

Assembly Bill No. 34, regulating the hours of drivers, conductors, gripmen, and motormen on street railways.

Assembly Bill No. 92, relating to hospital cars.

Assembly Bill No. 94, relating to the hours of labor of conductors, engineers, train dispatchers.

Assembly Bill No. 107, relating to vestibule doors on interurban cars.

Assembly Bill No. 215, relating to the placing of the signals at railroad crossings.
Assembly Bill No. 380, relating to disinfection devices on cars.
Assembly Bill No. 418, requiring individual drinking cups on cars.
Assembly Bill No. 468, relating to the blocking of frogs on railroad tracks.
Assembly Bills Nos. 960, 965, and 1059, relating to the furnishing of seats to all passengers on cars.
Assembly Bill No. 1501, relating to the clearance of rights of way on railroads.
Assembly Bill No. 1700, relating to derailling devices and equipment.
Assembly Bill No. 2001, relating to carrying of freight or express matter.
Assembly Bill No. 1165, creating board of construction inspectors.
Assembly Bill No. 1952, requiring telephone companies to make physical connections.
Assembly Bill No. 835, to protect trade and commerce against unlawful restraints and monopolies.

Resolution read, and on motion adopted.

By Mr. Shannon:

WHEREAS, It has been the custom of this Assembly to have printed in the Daily Journal the names of visitors admitted to the floor of the House by members; and

WHEREAS, It appears that such custom is unnecessary and causes the Daily Journal to be filled with matter not pertaining to the proceedings of the House; therefore, be it

Resolved, That it is the sense of the Assembly that the custom of printing in the Daily Journal the names of visitors admitted to the floor of the House by members be abolished, and that the names of any visitors to the House be printed in the Daily Journal only when, in the discretion of the Speaker, it may seem proper.

Resolution read, and referred to Committee on Rules.

UNFINISHED BUSINESS.

Assembly Bill No. 81—An Act to amend Section 396 of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

During third reading of the bill, Mr. Johnson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 13, of the printed bill, as amended, insert after the word "corporation", the following: ". or county,".

Also: On page 2, line 1, after the word "corporation", insert the following: ", or county,".

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 81, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

THIRD-READING FILE.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend section thirteen of article eleven, relating to supervision, regulation and conduct of the affairs of reclamation and drainage districts.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 47 adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson,

Finnegan, Fish, Fitzgerald, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Mr. Speaker—53.

NOES—None.

Assembly Constitutional Amendment No. 47 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 47.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 13, of Article XI, relating to supervision, regulation and conduct of the affairs of irrigation, reclamation or drainage districts.

The Legislature of the State of California at its regular session, commencing on the sixth day of January, 1913, two thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State that Section 13 of Article XI of the Constitution of the State of California be amended to read as follows:

Section 13. The Legislature shall not delegate to any special commission, private corporation, company, association or individual any power to make, control, appropriate, supervise or in any way interfere with any county, city, town or municipal improvement, money, property, or effects, whether held in trust or otherwise, or to levy taxes or assessments or perform any municipal function whatever, except that the Legislature shall have power to provide for the supervision, regulation and conduct, in such manner as it may determine, of the affairs of irrigation districts, reclamation districts, or drainage districts, organized or existing under any law of this State.

Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to Section 23a of Article IV of the Constitution of the State of California, relative to the limitation of expense for officers and employees of the Legislature.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 23 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Fitzgerald, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shartel, Shearer, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—56.

NOES—None.

Assembly Constitutional Amendment No. 23 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 23.

A resolution to propose to the people of the State of California, an amendment to Section 23a of Article IV, of the Constitution of the State of California relative to the limitation of expense for officers and employees of the Legislature.

The Legislature of the State of California, at its regular session, commencing the sixth day of January, 1913, two thirds of the members elected to each of the two houses of said Legislature, voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California:

Section 23a. The Legislature may also provide for the employment of help; but in no case shall the total expense for officers, employees and attachés of the Senate exceed the sum of four hundred dollars per day, and in no case shall the total expense for officers, employees and attachés of the Assembly exceed the sum of six hundred dollars per day, at any regular or biennial session, nor the sum of two hundred dollars per day in either house at any special or extraordinary session, nor shall the pay of any officer, employee or attaché be increased after he is elected or appointed.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 593—An Act to amend Section 3075 of the Political Code, relating to the office of State Registrar of the Bureau of Vital Statistics and the State Board of Health, and providing for deputies, clerks, and assistants and their compensation.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT No. 1.

After the word "dollars" in line 12, page 1, strike out all down to the word "dollars" in line 15, and insert in lieu thereof the following: "Two deputy statisticians, each of whom shall receive an annual salary of sixteen hundred dollars."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 5, strike out the words "one year" and the word "of" at the end of the line.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, strike out the word "the" at the beginning of the line.

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 6, strike out the figures and word "90 days" and insert in lieu thereof the words "one year".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 560—An Act to amend Sections 205 and 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing, and time of service of jurors.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 14, strike out the word "two" and insert in lieu thereof the word "four".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1020—An Act to amend Section 4300a of the Political Code of the State of California.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 469—An Act to amend an Act entitled “An Act for the certification of land titles and the simplification of the transfer of real estate,” approved March 17, 1897.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT No. 1.

On page 1, line 10, after the words “except as,” strike out the words “in this Act,” and insert after the word “provided” the words “in this Act.”

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 18, after the words “set forth,” insert the words “the following facts, to wit:”.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 21, after the word “disability,” insert the words “there also.”

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 23, strike out the words “acting as well as of the person for whom he is acting,” and insert in lieu thereof the words “representing the applicant.”

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 24, change the period after the word “acting” to a semicolon, and change the capital “I” in the word “if” to a small “i.”

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 5, strike out the words “must be indicated.”

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 20, after the word “inquiry,” change the comma to a period, and change the small “i” in the word “if” to a capital “I.”

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 1, insert a comma after the word “thereof.”

Amendment adopted.

AMENDMENT No. 9.

On page 4, line 9, after the word “application,” change the comma to a period, and the small “s” to a large “S” in the word “such”.

Amendment adopted.

AMENDMENT No. 10.

On page 4, line 14, strike out the word “on,” and insert in lieu thereof the word “by”.

Amendment adopted.

AMENDMENT No. 11.

On page 4, line 18, after the word “applicant,” insert the word “either”.

Amendment adopted.

AMENDMENT No. 12.

On page 4, line 26, after the word “must,” insert the word “then.”

Amendment adopted.

AMENDMENT No. 13.

On page 5, line 21, strike out the word "shall," and insert a comma after the word "person".

Amendment adopted.

AMENDMENT No. 14.

On page 5, line 22, strike out the word "shall," and insert in lieu thereof the word "has" and also strike out the word "have".

Amendment adopted.

AMENDMENT No. 15.

On page 5, lines 22 and 23, strike out the words "Section 432 of the Civil Code of," and insert in lieu thereof the words "the laws of;" and, also, after the word "California," insert a comma and the word "shall".

Amendment adopted.

AMENDMENT No. 16.

On page 7, line 12, strike out the words "Upon the filing of the application a notice must be," and insert in lieu thereof the words "When the court shall order notice given, a notice must be".

Amendment adopted.

AMENDMENT No. 17.

On page 9, lines 32 and 33, strike out the words "Section 13 of".

Amendment adopted.

AMENDMENT No. 18.

On page 10, after line 9, insert as a new paragraph the following: "Upon the trial of any issue of fact raised by the verified pleading of any person claiming by such pleading to have an interest in the or any part of the land or appurtenances, such issue shall, upon demand of any party appearing in the Act, be submitted to a jury in the same manner and to the same extent as such issue can, under general law and the Constitution of the State, be submitted to a jury trial in like matters and, when so submitted, the verdict of the jury shall have the same force and effect as is provided by general law upon the submission of like issues to a jury."

Amendment adopted.

AMENDMENT No. 19.

On page 10, line 27, start a new paragraph.

Amendment adopted.

AMENDMENT No. 20.

On page 11, line 25, strike out the words "Section 13 of."

Amendment adopted.

AMENDMENT No. 21.

On page 13, line 12, after the words "issue, and," insert the word "shall."

Amendment adopted.

AMENDMENT No. 22.

On page 13, line 13, after the word "registrar," change the comma to a period and the small "o" to a large "O" in the word "one."

Amendment adopted.

AMENDMENT No. 23.

On page 13, line 14, strike out the word "which," and insert in lieu thereof the words "said certificate."

Amendment adopted.

AMENDMENT No. 24.

On page 13, line 16, strike out the word "It," and insert in lieu thereof the words "The certificate."

Amendment adopted.

AMENDMENT No. 25.

On page 13, line 19, after the word "and," insert the following: "if married,".

Amendment adopted.

AMENDMENT No. 26.

On page 15, line 8, strike out the comma after the word "persons".

Amendment adopted.

AMENDMENT No. 27.

On page 19, line 23, strike out the words "the Act," and insert in lieu thereof the words "this Act".

Amendment adopted.

AMENDMENT No. 28.

On page 19, line 24, after the word "of," insert the word "the".

Amendment adopted.

AMENDMENT No. 29.

On page 20, line 34, strike out the word "distributees," and insert in lieu thereof the word "distributes".

Amendment adopted.

AMENDMENT No. 30.

On page 21, line 37, strike out the words "with the measure".

Amendment adopted.

AMENDMENT No. 31.

On page 22, line 1, strike out the words "ments of all the bounds of each subdivision and," and insert in lieu thereof the word "on".

Amendment adopted.

AMENDMENT No. 32.

On page 22, line 1, strike out the letter "n" in the word "plan," and insert in lieu thereof the letter "t".

Amendment adopted.

AMENDMENT No. 33.

On page 22, line 2, insert a comma after the word "subdivision," and strike out the words "has been" and insert a comma after the word "recorder".

Amendment adopted.

AMENDMENT No. 34.

On page 22, line 3, after the word "law," insert the words "on which plat so the measurements of all boundaries of each subdivision appear,".

Amendment adopted.

AMENDMENT No. 35.

On page 22, line 7, insert an apostrophe between the "r" and the "s" in "owners."

Amendment adopted.

AMENDMENT No. 36.

On page 22, line 9, after the word "it," insert the words "by numbers or letters as the same is described in said plat,".

Amendment adopted.

AMENDMENT No. 37.

On page 31, line 15, strike out the word "in," and insert in lieu thereof the word "by." Also, strike out the word "eighty" and insert in lieu thereof the word "seventy-nine."

Amendment adopted.

AMENDMENT No. 38.

On page 31, strike out lines 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and the words, in line 26, "week for four consecutive weeks," and insert in lieu thereof the words "served upon persons interested in the manner provided in this Act for the service of notice of applications for original registrations."

Amendment adopted.

AMENDMENT No. 39.

On page 31, line 26, after the word "such," insert the words "service and."

Amendment adopted.

AMENDMENT No. 40.

On page 36, line 36, strike out the word "affecter," and insert in lieu thereof the word "affected."

Amendment adopted.

AMENDMENT No. 41.

On page 37, line 4, strike out the word "of," and insert in lieu thereof the word "or."

Amendment adopted.

AMENDMENT No. 42.

On page 37, line 21, after the words "Subdivision 1," insert a comma.

Amendment adopted.

AMENDMENT No. 43.

On page 37, line 22, strike out the letters "th," and insert in lieu thereof the word "the"; also, after the word "following," insert the word "fees:"; also, change the large "U" in the word "Upon" to a small "u".

Amendment adopted.

AMENDMENT No. 44.

On page 39, line 4, after the word "volume," strike out the word "the," and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT No. 45.

On page 39, lines 22 and 23, strike out the words "of the preceding section," and insert in lieu thereof the word "hereof".

Amendment adopted.

AMENDMENT No. 46.

On page 40, line 18, strike out the word "terasurer," and insert in lieu thereof the word "treasurer".

Amendment adopted.

AMENDMENT No. 47.

On page 41, lines 4 and 5, strike out the words "of the land or of the estate or interest of which he claims to be deprived," and insert in lieu thereof the word "thereof".

Amendment adopted.

AMENDMENT No. 48.

On page 42, line 20, strike out the words "the court and all applicants in," and insert in lieu thereof the words "in all matters in and arising out of".

Amendment adopted.

AMENDMENT No. 49.

On page 42, line 30, insert a period after the word "Act," and strike out the rest of line 30; also, strike out lines 31, 32 and 33.

Amendment adopted.

AMENDMENT No. 50.

On page 44, line 16, strike out the word "effect," and insert in lieu thereof the word "affect".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase of patents from the State for the purpose of securing restitution of moneys for lands sold by the State, but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate, and also as to the issuance of warrants by county auditors and the State Controller, as provided in Section 3572 of said Political Code.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1624—An Act to amend Section 3398 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the state for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended also providing that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken, and also relating to amending or correcting selections, re-selections, amended selections, designations and re-designations.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending section one thereof, relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections, and providing the fee therefor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States, of certain lands

erroneously conveyed or patented to said State by said government," approved May 1, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged to sue the State of California for damages done to real property by reason of the construction and maintenance, or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newton jetties,' and repealing an Act entitled 'An Act to authorize the Lauritzer Company of San Francisco, a corporation, to sue the State of California,' approved March 23, 1907," approved March 20, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 747—An Act to further divide the State into fish and game districts, by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 6, strike out the following: "district number —," and insert in lieu thereof: "the second fish and game district."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 2, insert after the word "commission" the following: "and without trespassing upon private property."

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 34, strike out the comma after the word "game."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1578—An Act to amend section two hundred and twenty-four of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1578 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Collins, Ellis, Ferguson, Finnegan, Fitzgerald, Gabbert, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Richardson, Roberts, Ryan,

Schmitt, Scott, Shartel, Shearer, Slater, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 33 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section, to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 513 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Collins, Dower, Ellis, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1067—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 422, relating to the possession of firearms by minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1067 was refused passage by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bowman, Byrnes, Canepa, Ellis, Farwell, Fitzgerald, Gabbert, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, Mouser, Peairs, Simpson, Sutherland, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—29.

NOES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Griffin, Guiberson, Guill, Hayes, Hinkle, Judson, Kuck, Moorhouse, Morgenstern, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Walsh, and Weldon—40.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1067 was this day refused passage.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint Mr. Johnston as a select committee of one to amend the bill as follows:

On page 1, line 2, after the word "served," insert the following: "in the California regiments or in the navy quota from this State."

Also: On page 1, line 4, strike out line 4 and the word "State" in line 5.

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 51, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1949—An Act amending section two of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1949 passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—56.

NOES—Messrs. Guill, and Schmitt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1422—An Act to provide for the washing and cleaning of raw material used in the manufacture of shoddy and for the inspection of machinery used in the manufacture of shoddy and of places where the same is manufactured, stored or sold and for the

inspection of shoddy manufactured without this State and offered for sale herein and to provide penalties for the violation thereof.

Bill passed on file, retaining its place.

Assembly Bill No. 1236—An Act to amend section three hundred and thirty of the Penal Code of the State of California, relating to gambling.

During third reading of the bill, Mr. Scott moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, strike out the word "representation," and insert in lieu thereof the word "representative."

Also: On page 1, line 13, strike out the word "representation," and insert in lieu thereof the word "representative."

Motion carried.

The Speaker appointed Mr. Scott as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1236, with instructions, do now report that the instructions of the Assembly have been carried out.

SCOTT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 491—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all Acts, other Acts and parts of Acts in conflict with this Act.

Bill passed on file, retaining its place.

Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code, relating to the powers and duties of normal school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1096 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Cram, Ellis, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuek, Libby, McCarthy, Moorhouse, Mouser, Murray, Roberts, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 208—An Act to provide for one additional judge of the Superior Court of the county of Riverside.

Assembly Bill No. 308—An Act to amend Section 67a of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of six additional Superior Court judges in counties of the first class and providing for their compensation.

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Assembly Bill No. 698—An Act to amend Section 268 of the Political Code of the State of California, relating to salaries of officers and employees of the Assembly and Senate.

Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 90, relating to conduct of public officials.

Assembly Bill No. 1558—An Act to amend Sections 1198 and 1199 of the Political Code, relating to books and records of ballots and number of ballots to be provided by the county clerk or registrar and the destruction of unused ballots.

Also: Assembly Joint Resolution No. 1—Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of President and Vice President of the United States by a direct vote of the people.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened.
Speaker Young in the chair.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal.

SACRAMENTO, CAL., March 21, 1913.

MR. SPEAKER: At the time the vote was taken yesterday on the red light abatement bill, No. 353, I was unavoidably out of the room. Had I been in the room I should most certainly have voted for the bill, as I am heartily in favor of it.

I would like this explanation recorded in the Journal.

F. E. WOODLEY.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 19—An Act to amend Section 3658a of the Political Code of the State of California, relating to maps for assessment purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 19 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Cfam, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 437—An Act to amend Section 1583 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 437 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Green, Griffin, Hayes, Hinkle, Johnston, T. D., Judson, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Roberts, Schmitt, Scott, Shartel, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 443 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Griffin, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Roberts, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 601—An Act to repeal Section 1624 of the Political Code of the State of California, requiring the appointment of school census marshals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 601 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Roberts, Ryan, Schmitt, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects, of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, etc.

During third reading of the bill, Mr. Cram moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 10, strike out the words "or seed."

Motion carried.

The Speaker appointed Mr. Cram as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 412, with instructions, do now report that the instructions of the Assembly have been carried out.

CRAM, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

During third reading of the bill, Mr. Tulloch moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 24, after the word "provided," strike out the period, and insert in lieu thereof a semicolon and the words "provided that for the enforcement of the levying and collection of any assessment hereafter required to be levied and collected for the payment of any debt hereafter incurred."

Motion carried.

The Speaker appointed Mr. Tulloch as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1848, with instructions, do now report that the instructions of the Assembly have been carried out.

TULLOCH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1967 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Griffin, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, White, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILL.

Senate Bill No. 689—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 689 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, White, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same, with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An Act making the appropriation made by Chapter 705, Statutes of 1911, "For printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from section four of this Act) ten thousand dollars," available for the distribution of said Blue Book.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Nolan: Assembly Bill No. 2042—An Act making the appropriation made by Chapter 705, Statutes of 1911, "For printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from section four of this Act) ten thousand dollars," available for the distribution of said Blue Book.

Bill read first time, and referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1563—An Act relating to land liable to assessment to pay the cost of municipal or other local improvements, under

any law of this State, in the possession and occupation of persons, firms, companies or corporations, and used by any such person, firm, company or corporation for rights of way or other easement thereon devoted to public use under a franchise authorizing such use, and providing for the extension of the lien of any such assessment to the right of way, or other easement thereon and to the franchise of any such person, firm, company or corporation, and providing for the enforcement of such lien; also, providing an alternative method of enforcing payment of such assessment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1563 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Ellis, Ferguson, Finnegan, Fish, Ford, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1141 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Mouser, Nelson, Nolan, Peairs, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure, relating to waiver of jury trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 889 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Dover, Ellis, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Peairs, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 213—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of

Superior Court judges, and providing for the appointment of four additional Superior Court judges for the city and county of San Francisco, and providing for their compensation.

Bill read third time.

Mr. Guill moved that the above Assembly bill be re-referred to Committee on Ways and Means.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 213 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, Mouser, Murray, Nolan, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER.

Mr. Inman gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 213 was this day passed.

Mr. Schmitt gave notice than on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 889 was this day passed.

RE-REFERENCE OF BILLS.

On motion of Mr. Stuckenbruck, Assembly Bill No. 460 was recalled from the Committee on Revenue and Taxation, and referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 164—An Act to amend section six hundred and twenty-eight f of the Penal Code of the State of California, relating to clams and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day.

Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be designated Sections 950, 951 and 952, relating to records on appeal.

Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Assembly Bill No. 1013—An Act to amend Section 261 of the Political Code of the State of California, relating to the duties of officers of the Senate and Assembly.

Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section, as amended, also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller as provided in Section 3572 of said Political Code.

Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has

been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance, or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newton jetties,' and repealing an Act entitled 'An Act to authorize the Lauritzer Company of San Francisco, a corporation, to sue the State of California,' approved March 23, 1907," approved March 20, 1911.

Assembly Bill No. 1624—An Act to amend Section 3398 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the State for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended, also providing that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken and also relating to amending or correcting selections, re-selections, amended selections, designations and re-designations.

Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending section one thereof, relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections and providing the fee therefor.

Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States, of certain lands erroneously conveyed or patented to said state by said government," approved May 1, 1911.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

Assembly Bill No. 1330—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Tulloch, Mr. Frank McVey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Tulloch, Mr. T. J. Penfield was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Tulloch, Mr. H. C. Haskins was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Simpson, Mr. Chas. P. Fox was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. W. B. Cartmill was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and fifteen minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, March 22, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—70.

Quorum present.

LEAVES OF ABSENCE.

On motion, leave of absence for the day was granted Messrs. Johnstone, Gates, Richardson, Nelson, Collins, Murray and Nolan.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Killingsworth:

To the Legislature of the State of California:

We, the undersigned residents of Solano County, Cal., desire to make known to you that we heartily indorse the passage of a law by the Legislature of the State of California prohibiting the sale of wild ducks, and we respectfully request that you use your best endeavors in obtaining the passage of such a law.

Thanking you for your courtesy in the matter, we are,

Respectfully yours,

ROY D. MAYES (and others).

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 1602—An Act to amend Section 900 of the Code of Civil Procedure, relating to liens and recorded judgments.

Senate Bill No. 155—An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

Senate Bill No. 395—An Act to amend Section 4085½ of the Political Code of the State of California, authorizing the board of supervisors of the several counties of this State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1602 read first time, and referred to Committee on Judiciary.

Senate Bill No. 155 read first time, and referred to Committee on Judiciary.

Senate Bill No. 395 read first time, and referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 269 of the Political Code, relating to compensation for services after close of session.

Referred to Committee on Introduction of Bills.

By Mr. Guill:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 656 of the Civil Code, relating to the ownership of wild animals.

Referred to Committee on Introduction of Bills.

By Mr. Mouser:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for a survey of the coastal waters of the State of California and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea, and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations, and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

Referred to Committee on Introduction of Bills.

By Mr. Cram:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the reimbursement of counties in this State which sustained net loss of revenue during the years 1911 and 1912 by the withdrawal of railroad property from county taxation under the provisions of Section 14, Article XIII, of the Constitution of this State, in addition to the reimbursement provided for by the terms of an Act entitled "An Act to provide for the reimbursement of counties in this State which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911.

Referred to Committee on Introduction of Bills.

By Mr. Bohnett:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the teaching of technical and agricultural topics in the secondary and elementary schools of the State.

Referred to Committee on Introduction of Bills.

By Mr. Farwell:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Referred to Committee on Introduction of Bills.

By Mr. Alexander:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying concurrent resolution, the title of which reads as follows: Assembly concurrent resolution relating to the mailing of Acts relating to courts, judicial officers, and amendments to codes.

Referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

POINT OF ORDER.

During consideration of the bill, Mr. Schmitt rose to the following point of order: "That the bill was not on the proper file."

POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

Further consideration of the above bill postponed.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying statement of expenses:

WHEREAS, There was appointed by the Speaker, as per resolution adopted March 15th, the following named members of the Assembly: Messrs. Bagby, Bloodgood, Cary, McDonald, and Weldon, as a special committee for the purpose of investigating the various cement plants of the State, said resolution providing for stenographer and sergeant-at-arms;

WHEREAS, Said committee has submitted the following as statement of actual expenses:

Railroad fare, from Sacramento to San Francisco, March 16-----	\$17 50
Pullman service, Sacramento to San Francisco, March 16-----	10 50
Street car fare to depot-----	25
Breakfast, Oakland Mole-----	6 35
Railroad fare to Santa Cruz and return to San Francisco (7 people at \$5.30)-----	37 10
Hotel St. George, luncheon-----	5 25
Auto from Santa Cruz to Davenport and return, half day-----	12 00
Dinner at Odeon-----	11 00
Service at Hotel Argonaut (6 people), rooms-----	24 00
Meals at Hotel Argonaut (7 people) rooms-----	17 65
Car fare and ferry tickets to Oakland Mole, to visit ship, March 17	1 65
Car fare return to hotel-----	30
Railroad fare from San Francisco to Bay Point, March 18-----	7 70
Phone from Bay Point to San Francisco-----	40
Railroad fare from Bay Point to Port Costa-----	3 10
Phone from Port Costa to San Francisco-----	40
Paper and carbon, Ellison-----	50
Telegram to San Francisco-----	25
Railroad fare from Port Costa to Sacramento-----	12 60
Total -----	\$168 50

Now, therefore, the undersigned chairman recommends that the said committee be allowed its actual expenses as above set forth, and that a warrant for said amount be drawn in favor of Henry C. Bagby, chairman of committee.

BAGBY, Chairman.

Has had the same under consideration, and respectfully report back, and recommend that the following resolution be adopted.

FARWELL, Chairman.

Resolved, That the Controller be, and is hereby, authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of Henry C. Bagby for the sum of \$168.50; and the Treasurer is hereby directed to pay the same.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Brown, Byrnes, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Golder, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Peairs, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2040—An Act to amend the Code of Civil Procedure by repealing Sections 749, 750 and 751, and adding to Title 10 of Part 2 thereof a new chapter to be known as Chapter 3a, to consist of Sections 750a, 750b, 750c, 750d, 750e, 750f, 750g, 750h, 750i, 750j, 750k, and 750l, providing a simplified method for ascertaining and establishing title to real property and determining all adverse claims thereto.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2041—An Act to amend the Code of Civil Procedure by repealing Sections 841, 845, 846, 849, 850, 854, 857, 858, 860, 872, 886 and 887, amending Sections 844, 847, 851, 852, 853, 855, 856, 859, 871, 873, 874, 879 and 890, and adding Sections 844a, 847a, 855a, 855b, 865a, 873a, 874a, 874b and 877a, relating to proceedings in justices' courts, simplifying and revising the rules of pleading and practice therein, eliminating technicalities and delays, and providing for the prompt appearance of parties, framing and trial of issues, and rendition of judgment in actions in such courts.

Bill read second time, and ordered to engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 50 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Mouser, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Sutherland, Wall, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154—An Act to amend section one hundred and three and one half of the Code of Civil Procedure, said amendment relating to clerks of justice courts in cities or towns of the second and one half and third classes, and appointments, salaries and duties of same.

During third reading of the bill. Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out of Section 1, line 13, page 1, and line 1, page 2, the words "writs, summons and other processes in any action or proceeding in said justice's court with the exception of warrants for the arrest of any person," and insert in lieu thereof the following: "process ordered by the justices of said court, and".

Motion carried.

The Speaker appointed Mr. Gelder as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 154, with instructions, do now report that the instructions of the Assembly have been carried out.

GELDER, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Joint Resolution No. 1—Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of President and Vice President of the United States by a direct vote of the people.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Mouser, Polsley, Ryan,

Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Assembly Joint Resolution No. 1 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 1.

Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of President and Vice-President of the United States by a direct vote of the people.

WHEREAS, The twelfth amendment to the Constitution of the United States provides for the election of the President and Vice President by and through electors selected by the people of the respective states, and such method of procedure is not satisfactory to the people of the State of California; and

WHEREAS, The present method of election of the President and Vice President is not in accordance with a truly representative government of, for and by the people; therefore, be it

Resolved, That the Legislature of the State of California at its fortieth session favors the adoption of an amendment to the Constitution of the United States which shall provide for the election of the President and Vice President by a direct and popular vote of the people;

Resolved, That a copy of this joint resolution and application to Congress of the United States for the calling of a convention for the above purposes be sent to the Governor of each state of the United States, and a similar copy be sent to the President of the United States, the President of the United States Senate and the Speaker of the House of Representatives, and to each member, in the Senate and House of Representatives, from the State of California.

Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 956 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Libby, McCarthy, Morgestern, Mouser, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Wall, Walsh, Weisel, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1017 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, McCarthy, Morgenstern, Mouser, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1422—An Act to provide for the washing and cleaning of raw material used in the manufacture of shoddy and for the inspection of machinery used in the manufacture of shoddy and of places where the same is manufactured, stored or sold and for the inspection of shoddy manufactured without this State and offered for sale herein and to provide penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1422 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, Mouser, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 164—An Act to amend section six hundred and twenty-eight *f* of the Penal Code of the State of California, relating to clams, and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 164 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Libby, McCarthy, Mouser, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. Smith, consideration of Assembly Bills Nos. 699, 697, 1013 and 698 was made a special order for Monday, March 24, 1913, at ten o'clock and thirty minutes a.m.

Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1040 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Ford, Gabbert, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—52.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 886 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Ford, Gabbert, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kuck, McCarthy, Moorhouse, Morgenstern, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—51.

NOES—Mr. Dower—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 887 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Dower, Ellis, Emmons, Ferguson, Ford, Gabbert, Green, Guiberson, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, McCarthy, Moorhouse, Morgenstern, Mouser, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—47.

NOES—Mr. Finnegan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 888—An Act to amend Sections 658, 659 and 660, Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 888 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Ford, Gabbert, Green, Griffin, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Moorhouse, Morgenstern, Mouser, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Wall, Walsh, Weisel, and Mr. Speaker—43.

NOES—Mr. Finnegan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 891 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Green, Griffin, Hinkle, Inman, Judson, Killingsworth, Moorhouse, Morgenstern, Mouser, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be designated Sections 950, 951 and 952, relating to records on appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 892 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Griffin, Guiberson, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953, 953a, 953b and 953c of the Code of Civil Procedure, relating to papers on appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 894 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Finnegan, Ford, Gabbert, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Polsley, Roberts, Ryan, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure, relating to costs on appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 895 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 896 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Guiberson, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to whom was referred Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

Also: Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

Also: Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled

"An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BYRNES, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to whom was referred Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BYRNES, Chairman.

The above reported bill ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 974—An Act to repeal Section 1935 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928a, 1928b, 1928c and 1928d, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HINKLE, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 90—An Act appropriating money to pay claim of Riverside County against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NOLAN, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 84—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park, in Santa Cruz County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to the Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 506—An Act to provide for the care, management and protection of state highways, and to repeal an Act entitled "An Act to provide for the care, management and protection of state highways," approved March 24, 1903, and all Acts or parts of Acts amendatory thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits and authorizing the State to accept the same.

Also: Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Also: Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

GABBERT, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 830—An Act to amend Section 4041a of the Political Code of the State of California by adding a sub-section thereto, to be numbered Subsection 20a.

Also: Assembly Bill No. 671—An Act to provide for supplying the county auditor with a report of commitments to and discharges from public institutions.

Also: Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the State, or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Also: Assembly Bill No. 679—An Act to add a new section to the Political Code, to be known as Section 3665a.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1272—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered twenty-six hundred and forty-eight, relating to county government.

Also: Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Also: Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code.

Also: Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274c.

Also: Assembly Bill No. 1951—An Act to amend the Political Code of the State of California, by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties and cities and counties of over 200,000 population, and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 375—An Act to amend Section 1552 of the Political Code of the

State of California, relating to the traveling expenses of the county superintendent of schools.

Also: Assembly Concurrent Resolution No. 7—Approving charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5, 1912.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Assembly Concurrent Resolution No. 7 ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the presentation and form of claims against counties—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 22—Relative to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood water thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Conservation.

JOHNSON, Chairman.

Re-referred to Committee on Conservation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 23—Relative to a request for permission of the National Government under such terms and conditions as may be necessary to permit an increased number of stock and sheep to graze within the national forest and other federal reservations—have had the same under consideration, and respectfully report the same back without recommendation.

JOHNSON, Chairman.

Ordered on file for consideration.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1002—An Act to amend Section 414 of the Political Code of California, relating to the employees of the Secretary of State, and providing a salary for the same.

Also: Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

Also: Assembly Bill No. 1269—An Act to provide for the compilation, printing, binding, publishing and distribution of a roster of state, county, city and federal officials, election laws and corporation laws.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

HOOR OF RECESS EXTENDED.

On motion of Mr. Schmitt, the hour of recess was extended until the business of the day be completed.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Mr. Ellis:

WHEREAS, The Committee on Prisons and Reformatories, under a resolution adopted March 18, 1913, was instructed and empowered to inquire whether prisoners confined in San Quentin and Folsom state prisons are now or have been within the last two years subjected to cruel and unusual punishment, and especially to what extent the strait-jacket is being used at said prisons upon prisoners confined in said prisons or in any of the reformatories, or institutions of this State for the purpose of discipline or punishment; and

WHEREAS, Said committee was by said resolution empowered to subpoena witnesses, administer oaths, take testimony, send for persons, books or papers and to hold meetings at said prisons; and

WHEREAS, It appears that to carry out the requirements and purposes of said resolution witnesses will be required to attend the meetings of said committee and that many of said witnesses will necessarily be subpoenaed from distant parts of the State and at a considerable distance from the place of said meetings, and that the traveling expense of such witnesses must necessarily be paid, and that said committee will require the services of a phonographic reporter, and will have other and considerable expense to meet and discharge in carrying out the requirements of said resolution; now, therefore, be it

Resolved, That the sum of two thousand dollars, or such portion thereof as may be needed, be and the same is hereby set aside from and out of the Contingent Expense Fund of the Assembly for the use of said Committee on Prisons and Reformatories in defraying the actual and necessary expense that may be incurred by said committee, and the Controller is hereby directed to draw his warrant in payment of such expense of said committee, the total of said warrants not to exceed the sum of two thousand dollars, from time to time, in favor of W. H. Ellis, chairman of said Committee on State Prisons and Reformatories, and the State Treasurer is directed to pay the same.

Mr. Ellis moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Ford, Gabbert, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weldon, Woodley, and Mr. Speaker—50.

NOES—None.

By Mr. Schmitt:

WHEREAS, The Assembly bills hereinafter noted deal with subjects which appear to be within the cognizance of the Railroad Commission, and concerning which the Railroad Commission appears to have jurisdiction and authority under the Constitution of the State of California and the Public Utilities Act; and

WHEREAS, There are now pending before the Legislature such a multiplicity of measures that it will be impossible to give to all the careful consideration which the subjects deserve; therefore, for the purpose of relieving the Assembly to some degree from the pressing business of the session, and for the further purpose of securing for the Assembly the advice of the Railroad Commission concerning the effect of said bills, copies of the said bills are hereby referred to the Railroad Commission for such consideration and recommendation as said commission may deem proper, and the Chief Clerk of the Assembly is hereby instructed to forward to said commission copies of the following Assembly bills:

Assembly Bill No. 997, relating to the furnishing of gas, electricity, steam or heat and telephone service in certain cases.

Assembly Bill No. 1229, relating to public utilities.

Assembly Bill No. 1393, relating to telephones and telephone companies.

Assembly Bill No. 1952, requiring telephone corporations to make physical connection with any and all telephone systems.

Assembly Bill No. 2006, relating to the duties of telephone companies.

Assembly Bill No. 1089, relating to public utilities.

Resolution read, and on motion adopted.

RE-REFERENCE OF BILLS.

On motion of Mr. Clark, Assembly Bills No. 2040 and 2041 were re-referred to Committee on Judiciary.

RECONSIDERATIONS.

In compliance with his notice given on a previous day, Mr. Schmitt moved that the vote whereby Assembly Bill No. 889 was passed be reconsidered.

Consideration of the above motion postponed until Monday, March 24, 1913.

In compliance with his notice given on a previous day, Mr. Inman moved that the vote whereby Assembly Bill No. 213 was passed be reconsidered.

Consideration of the above motion postponed until Monday, March 24, 1913.

THIRD-READING FILE—(OUT OF ORDER).

Assembly Joint Resolution No. 23—Relative to a request for permission of the National Government under such terms and conditions as may be necessary to permit an increased number of stock and sheep to graze within the national forest and other federal reservations.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 23 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Morgenstern, Mouser, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Woodley, and Mr. Speaker—49.

NOES—None.

Assembly Joint Resolution No. 23 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 23.

Relative to a request for permission of the National Government under such terms and conditions as may be necessary to permit an increased number of stock and sheep to graze within the national forest and other federal reservations.

WHEREAS, Owing to the lack of necessary rainfall during the past several months the usual and necessary feed for stock has not been grown within the State of California; and

WHEREAS, There are many thousands of sheep and cattle which are apt to suffer severely by reason of such lack of feed; and

WHEREAS, Many thousands of these animals will perish if some relief be not granted by the Department of Agriculture granting permission under such terms and conditions as may be by it deemed proper to permit an increased number of stock and sheep to graze within the national forest and other federal reservations; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That we request and urge the Senators and Congressmen of the State of California to use every honorable effort to have the Department of Agriculture, or such other department as may have jurisdiction of the subject-matter, grant permission to the owners of stock and sheep within the State of California to permit the said stock and sheep to feed and graze within national forest and other federal reservations, under such terms and conditions as said department may deem proper; and be it further

Resolved, That a copy of this resolution be immediately telegraphed to each of our Senators and Representatives in Congress, and, likewise, to Honorable B. F. Houston, Secretary of Agriculture.

Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, Section 8, strike out the figure "5," and insert in lieu thereof "4".

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1001, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

During third reading of the bill, Mr. Ryan moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all of Section 2 of the printed bill, and insert in lieu thereof the following: "SEC. 2. Said board shall have power to pay, or cause to be paid, to said inmates out of the moneys available for the support of such wages as may be authorized and prescribed by said rules and regulations."

Also: Strike out all of Section 3.

Motion carried.

The Speaker appointed Mr. Ryan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1179, with instructions, do now report that the instructions of the Assembly have been carried out.

RYAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees, instead of establishing a separate county free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

During third reading of the bill, Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 13, after the word "force," insert the following: "or may be renewed from time to time, with such modifications as may be agreed upon".

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 490, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Walsh, Mr. J. C. Comer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bush, Mr. John R. Anderson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Beek, Mr. Karl M. Anderson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. N. H. Jimmer was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes p.m., on motion of Mr. Smith, the Speaker declared the Assembly adjourned until ten o'clock a.m. of Monday, March 24, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, March 24, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beek, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—77.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Smith, Mr. Dower was granted leave of absence for the day.

On motion of Mr. Guiberson, Mr. Palmer was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, March 17, Tuesday, March 18, Wednesday, March 19, Thursday, March 20, Friday, March 21, and Saturday, March 22, 1913, were approved as corrected by the Minute Clerk.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Ellis:

To the Assembly of the State of California:

The undersigned hereby petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds and to the State University; but we favor Assembly Bill No. 615, introduced by Assemblyman Ellis, which makes no exemptions.

The above was endorsed by vote at meetings of Wesley M. E. Church in the city of Berkeley, State of California, on the second and ninth days of March, A. D. 1913, and the undersigned was authorized to so attest.

H. K. HAMILTON, Presiding.
M. W. RANDALL (and others).

By Mr. Polsley:

To the Legislature of the State of California:

We, the undersigned, hereby protest against Senate Bill No. 905, which launches the State of California into the insurance business.

We believe that such a bill will work a hardship on employers of labor and eventually be ruinous and disastrous. We therefore request that you vote against this proposed measure and use your influence to defeat same.

(Signed) THE COLUSA STEAM LAUNDRY ASSOCIATION (and others).

Also:

To the Legislature of the State of California:

We, the undersigned, hereby protest against Senate Bill No. 905, which launches the State of California into the insurance business.

We believe such a bill will work a hardship on employers of labor and eventually be ruinous and disastrous. We, therefore, request that you vote against this proposed measure and use your influence to defeat same.

(Signed) BROWN AND DOANE LUMBER CO. (and others).

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Libby:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act authorizing the boards of supervisors of the counties

of this State to declare all or any portion of any innavigable river or stream within the State of California a public highway, when public convenience and necessity demand it, providing for the improvement and use of the same.

Referred to Committee on Introduction of Bills.

By Mr. Ford:

MR. SPEAKER: I ask permission to introduce the accompanying constitutional amendment, the title of which reads as follows: A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 2, Article IV of the Constitution of the State, relating to the introduction of bills.

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. Simpson:

WHEREAS, Barclay MacCowan has persistently violated the provisions of Rule No. 76 of the Assembly standing rules; therefore, be it

Resolved, That the said Barclay MacCowan he and he is hereby debarred from the privilege of this House during the remainder of the entire session.

Resolution read, and referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1558—An Act to amend Sections 1195, 1198, and 1199 of the Political Code, relating to books and records of ballots and number of ballots to be provided by the county clerk or registrar and the destruction of unused ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1558 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Schmitt, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1296 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Schmitt, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 103—An Act to amend section four hundred sixty-five of the Civil Code of the State of California, relating to powers of railroad corporations.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint Mr. Sutherland a select committee of one to amend the bill as follows:

Amend by adding a new subsection, to be numbered 13, and to read as follows:

"13. Nothing in this section contained shall be construed as a limitation upon the powers granted to the Railroad Commission by the Public Utilities Act or by any other statute of the State of California concerning the control or regulation of railroad corporations, and in so far as anything in this section contained shall conflict with the powers of the Railroad Commission under the Public Utilities Act or any other statute of the State of California, the powers herein granted shall be exercised only subject to the regulation and control of said Railroad Commission.

Motion carried.

The Speaker appointed Mr. Sutherland as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 103, with instructions, do now report that the instructions of the Assembly have been carried out.

SUTHERLAND, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1236 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Nelson, Peairs, Polsley, Roberts, Schmitt, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, Woodley, and Mr. Speaker—45.

NOES—Messrs. Beck, Canepa, Ferguson, Ford, Gelder, Green, Inman, Johnston, T. D., Killingsworth, Libby, McCarthy, Richardson, and Slater—13.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Schmitt gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1236 was this day passed.

SPECIAL ORDERS.

The hour of ten o'clock and thirty minutes a.m. having arrived, the special orders heretofore set for this hour were taken up for consideration.

Assembly Bill No. 699—An Act to amend Section 526 of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 699 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, White, Woodley, and Mr. Speaker—54.

NOES—Messrs. Fitzgerald, Ford, Johnston, T. D., Killingsworth, Libby, Murray, Nolan, Shearer, and Simpson—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1013—An Act to amend Section 261 of the Political Code of the State of California, relating to the duties of officers of the Senate and Assembly.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1013 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Scott, Shannon, Shartel, Slater, Smith, Strine, Sutherland, Weisel, Weldon, White, Woodley, and Mr. Speaker—48.

NOES—Messrs. Johnston, T. D., Nolan, Richardson, Shearer, and Simpson—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 19, strike out the words "members, clerks and."

The above amendment withdrawn.

HOOR OF RECESS EXTENDED.

On motion of Mr. Schmitt, the hour of recess was extended until twelve o'clock and ten minutes p.m.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out, beginning with the word "who" on line 7, page 1, all down to and including the word "Assembly" on line 6, page 2, and insert in lieu thereof the following: "four assistants to the sergeant-at-arms and one bookkeeper to the sergeant-at-arms; two assistant minute clerks; one engrossing and enrolling clerk and two assistant engrossing and enrolling clerks; one history clerk; one file clerk; one postmaster and one assistant postmaster; six pages; three stenographers and eighty members' clerks, all of whom shall be appointed by the Secretary of State."

Motion lost.

On motion of Mr. Bohnett, further consideration of Assembly Bill No. 697 was postponed until after the consideration of the Senate file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballot when a challenge to a person offering to vote is sustained.

Also: Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code, relating to the challenging of voters.

Also: Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893."

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BOHNETT, Chairman.

The above reported bills ordered on file for second reading:

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 1876—An Act to authorize and empower the commission constituted by an Act entitled "An Act to establish the California State Reformatory: to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 4, 1911, to dispose of lands heretofore purchased or agreed to be purchased by said commission for a site for said California reformatory and directing it to select another site—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ELLIS, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 682—An Act to provide for the election of roadmasters, prescribing the time and manner of holding such election, the term of office, the duties of roadmasters, and fixing their compensation—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 409—An Act to amend section five hundred and eighty-three of the Code of Civil Procedure, relative to the dismissal of actions in certain cases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and thirteen.

Also: Assembly Bill No. 1333—An Act to vacate and abandon a portion of

Channel street in the city and county of San Francisco and utilize the same for industrial purposes.

Also: Assembly Bill No. 1247—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

Also: Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending section thirteen and one half of article eleven, relating to the making of public bonds payable at any place or places within or outside of the United States, and in any money, domestic or foreign—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Joint Resolution No. 23—Relative to a request for permission of the national government under such terms and conditions as may be necessary to permit an increased number of stock and sheep to graze within the national forest and other federal reservations—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

The above reported Assembly joint resolution ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, to the city of Alameda, and regulating the management, use and control thereof.

Also: Assembly Bill No. 2040—An Act to amend the Code of Civil Procedure by repealing Sections 749, 750 and 751, and adding to Title 10 of Part 2 thereof a new chapter, to be known as Chapter 3a, to consist of Sections 750a, 750b, 750c, 750d, 750e, 750f, 750g, 750h, 750i, 750j, 750k and 750l, providing a simplified method for ascertaining and establishing title to real property and determining all adverse claims thereto.

Also: Assembly Bill No. 2041—An Act to amend the Code of Civil Procedure by repealing Sections 841, 845, 846, 849, 850, 854, 857, 858, 860, 872, 886 and 887, amending Sections 844, 847, 851, 852, 853, 855, 856, 859, 871, 873, 874, 879 and 890, and adding Sections 844a, 847a, 855a, 855b, 865a, 873a, 874a, 874b and 877a, relating

to proceedings in justices' courts, simplifying and revising the rules of pleading and practice therein, eliminating technicalities and delays, and providing for the prompt appearance of parties, framing and trial of issues, and rendition of judgment in actions in such courts.

Also: Assembly Concurrent Resolution No. 7—Approving charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5, 1912.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 408—An Act to establish police courts in cities of the sixth class governed by charter wherein no provision is made for a judicial system and to fix their jurisdiction—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

RE-REFERENCE OF BILL.

On motion of Mr. Kingsley, Assembly Bill No. 726 was recalled from Committee on Ways and Means and re-referred to Committee on Labor and Capital.

RECESS.

At twelve o'clock and ten minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF SENATE BILL.

Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof." approved May 1, 1911.

During third reading of the bill, Mr. Hinkle moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 17, strike out all of Section 7a.

Motion carried.

The Speaker appointed Mr. Hinkle as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 232, with instructions, do now report that the instructions of the Assembly have been carried out.

HINKLE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint and on file for passage.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills and constitutional amendments, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles are as follows:

By Mr. Smith: An Act to amend Section 269 of the Political Code, relating to compensation for services after close of session.

By Mr. Farwell: An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

By Mr. Mouser: An Act to provide for a survey of the coastal waters of the State of California and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

By Mr. Bohnett: An Act to provide for the teaching of technical and agricultural topics in the secondary and elementary schools of the State.

By Mr. Ford: A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 2, Article IV of the Constitution of the State, relating to the introduction of bills.

By Mr. Simpson: An Act to prohibit any person not eligible to become a citizen of the United States from employing or directing the work or labor of any female of the Caucasian race and providing a penalty for the violation thereof.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Eimons, Ferguson, Finnegan, Fitzgerald, Galbert, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morzenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Smith: Assembly Bill No. 2043—An Act to amend Section 269 of the Political Code, relating to compensation for services after close of session.

Bill read first time, and referred to Committee on Attachés.

By Mr. Farwell: Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Mouser: Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Bennett: Assembly Bill No. 2046—An Act to provide for the teaching of technical and agricultural topics in the secondary and elementary schools of the State.

Bill read first time, and referred to Committee on Education.

By Mr. Simpson: Assembly Bill No. 2047—An Act to prohibit any person not eligible to become a citizen of the United States from employing or directing the work or labor of any female of the Caucasian race and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ford: Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2, Article IV of the Constitution of the State, relating to the introduction of bills.

Read, and referred to Committee on Constitutional Amendments.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

During further consideration of the bill, Mr. Bagby moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 22, after the word "examination," insert a new sentence to read as follows: "*provided, however, that nothing in this section shall prohibit any two members from combining the amounts permitted to be paid to their respective clerks, so that such members may appoint as their joint clerk an attorney at a per diem of eight dollars.*"

Mr. Johnston moved to amend the amendment as follows:

Strike out the word "attorney," and substitute the word "attaché."

Mr. Fitzgerald moved that the whole matter be laid upon the table. Motion lost.

Motion of Mr. Bagby, as amended, carried.

The Speaker appointed Mr. Bagby as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 697, with instructions, do now report that the instructions of the Assembly have been carried out.

BAGBY, Select Committee.

Report of select committee and amendments adopted.

Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 8, of the printed bill, after the word "day," insert the following: "*but shall otherwise perform clerical and stenographic work at the exclusive service of the member by whom he is appointed.*"

Motion carried.

The Speaker appointed Mr. Smith as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 697, with instructions, do now report that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of select committee and amendment adopted.

Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 17, strike out the semicolon (;) and insert in lieu thereof a comma (,).

On page 2, line 1, strike out the semicolon (;) and insert in lieu thereof a comma (,).

On page 2, line 4, strike out the semicolon (;) after the word "clerk," and insert in lieu thereof the following: "by and with the advice and consent of the assembly;"

Motion carried.

The Speaker appointed Mr. Brown as such select committee:

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 697, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 698—An Act to amend Section 268 of the Political Code of the State of California, relating to salaries of officers and employees of the Assembly and Senate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 698 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Ryan, Scott, Shannon, Shearer, Smith, Strine, Stuckenbruck, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—55.

NOES—Messrs. Fitzgerald and McDonald—2.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Polsley gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 698 was this day passed.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Rules respectfully recommend that standing rule seventy-five (75) be amended by adding thereto a paragraph to read as follows:

"Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction."

BROWN, Chairman.

The above report ordered printed in the Journal.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1002—An Act to amend Section 414 of the Political Code of California, relating to the employees of the Secretary of State, and providing a salary for the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1002 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Nelson, Polesley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1269—An Act to provide for the compilation, printing, binding, publishing and distribution of a roster of state, county, city and Federal officials, election laws and corporation laws.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1269 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, T. D., Killingsworth, Kuck, McCarthy, Mouser, Murray, Nelson, Nolan, Polesley, Richardson, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Walsh, White, Woodley, and Mr. Speaker—53.

NOES—Messrs. Cary, Chandler, Gates, Johnstone, W. A., and Judson—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1128—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 90, relating to conduct of public officials.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1128 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Fish, Fitzgerald, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Moorhouse, Mouser, Murray, Nelson, Polesley, Roberts, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—Mr. Bradford—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 223 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 294—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 294 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 308—An Act to amend Section 67a of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of eight additional Superior Court judges in counties of the first class and providing for their compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 308 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Richardson, Ryan, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Woodley, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability, and to suggest plans for the creation of a state industrial home for state prisoners.

During consideration of the resolution, the following amendment was submitted by the committee:

After line 16, page 1, insert the following: "The members of said committee shall receive no compensation for their services, but shall be allowed all expenses necessarily incurred in the performance of their duties."

Amendment adopted.

Assembly concurrent resolution ordered to reprint, re-engrossment, and on file for passage.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 974—An Act to repeal Section 1935 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928*a*, 1928*b*, 1928*c* and 1928*d*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 14, section 19, line 24, after "artillery," insert the word "and."

Amendment adopted.

AMENDMENT No. 2.

On page 14, section 19, line 24, strike out the word "and" at the end of the line.

Amendment adopted.

AMENDMENT No. 3.

On page 14, section 19, line 28, after the semicolon, insert the following: "to the commanding officer of each field hospital, one hundred and twenty-five dollars per month; to the commanding officer of each ambulance company, one hundred and fifty dollars per month;"

Amendment adopted.

AMENDMENT No. 4.

On page 14, section 19, line 25, strike out the words "ambulance" and "and field hospital."

Amendment adopted.

AMENDMENT No. 5.

On page 1 strike out all of Section 1, and insert in lieu thereof the following: "SECTION 1. Sections 1923, 1935, and 1963 of the Political Code of the State of California are hereby repealed."

Amendment adopted.

AMENDMENT No. 6.

On page 1, in the third line of the title, after the figures "1934½," insert the figures "1953."

Amendment adopted.

AMENDMENT No. 7.

On page 3, section 6, line 24, strike out the words "be known as the Adjutant General. He shall".

Amendment adopted.

AMENDMENT No. 8.

On page 1, in the first line of the title, strike out the words and figures "Section 1935," and insert in lieu thereof the following: "Sections 1923, 1935, and 1966."

Amendment adopted.

AMENDMENT No. 9.

On page 3, Section 5, strike out all of lines 10 to 20, both inclusive, and insert in lieu thereof the following:

"1927. The Adjutant General's department shall consist of one Brigadier General, one Colonel, to be known as the Assistant Adjutant General, and such officers of the rank of Major, and not exceeding three in number, as may be necessary for the proper administration of the department. The Brigadier General shall be chief of the department and shall be designated by the title of the Adjutant General.

The Brigadier General of the Adjutant General's department shall be appointed by and hold office at the pleasure of the Governor, or until his successor is appointed and qualifies; *provided*, that the qualifications for appointment to the grade of Brigadier General in the Adjutant General's department shall be the same as is prescribed in Section 1934 of this code for a general officer.

The officer with the grade of Colonel in the Adjutant General's department shall be on duty in the Adjutant General's office, and his qualifications for appointment shall be the same as is prescribed in this code for appointment to the grade of Brigadier General in the Adjutant General's department.

All officers in the Adjutant General's department shall be appointed by the Governor and shall hold office at his pleasure or until their successors are appointed and have qualified, taking into consideration the recommendation of the Adjutant General; *provided*, that the officers of the Adjutant General's department that are to be assigned to brigades shall be appointed as provided for other staff officers in Section 1957 of this code. All officers appointed to the grade of Major in the Adjutant General's department shall have served not less than two years as commissioned officers in the National Guard of California. All officers in the Adjutant General's department other than the Brigadier General and Colonel shall be designated by the title of Adjutant General.

There shall be employed in the Adjutant General's office the following clerical force: One chief clerk, three clerks, and one stenographer and clerk. There shall also be employed in the Adjutant General's office one military storekeeper, and one assistant military storekeeper and porter."

Amendment adopted.

AMENDMENT No. 10.

On page 10, following Section 14, insert the following:

"Sec. 15a. Section 1953 of the Political Code of the State of California is hereby amended to read as follows:

1953. Commissioned officers must be citizens of the United States, of the age of eighteen years and upwards. No person who has been in the military or naval service of the United States, of this State, or of any other state in the United States, and who had not been honorably discharged therefrom, shall be commissioned in the National Guard of California. No person shall be commissioned unless he shall possess the additional requirements herein prescribed for the particular office to which he is to be commissioned. All medical officers shall be regularly graduated, licensed, and practicing physicians or surgeons, licensed to practice their profession in California, or shall have been surgeons of the United States army or navy. All judge advocates of the National Guard of California shall be members of the bar of the Supreme Court of the State of California. All engineer officers, except engineer officers of the Naval Militia of California, must be qualified to design, as well as to direct, engineering works. Graduation from a school of engineering of recognized reputation, or the performance of the duties of a professor of engineering in a technical school of high grade shall be sufficient qualifications for appointment as an engineer officer in the National Guard of California. All chaplains shall be regularly ordained ministers."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 506—An Act to provide for the care, management and protection of state highways, and to repeal an Act entitled "An Act to provide for the care, management and protection of state highways," approved March 24, 1903, and all Acts or parts of Acts amendatory thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 11, strike out the word "five," and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 14, strike out the word "five," and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 14, strike out the word "five," and in lieu thereof insert the word "ten".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 18, strike out the word "five," and in lieu thereof insert the word "ten".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title by inserting after the word "cities," where it occurs the first time and before the comma in the second line of the title, the words "except those of the fifth and sixth class."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1 by striking out the comma and the word "or" following the word "city" in line 1, on page 1, and inserting in lieu thereof the words "of the fourth class and cities classed higher in population than the fourth class, and,"

Amendment adopted.

AMENDMENT No. 3.

Amend Subdivision 1, Section 1, by striking out the words "classed lower in population than" in the fourth line on page 2, and inserting in lieu thereof the word "of."

Amendment adopted.

AMENDMENT No. 4.

Amend Subdivision 1, Section 1, by adding at the end of line 10 on page 2 the following: "The Legislature hereby declares that the provisions of this Act would be unreasonably burdensome to and impractical for smaller cities than those of the fourth class, because of the difference in nature, organization, government, population and needs of such smaller cities as compared with larger cities, and for that reason the provisions of this Act are made applicable only to cities of the fourth class and cities classed higher in population than the fourth

class, and to cities and counties. Nothing in this Act contained shall be construed as applying to milk or cream not so intended for use within incorporated cities of the fourth class and cities classed higher in population than the fourth class, and cities and counties. The words 'city' and 'cities' whenever used in this Act shall in every case be construed to mean only cities classed in population as high as or higher than the fourth class, and to include incorporated 'cities and counties' as well as cities."

Amendment adopted.

AMENDMENT No. 5.

Amend Section 4 by striking out the word "husbandry," in line 16, on page 3, and inserting in lieu thereof the word "industry".

Amendment adopted.

AMENDMENT No. 6.

Amend Section 5 by striking out all of subdivision (b) thereof, on page 4, and inserting in lieu thereof the following:

"(b) Every cow known to be afflicted with any disease that would render the milk unfit for human consumption shall be removed from the herd at once, and no milk or cream from any cow so afflicted shall be kept, sold or delivered for human consumption."

Amendment adopted.

AMENDMENT No. 7.

Amend subdivision (f) of Section 5, by striking out the word "by," in line 8, on page 6, and inserting in lieu thereof the words "at the time by said referees who shall report their finding in writing to".

Amendment adopted.

AMENDMENT No. 8.

Amend by inserting after the word "cow," at the end of line 11, on page 6, the following: "In all cases of slaughter of tubercular animals the milk commission shall cause a post-mortem examination to be made of the carcass and viscera of said animal at the time of slaughter, which post-mortem examination shall be made in accordance with the meat inspection regulations of the Bureau of Animal Industry, United States Department of Agriculture, and the carcass and viscera of any such animal showing lesions or disease sufficient to warrant its condemnation shall be rendered inedible for human or animal food consumption."

Amendment adopted.

AMENDMENT No. 9.

Amend by striking out the word "husbandry" in line 7, on page 7, and inserting in lieu thereof the word "industry".

Amendment adopted.

AMENDMENT No. 10.

Amend by inserting after the word "delivered," and before the word "from," in line 3, on page 11, the word "directly".

Amendment adopted.

AMENDMENT No. 11.

Amend by striking out the word "directly" in line 4, on page 11.

Amendment adopted.

AMENDMENT No. 12.

Amend by striking out the word "customer" in line 4, on page 11, and inserting in lieu thereof the word "consumer".

Amendment adopted.

AMENDMENT No. 13.

Amend by striking out the word "the" at the end of line 4, and also the word "trade" at the beginning of line 5, on page 11, and inserting in lieu thereof the words "a distributor".

Amendment adopted.

AMENDMENT No. 14.

Amend by inserting after the word "plant," in line 9, on page 11, the words "or creamery."

Amendment adopted.

AMENDMENT No. 15.

Amend by striking out the word "company," in line 10, on page 11, and inserting in lieu thereof the word "creamery."

Amendment adopted.

AMENDMENT No. 16.

Amend by striking out the period following the word "repasteurized," in line 25, on page 11, and inserting in lieu thereof the words: "unless such repasteurization is made within thirty hours after the first pasteurization."

Amendment adopted.

AMENDMENT No. 17.

Amend by striking out the word "fifty" in line 30, on page 11, and inserting in lieu thereof the words "seventy-two."

Amendment adopted.

AMENDMENT No. 18.

Amend by striking out the word "by" at the end of line 5, and also the word "weight" at the beginning of line 6, on page 12.

Amendment adopted.

AMENDMENT No. 19.

Amend by striking out all that part of line 12, following the word "cream," and also all of lines 13, 14 and 15, on page 12, and inserting in lieu thereof the following: "No milk or cream shall be made by the mechanical assembling of the natural ingredients thereof, unless all the ingredients used in such process are fresh and pure and have been produced under sanitary conditions similar to those required for the production of milk and cream under the provisions of Sections 5, 6 and 10 of this Act, and unless the same is plainly labeled as Assembled Milk, or Assembled Cream, as the case may be; *provided*, that no butter shall be used in such process of making mechanically assembled milk or cream."

Amendment adopted.

AMENDMENT No 20.

Amend by striking out the words and characters "V, VI and X" in line 27, on page 12, and inserting in lieu thereof the word and figures "5, 6 and 10".

Amendment adopted.

AMENDMENT No. 21.

Amend by inserting before the word "and" in line 2, of page 13, the words "and in compliance with any other general law now or hereafter in force in the State not by its terms made applicable only to the milk and cream supply of cities or cities and counties."

Amendment adopted.

AMENDMENT No. 22.

Amend by striking out the words "bottles or cans shall be filled," in line 8, on page 15, and inserting in lieu thereof the words "bottle, can, receptacle or container shall be filled on any milk wagon or".

Amendment adopted.

AMENDMENT No. 23.

Amend by striking out the words "part two" in line 35 on page 18, and inserting in lieu thereof the words "Subdivision 2."

Amendment adopted.

AMENDMENT No. 24.

Amend by striking out the words "forty-eight" in line 17 on page 20, and inserting in lieu thereof the words "seventy-two."

Amendment adopted.

AMENDMENT No. 25.

Amend by striking out all of Section 18 on pages 20 and 21.

Amendment adopted.

AMENDMENT No. 26.

Amend by striking out the figures "19" after the word "Sec." in line 8 on page 21, and inserting in lieu thereof the figures "18."

Amendment adopted.

AMENDMENT No. 27.

Amend by striking out the word "five" in line 11 on page 21, and inserting in lieu thereof the word "two."

Amendment adopted.

AMENDMENT No. 28.

Amend by striking out the figures "500" in the parenthesis in line 11 on page 21, and inserting in lieu thereof the figures "200."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend by striking out all of Section 1, and inserting in lieu thereof the following:

"SECTION 1. The State Dairy Bureau is authorized to employ and keep on its regular force of dairy inspectors four additional inspectors at such salary, exclusive of their necessary and actual expenses, as may be approved by the State Board of Control, who shall be graduates of a dairy school of high standing, and also shall have had large practical experience in dairying and the handling of dairy cows. They shall give their entire time, under the direction and supervision of the State Dairy Bureau, to the work of dairy inspection and supervision and to aiding in the work of preventing, controlling and eradicating infectious diseases among the dairy herds of the State."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2 by striking out all of subdivision (a) thereof, on pages 1 and 2, and inserting in lieu thereof the following:

"(a) Every cow known to be afflicted with a disease that would render the milk unfit for human consumption shall be removed from the herd at once, and no milk or cream from any cow so afflicted shall be kept, sold or delivered for human consumption."

Amendment adopted.

AMENDMENT No. 3.

Amend subdivision (c) of Section 2 by inserting the words "cause to be" after the word "to" and before the word "administer" in line 33, on page 2.

Amendment adopted.

AMENDMENT No. 4.

Amend subdivision (c) of Section 2 by striking out the comma after the word "herd," in line 17, on page 3, and inserting in lieu thereof a period, and, by striking out the words "or if" at the end of line 17, and all of lines 18 to 35, both inclusive, all on page 3.

Amendment adopted.

AMENDMENT No. 5.

Amend subdivision (f) of Section 2 by striking out the letter "f" and the parentheses at the beginning of line 36, on page 3.

Amendment adopted.

AMENDMENT No. 6.

Amend subdivision (f) of Section 2 by striking out the word "shall" in line 36, on page 3, and inserting in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 7.

Amend subdivision (f) of Section 2 by striking out the period following the word "cows" in line 4, on page 4, and inserting in lieu thereof a comma, together with the following: "unless sooner restored to the herd by order of the State Dairy Bureau or its agents."

Amendment adopted.

AMENDMENT No. 8.

Amend subdivision (f) of Section 2 by striking out the word "may" in line 8, on page 4, and inserting in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT No. 9.

Amend by striking out the letter "(g)" in parentheses at the beginning of line 14, on page 4, and inserting in lieu thereof the letter "(f)."

Amendment adopted.

AMENDMENT No. 10.

Amend by inserting before the word "it," at the beginning of line 24, on page 4, the letter "(g)" in parentheses.

Amendment adopted.

AMENDMENT No. 11.

Amend by striking out the word "husbandry" in line 30, on page 4, and inserting in lieu thereof the word "industry."

Amendment adopted.

AMENDMENT No. 12.

Amend by striking out the words "Every pharmacist shall" in line 31, and also all of lines 32, 33, 34 and 35, all on page 4, and inserting in lieu thereof the following: "Every person importing into the State any tuberculin for his own use, and every pharmacist, shall make a written report at the end of each month to the State Dairy Bureau, giving the names and addresses of all persons to whom tuberculin has been sold or delivered during such month, and the date and quantity of each sale, and giving the date and quantity of each purchase and the address of the party from whom purchased. Every person administering the tuberculin test to any animal shall do so in accordance with the rules prescribed by the Bureau of Animal Industry, United States Department of Agriculture, and shall keep a complete temperature record during the entire period covered by the test, which record at all times shall be open to the inspection of the agents of the State Dairy Bureau."

Amendment adopted.

AMENDMENT No. 13.

Amend by striking out all of Section 3, on pages 4 and 5, and inserting in lieu thereof the following:

"SEC. 3. It shall be unlawful for any person, firm or corporation to sell, offer for sale or deliver to any buyer or consumer, any milk or cream which is the product of any diseased or unhealthy cow or which is not produced in accordance with the provisions and restrictions of an Act approved April 21, 1911, entitled 'An Act to prevent the manufacture or sale of dairy products from unhealthy animals: to regulate the business of producing, buying and selling dairy products,' etc., and amendments thereto, and also in accordance with the provisions and restrictions of this Act."

Amendment adopted.

AMENDMENT No. 14.

Amend by striking out all of Section 4 on pages 5 and 6 and inserting in lieu thereof the following:

"SEC. 4. The words 'milk' and 'cream' as used in the various sections of this Act are defined as follows:

'Milk' is the fresh, clean lacteal secretions obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and five days after parturition, and containing not less than three and three tenths per cent (3.3%) of milk fat and not less than eight and five tenths per cent (8.5%) of solids not fat. 'Cream' is that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean, and contains not less than twenty per cent (20%) milk fat."

Amendment adopted.

AMENDMENT No. 15.

Amend by striking out all of Section 3, on page 6, and inserting in lieu thereof the following nine sections, to be known and designated as Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, Section 11, Section 12, and Section 13, to wit:

SEC. 5. All milk that is to be sold or delivered as "whole milk," and all cream that is to be sold or delivered either as "sweet cream" or as "churning cream" shall be cooled to a temperature of seventy degrees (70°) Fahrenheit and be kept at or below that temperature until it is delivered to the consumer, receiving station, milk depot, bottling or distributing plant, cheese factory or creamery, as the case may be. Such cooling in the case of milk shall be done immediately after it is drawn from the cow, and in the case of cream it shall be done at the time of separation or immediately thereafter.

SEC. 6. It shall be unlawful for any dairyman or producer of cream to sell, offer for sale or deliver any cream to any buyer, creamery or butter manufacturer for churning or butter making purposes, unless it conform to the requirements of this Act, for either "Grade A" or "Grade B" cream as defined in subdivisions 2, 3 and 4 of Section 7 of this Act. It shall be unlawful for any person, firm or corporation engaged in the manufacture of butter, to purchase, receive or manufacture into butter any cream, unless the same is first graded into the grades and in the manner specified in subdivisions 2, 3 and 4 of Section 7 of this Act.

SEC. 7. (1) No cream shall be sold, offered for sale or delivered by any person, firm or corporation to any buyer or consumer as "sweet cream" unless the same shall carry less than two-tenths per cent (.2%) acidity, as shown by any standard acid test in general use, at the time such cream is delivered at the home of such consumer or at the principal place of business or distribution of such buyer.

(2) No cream which is produced from any cows which have been fed upon any weeds, grasses or other feed which causes unnatural odors or flavors, and no cream which is not clean, pure and free from unnatural odors or flavors, and which can not be classed in either of the following two grades, designated as "Grade A" and "Grade B," shall be sold or offered for sale as "churning cream" by any person, firm or corporation to any buyer, creamery or butter manufacturer.

(3) Cream which will show a butter fat content of not less than thirty-five per cent (35%) as determined by the Babcock test, and which will show a degree of acidity of not more than four-tenths per cent (.4%) as determined by any standard acid test in general use, at the time such cream is delivered at the creamery or place of manufacture, shall constitute and be known as "Grade A" cream.

(4) Cream which will show a degree of acidity of not more than six-tenths per cent (.6%) as determined by any standard acid test in general use, at the time such cream is delivered at the creamery or place of manufacture, shall constitute and be known as "Grade B" cream.

(5) All cream testing more than six-tenths per cent (.6%) acidity shall be considered unwholesome and unsanitary, and it shall be unlawful to receive such cream for the purpose of manufacturing the same into butter.

SEC. 8. (a) No part of the hands, person or clothing of any employee or other person shall come in contact with the milk or cream.

(b) The evening's and morning's milk shall be kept separate, and morning's and evening's cream shall not be mixed until both have been cooled to a temperature of seventy (70) degrees Fahrenheit or lower.

(c) No milk or cream shall be stored in or sold from a living room or from any other place which might render it liable to contamination.

(d) Milk and cream shall be protected at all times from flies, insects, dust and foul odors, shall contain no visible foreign substance, shall have no unnatural appearance, odor or flavor, and shall contain no pathogenic germs.

(e) All employees while in any way connected with the production or handling of milk shall be personally clean, and shall wear clean outer garments, changed at least once a week.

(f) No person infected with any communicable disease shall be employed in any way in connection with the production or handling of milk or cream; and the health authorities shall be notified at once wherever such person is so employed.

(g) Milkers shall wash their hands with soap and clean water immediately before beginning the milking and shall milk only with dry, clean hands, and shall milk no cows whose flanks or udder are not reasonably clean.

SEC. 9. (a) All utensils and apparatus with which milk comes in contact shall be thoroughly washed and sterilized after each using, and no milk utensil or apparatus shall be used for any other purpose than that for which it was designed.

(b) The owner's name, or other identification mark, the nature of which shall be made known to the health authorities, shall appear permanently and in a conspicuous place on or be attached to every milk bottle, can or container.

(c) All metal containers and piping at all times shall be in good condition, and free from leaks, rust and dirt.

(d) All milk piping shall be sanitary milk tubing made of a non-rusting or non-corroding metal with sanitary couplings in short enough lengths to be taken apart and cleaned with a brush after each using.

(e) All cans and bottles shall be thoroughly washed and sterilized as soon as practicable after being emptied, and shall not be used for any other purpose than that for which they were designed.

(f) The customer or purchaser shall rinse with clean water and return to the owner all cans and bottles as soon as practicable after they are empty, and shall not use them, or permit them to be used. No can shall be used for slops, or for heating or cooking milk, or for any other purpose than that for which it was designed.

(g) No person, firm or corporation shall fill, use, deliver, keep or traffic in any milk bottles, cans or containers owned by any other person, firm or corporation, and the owner of any milk bottle, can or container is authorized to take possession of and remove the same wherever found.

(h) No bottles or cans shall be filled at any other place than the milk room or the regular bottling or distributing plant.

SEC. 10. (a) All receiving stations, bottling or distributing plants shall be clean, well screened and lighted, and shall be used for no other purpose, within the same room, than the proper handling of milk and cream and the operations incident thereto, and shall be open at all times to inspection by the milk commission or health authorities, or the agents of the State Dairy Bureau. They shall have smooth impervious floors, properly graded and drained; and shall be equipped with hot and cold water and steam, and with ample sterilizing facilities.

(b) All utensils, piping, tanks, cans and containers shall be kept clean and shall be thoroughly washed and sterilized immediately after each using, and no empty milk cans or containers shall be sent out until after they are so washed and sterilized.

(c) All dairies, stations or plants where milk or cream is bottled, canned or completely prepared ready for market, shall be equipped with refrigeration and cold storage sufficient to cool the milk or cream to and hold it at a temperature at least as low as fifty (50) degrees Fahrenheit; *provided*, that the provisions of this paragraph (c) shall not apply to dairies or plants where the milk or cream is bottled or canned at the dairy where it is produced and is delivered as often as twice daily directly from the farm or dairy to the consumer or to the trade within twelve hours after being drawn from the cow.

(d) No milk or cream shall be sold, offered for sale or delivered as pasteurized milk or cream unless it shall first have been uniformly heated to a temperature of 140 degrees Fahrenheit, and held at said temperature for not less than twenty minutes; *provided*, that if such milk or cream shall be uniformly heated to a higher degree of temperature than 140 degrees Fahrenheit, the time for holding may be decreased from twenty minutes by one half minute for each degree of temperature over 140 degrees Fahrenheit to which said milk or cream is heated.

(e) No person, firm or corporation shall manufacture, sell, offer for sale or deliver any package of butter upon which or upon the wrapper or container of which there shall be printed or otherwise marked the word "Pasteurized," or any of its derivatives, unless in the process of the manufacture of such butter either the milk or cream from which the same was made shall have been treated in the manner prescribed in subdivision (d) of Section 10 of this Act, and within the plant where the same is manufactured into butter.

SEC. 11. All stores in which milk or cream is handled or sold shall be provided with a suitable, clean, well-drained room, compartment or refrigerator box, in which the milk or cream shall be kept. Said compartment or box shall be kept at all times at a temperature inside thereof not exceeding sixty (60) degrees Fahrenheit, and shall be so arranged and kept that the milk or cream will not be liable to contamination of any kind. Said refrigerator box shall be thoroughly washed on the inside at least once every week.

SEC. 12. (a) All wagons or other vehicles, while hauling milk or cream, shall be kept clean and well covered, so as to protect the milk or cream at all times from the rays of the sun.

(b) Every depot, station platform or other receiving or pick-up place where milk or cream is received or picked up for transportation by any vehicle, car, railroad or boat shall be provided with a suitable platform properly covered so as to protect

the milk or cream at all times from the rays of the sun while standing thereon, and on which all empty cans or shipping containers shall be placed when returned.

(c) No milk or cream can or other shipping container, either while full or while being returned empty, or at any other time, shall be placed on the ground or in the dirt, or be thrown or discharged from any vehicle, car or boat while in motion, but shall be handled carefully, and kept right end up, and shall be placed on the regular platform designed for that purpose as herein provided.

(d) Every railway car or boat in which milk or cream is transported shall be kept in a sanitary condition. Every boat transporting milk or cream either shall be enclosed or shall provide canvas covering so as to protect the milk and cream at all times from the sun or from the outside warm air, except only while taking on or discharging freight. Every railway car used for transporting milk or cream shall be enclosed with tight double walls and tight-closing doors, and the doors shall be kept closed at all times while transporting milk or cream except only while actually taking on or discharging freight. No fowls, animals, fresh meat or other contaminating things shall be carried on top of or in close proximity to milk or cream.

(e) Every railroad or other transportation company receiving or transporting any milk or cream or any empty milk or cream cans or containers, shall issue to the shipper a shipping receipt or way bill therefor, and shall be responsible for the prompt delivery of such milk or cream or such empty cans or containers to the proper destination thereof, and for the careful handling of the milk and cream and the cans or containers.

(f) No milk or cream and no empty cans, bottles or other containers shall be hauled in any vehicle used for hauling manure or swill, nor in any other unclean vehicle, car or boat.

(g) All cans containing milk or cream shipped on any railroad or boat, or carried by any common carrier to any creamery, cheese factory, bottling or distributing plant, shall be sealed. Said seal shall not be broken by any person until such cans have reached such creamery, cheese factory, bottling or distributing plant.

SEC. 13. It shall be unlawful for any person to test any milk or cream, for himself or for others, to ascertain the quantity of butter-fat contained therein for the purpose of determining the basis of payment for such milk or cream, unless such person shall have passed a satisfactory examination before the secretary of the State Dairy Bureau or any deputy of his appointed for such purpose, and shall have had issued to him a license, which license shall set forth the fact that the person to whom it has been issued has passed a satisfactory examination and is competent to test milk and cream. The fee for the issuing of the license shall be \$1.00, which shall be added to the appropriation made for the same fiscal year for the State Dairy Bureau, and its expenditure shall be at the disposal of said bureau for its use. The license shall be revocable for the following reasons:

If the operator refuses or neglects to make the test in accordance with the rules or methods prescribed by the State Dairy Bureau;

If the operator under-reads or over-reads the tests;

If the operator uses apparatus which is not correct or which gives wrong or false percentages.

If a license is revoked, no new license shall be issued to the same person for a period of thirty days.

Amendment adopted.

AMENDMENT No. 16.

Amend by striking out the figure "5." following the word "Sec." in line 3, on page 8, and inserting in lieu thereof the figures "14."

Amendment adopted.

AMENDMENT No. 17.

Amend by striking out the figure "7." following the word "Sec." in line 25, on page 10, and inserting in lieu thereof the figures "15."

Amendment adopted.

AMENDMENT No. 18.

Amend by striking out the figure "8." following the word "Sec." in line 36, on page 10, and inserting in lieu thereof the figures "16."

Amendment adopted.

AMENDMENT No. 19.

Amend by striking out the words "and also the books and records of any and all thereof" in lines 2 and 3, on page 11, and inserting in lieu thereof the words "vehicle, railroad car or boat."

Amendment adopted.

AMENDMENT No. 20.

Amend by striking out the words "the results of all examinations or tests" in line 12, and also all of lines 13, 14 and 15, and the words "taken within five days after such sample was taken," in line 16, all on page 11.

Amendment adopted.

AMENDMENT No. 21.

Amend by striking out the words "in the manner and within the time herein above required" in lines 23 and 24, on page 11, and inserting in lieu thereof the words "within five days after such sample was taken."

Amendment adopted.

AMENDMENT No. 22.

Amend by striking out the figure "9" following the word "Sec." in line 25, on page 11, and inserting in lieu thereof the figures "17."

Amendment adopted.

AMENDMENT No. 23.

Amend by striking out the figures "10" following the word "Sec." in line 35, page 11, and inserting in lieu thereof the figures "18."

Amendment adopted.

AMENDMENT No. 24.

Amend by striking out the word "five" in line 36, on page 11, and inserting in lieu thereof the word "two."

Amendment adopted.

AMENDMENT No. 25.

Amend by striking out the figures "(500)" in line 36, on page 11, and inserting in lieu thereof the figures "(200)".

Amendment adopted.

AMENDMENT No. 26.

Amend by striking out the words "six months" in line 1, on page 12, and inserting in lieu thereof the words "one hundred days."

Amendment adopted.

AMENDMENT No. 27.

Amend by striking out the figures "11." following the word "Sec." in line 8, on page 12, and inserting in lieu thereof the figures "19."

Amendment adopted.

AMENDMENT No. 28.

Amend by striking out the figures "12." following the word "Sec." in line 14, on page 12, and inserting in lieu thereof the figures "20."

Amendment adopted.

AMENDMENT No. 29.

Amend by striking out the figures "13." following the word "Sec." in line 18, on page 12, and inserting in lieu thereof the figures "21."

Amendment adopted.

AMENDMENT No. 30.

Amend by striking out all of Section 13 after the period following the figures "13." in line 18, on page 12, being all of lines 18 to 24, inclusive, and inserting in lieu thereof the words "all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection

of such animals before they are brought into the state; to repeal the Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal the Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend by inserting before the word "stating," in line 37, on page 2, the following: "Certifying that no one of such animals had been previously subjected to the tuberculin test within three months last past, and that no one of such animals had been subjected to any other treatment designed to negative the action of the tuberculin test, and also".

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "the" at the end of line 3, and also all of lines 4 and 5, on page 3, and inserting in lieu thereof the words: "any of the matters herein required to be set forth in said certificate."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend by inserting after the word "society," in line 8, page 1, the words "organized under and chartered by the medical society".

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting before the word "ice," at the beginning of line 3, page 2, the words "skimmed milk, buttermilk,".

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting after the word "certified," at the end of line 3, page 2, the words "skimmed milk, certified buttermilk, certified".

Amendment adopted.

AMENDMENT No. 4.

Amend by inserting before the word "ice," in line 6, page 2, the words "skimmed milk, buttermilk,".

Amendment adopted.

AMENDMENT No. 5.

Amend by inserting before the word "ice," in line 13, page 2, the words "skimmed milk, buttermilk,".

Amendment adopted.

AMENDMENT No. 6.

Amend by inserting before the word "ice," in line 17, page 2, the words "skimmed milk, buttermilk,".

Amendment adopted.

AMENDMENT No. 7.

Amend by inserting after the comma following the word "cream," in line 18, page 2, the words "certified skimmed milk, certified buttermilk,".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits, and authorizing the State to accept the same.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as section two thousand six hundred ninety-seven and section two thousand six hundred ninety-eight, relating to the abandonment of highways.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 830—An Act to amend Section 4041a of the Political Code of the State of California, by adding a subsection thereto, to be numbered Subsection 20a.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of title, line 2 thereof, strike out the letter "a" after "4041" and before the word "of."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 1, strike out the letter "a" after "4041" and before the word "of."

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 2, line 5, strike out the words "sub-section" before "20a."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 671—An Act to provide for supplying the county auditor with a report of commitments to and discharges from public institutions.

During second reading of the bill, the following amendments were submitted by the committee:

On page 1, Section 1, line 4, strike out the words "penal institution" after the word "school" and before the word "insane."

Amendment adopted.

Also:

On page 1, Section 2, strike out the words of the entire section, to wit:

"SEC. 2. It shall be the duty of the superintendent or executive officer of each reform school, penitentiary or other penal institution or insane asylum, or other public institution of like nature, on the first day of each month, to certify to the county auditor of each county in this State, a list of all persons who have been discharged from any such institution and who were committed from the county, to the auditor of which the certificate is furnished."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the state or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

During second reading of the bill, the following amendment was submitted by the committee:

Add Section 2, to read as follows:

"SEC. 2. This Act shall apply to cities, counties, and cities and counties governed by freeholders' charters in all cases wherein the charter of any such city, county, or city and county contains no provision with respect to the payment of premiums upon the bonds of the officials of such city, county or city and county, or fails to provide a method for such payment which is inconsistent with the provisions of this Act."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 679—An Act to add a new section to the Political Code, to be known as Section 3665a.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of printed bill, in line 4 thereof, insert the word "state" after the word "the" and before the word "board."

Amendment adopted.

AMENDMENT No. 2.

On page 1 of printed bill, after the word "year" at the end of line 7, omit the period and add the following: "and at the same time to report the mileage in each school district in his county to the board of supervisors."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1272—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered twenty-six hundred and forty-eight, relating to county government.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274c.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California, by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties and cities and counties of over two hundred thousand population, and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 375—An Act to amend Section 1552 of the Political Code of the State of California, relating to the traveling expenses of the county superintendent of schools.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1401—An Act to amend section four thousand and seventy-five and section four thousand and seventy-six of the Political Code, relating to the presentation and form of claims against counties.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 3, Section 2, line 10, strike out the word "allowed," and insert in lieu thereof the word "approved."

Amendment adopted.

AMENDMENT No. 2.

On page 3, Section 2, lines 10 and 11, strike out the following: " , for the sum of -----, payable out of ----- fund."

Amendment adopted.

AMENDMENT No. 3.

On page 3, Section 2, line 24, strike out the word "allowed," and insert in lieu thereof the word "approved."

Amendment adopted.

AMENDMENT No. 4.

On page 3, Section 2, lines 24 and 25, strike out the words "together with the amount for which it is allowed from what fund."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

USE OF ASSEMBLY CHAMBER GRANTED.

Mr. Morgenstern asked for and was granted unanimous consent to use the Assembly Chamber this afternoon for a meeting of the Committee on Drainage, Swamp and Overflowed Lands.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 10, 17, 42, 56, 57 and 59 thereof.

Assembly Bill No. 593—An Act to amend Section 3075 of the Political Code, relating to the office of State Registrar of the Bureau of Vital Statistics and the State Board of Health and providing for deputies, clerks, and assistants and their compensation.

Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Assembly Bill No. 747—An Act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Assembly Bill No. 1020—An Act to amend Section 4300a of the Political Code of the State of California.

Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 20 and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 13½ of Article XI, relating to the making of public bonds payable at any place or places within or outside of the United States, and in any money, domestic or foreign—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late Civil War, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, prescribing his duties and powers.

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for

the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39, relating to the levying and collection of assessments.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Murray, Mr. A. C. Huston was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hayes, Mrs. Lillian C. Hough was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ford, Mr. C. M. Fickert was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. Charles W. Thomas was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roberts, Rev. E. B. Ryckman was granted the floor of the Assembly for this day.

Through the courtesy of Mr. Gelder, Miss Fannie Gelder was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. E. A. Palm was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. Ivan H. Parker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Simpson, Mr. T. A. Baker was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Simpson, Mr. J. W. Wiley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. J. C. Franks was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Dr. A. M. Barber was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, March 25, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill,

Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Guiberson, Mr. Palmer was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal.

By Mr. Gelder:

BERKELEY, CAL., March 8, 1913.

To the Legislature of the State of California:

WHEREAS, There is now pending in the Legislature of California, Assembly Constitutional Amendment No. 7, intended to give the people of the State the right of home rule in taxation, and

WHEREAS, The adoption of said bill will be of inestimable benefit to the people of the State; therefore, be it

Resolved, That Local 1158, U. B. of C. and J. of A., indorse said bill.

Resolved, That a copy of this resolution be forwarded to Hon. Wm. C. Clark, chairman of the committee having said bill in charge, and to the Hon. George Gelder, member of the Assembly from Berkeley, and that we request them to use their best efforts to cause the adoption of the said bill.

Adopted by Local 1158, U. B. C. and J. of A., in regular meeting assembled, this eighth day of March, 1913.

[SEAL]

E. B. ELLIS, Secretary.

M. T. MILLER, President.

By Mr. Johnson:

To the Legislature of the State of California:

Resolved, That the Upland Woman's Club does hereby endorse the Flint-Cary bill to prohibit the sale of wild game, and urges its passage by the California Legislature as an important measure for the conservation of wild life.

Resolved, That the Upland Woman's Club does hereby petition the members of the California Legislature to actively oppose the passage of measures which would remove protection from any of the present non-game birds, especially any laws which would place robins, meadowlarks and blackbirds on the game list.

MAE S. CABLE, President.

BERTHA WATSON, Corresponding Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 720—An Act to amend Section 2681 of the Political Code of the State of California, relating to who may apply to alter, discontinue or lay out roads.

Also: Assembly Bill No. 963—An Act to amend Sections 11 and 18 of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804b, relating to the cancellation of erroneous assessments—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Judiciary Committee.

WOODLEY, Chairman.

The above reported bill re-referred to Committee on Judiciary.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

Also: Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter, any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district and providing for the payment thereof.

Also: Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter, any street in any incorporated city or town, lying adjacent to or upon the property of such county and providing for the payment thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Also: Assembly Bill No. 657—An Act to amend Section 883 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 75—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1672—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

McDONALD, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway in whole or in part, in the State of California, and presenting penalties for violation of this Act," approved April 21, 1911—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 87—An Act to amend the Civil Code, by adding thereto a new section, to be numbered 2004, relating to assignment of wages of employee and the protection of the family of such employee, and his employer, from the effect of such assignment—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Judiciary.

McDONALD, Chairman.

The above reported bill re-referred to Committee on Judiciary.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1996—An Act to authorize the State Board of Health to prepare and distribute, free of cost, anti-rabic virus and other preparations and appliances for the prevention of disease, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies in their own homes, and for their free transportation and support while undergoing treatment, under the direction and treatment by the State Board of Health—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 234—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Also: Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i*, and 4225*j*, all relating to county boards of health and sanitary inspectors.

Also: Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes, and to provide for the installation of sanitary water systems.

Also: Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for violation thereof," approved March 23, 1907.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FITZGERALD, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Also: Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology, and for dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass and be re-referred to Committee on Ways and Means.

GUILL, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON STATE PARKS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on State Parks and Grounds, to whom was referred Senate Bill No. 211—An Act to amend an Act entitled "An Act providing for the management of the California Redwood Park and creating a board of five commissioners with power to manage said California Redwood Park," approved February 6, 1911, by adding a new section granting to the board of commissioners the power to acquire property by gift, bequest, donation, contribution, devise, purchase, condemnation, and otherwise—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JOHNSTON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on State Parks and Grounds, to whom was referred Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

JOHNSTON, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 165—An Act authorizing the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Also: Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Also: Senate Bill No. 1687—An Act to amend Section 581a of the Code of Civil Procedure of the State of California, relating to the dismissal of actions for failure to serve summons.

Also: Senate Bill No. 174—An Act to amend Section 1622 of the Political Code of the State of California, relating to expenditure of state and county school money.

Also: Senate Bill No. 1523—An Act to amend Section 1756 of the Political Code of the State of California, relating to the maintenance of high schools.

Also: Senate Bill No. 1629—An Act to amend Section 1750 of the Political Code of the State of California, relating to the course of study in high schools.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 165 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 673 read first time, and referred to Committee on Corporations.

Senate Bill No. 1687 read first time, and referred to Committee on Judiciary.

Senate Bill No. 174 read first time, and referred to Committee on Education.

Senate Bill No. 1523 read first time, and referred to Committee on Education.

Senate Bill No. 1629 read first time, and referred to Committee on Education.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:
By Mr. Inman:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. Polsley:

WHEREAS, F. M. Newbert, Ernest Schaeffle, E. M. Duke, W. H. Shebley, Professor Taylor, and other members and employees of the Fish and Game Commission have persistently violated the provisions of Rule No. 78 of the Assembly standing rules; therefore, be it

Resolved, That the above named persons are hereby debarred from the privilege of this House during the remainder of the entire session.

Resolution read, and referred to Committee on Rules.

NOTICE OF INTENTION TO MOVE TO AMEND RULES.

The following notice was filed, and ordered printed in the Journal:
By Mr. Schmitt:

I give notice that on next legislative day I will move to amend the standing rules of the Assembly, as follows: In line 6, of Rule 8, page 106, of the Legislative Handbook, strike out the word "one," and insert in lieu thereof the word "two."

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballot when a challenge to a person offering to vote is sustained.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code, relating to the challenging of voters.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices thereto, and providing for the punishment thereof,' approved February 23, 1893."

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1876—An Act to authorize and empower the commission constituted by an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor, and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 4, 1911, to dispose of lands heretofore purchased or agreed to be purchased by said commission for a site for said California reformatory, and directing it to select another site.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 682—An Act to provide for the election of road masters, prescribing the time and manner of holding such election, the term of office, the duties of road masters and fixing their compensation.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out "1914," and in lieu thereof insert "1913".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7, strike out period after the word "supervisors," and in lieu thereof insert the following: "in county of the third class".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, providing for the granting of letters of administration, by adding thereto a new section, to be numbered 1690.

upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years, and for the administration of the estates of such absent persons.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 5, strike out the word "and" and insert in lieu thereof the word "or".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, lines 9 and 10, strike out the following: "provided, the court must prepare its own findings.", and insert in lieu thereof the following: "stated, the prevailing party shall prepare the findings and serve a copy thereof upon the adverse party at least five days before the findings are signed by the court or judge."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the County Recorder prior to the first day of January, nineteen hundred and thirteen.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 1333—An Act to vacate and abandon a portion of Channel street in the city and county of San Francisco and utilize the same for industrial purposes.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 1247—An Act dedicating certain lands in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Bill read second time, ordered to engrossment and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 409—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment of the Constitution of the State by amending Section 13½ of Article XI, relating to the making of public bonds payable at any place or places within or outside of the United States, and in any money, domestic or foreign.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 12 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Fergu-

son, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Polsley, Richardson, Roberts, Ryan, Scott, Shattel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Weldon, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Assembly Constitutional Amendment No. 12 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 12.

A resolution proposing to the people of the State of California an amendment of the Constitution of the State by amending Section 13½ of Article XI, relating to the making of public bonds payable at any place or places within or outside of the United States, and in any money, domestic or foreign.

The Legislature of the State of California, at its regular session, commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California that section thirteen and one half of article eleven of said Constitution be amended so as to read as follows:

Section 13½. Nothing in this Constitution contained shall be construed as prohibiting the State or any county, city and county, city, town, municipality, or other public corporation, issuing bonds under the laws of the State, to make said bonds payable at any place or places within or outside of the United States, and in any money, domestic or foreign, designated in said bonds.

Assembly Bill No. 92—An Act to provide for prompt relief and medical attention in case of accidents to employees and travelers upon railroads by compelling common carriers by railroads to maintain hospital cars.

During third reading of the bill, Mr. Cary moved that the Speaker appoint a select committee of one to amend the bill as follows:

Add a new section to read as follows:

"SEC. 4. A violation of any of the provisions of this Act shall constitute a misdemeanor and shall be punished by a fine of not less than one hundred nor more than five hundred dollars."

Motion carried.

The Speaker appointed Mr. Cary as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 92, with instructions, do now report that the instructions of the Assembly have been carried out.

CARY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California, relating to the duties of the superintendent of schools of each county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 434 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McDonald, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott,

Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Schmitt moved that the vote whereby Assembly Bill No. 1236 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Libby, McDonald, Morgenstern, Murray, Nolan, Peairs, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Weisel, Weldon, and White—43.

NOES—Messrs. Alexander, Ambrose, Bloodgood, Brown, Cary, Chandler, Clark, Wm. C., Ellis, Farwell, Finnegan, Guill, Hinkle, Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Polsley, Shartel, Strine, Sutherland, Wyllie, and Mr. Speaker—23.

SPECIAL ORDERS SET.

On motion of Mr. Inman, the consideration of Assembly Bill No. 1236 was made a special order for this afternoon, immediately after the report of the Committee on Introduction of Bills.

Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

On motion of Mr. Chandler, amended by Mr. Schmitt, the consideration of Assembly Bill No. 1090 was made a special order for Thursday, March 27, 1913, at eleven o'clock a.m.

Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 758 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889 and amended February 27, 1893, by amending Section 10 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1384 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bolnett, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Polesley, Richardson, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 341—An Act to amend Section 1218 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Also: Assembly Bill No. 911—An Act to amend Section 4300c of the Political Code, relating to the fees of recorders.

Also: Assembly Bill No. 912—An Act to amend Section 4142a of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Also: Assembly Bill No. 1132—An Act to amend Section 10 of the Political Code of California, relating to holidays.

Also: Assembly Bill No. 1133—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of and to vest the title in the State of California to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and that it be re-referred to Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California, to be numbered 499d, relating to the taking, using, operating or removing, or causing to be taken, used, operated or removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner, and providing the punishment for a violation thereof.

Also: Assembly Bill No. 253—An Act to amend Section 1213 of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Also: Assembly Bill No. 2031—An Act to add a new section to the Code of Civil

Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Also: Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Also: Assembly Bill No. 781—An Act appropriating money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Also: Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Also: Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Also: Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

Also: Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

Also: Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Also: Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes 1907, for searching for beneficial insects.

Also: Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 25—An Act appropriating two hundred thousand dollars (\$200,000) to complete the construction of the Exposition Building of the State of California at the Panama-California Exposition, to be held in San Diego, California, during the year 1915.

Also: Assembly Bill No. 90—An Act appropriating money to pay claim of Riverside County against the State of California.

Also: Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Also: Assembly Bill No. 248—An Act to appropriate the sum of thirty-two hundred and twelve dollars and ninety-four cents (\$3,212.94), to pay the claim of J. Harry Russell.

Also: Assembly Bill No. 247—An Act making an appropriation of four hundred thirty-four and 53-100 dollars to pay the claim of Alice J. Miller against the State of California.

Also: Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E. Smith, of Modoc County, against the State of California, exempting this Act from the provisions of Section 672, of the Political Code, and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Also: Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

Also: Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer, and defining its use and the liability therefor.

Also: Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers, as provided for in an Act

entitled "An Act to provide for the payment by the State, or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Also: Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading:

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Also: Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Also: Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Also: Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and the forcing out of underground mines and tunnels smoke and gasses generated by blasting powder and other explosives, and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction constitutes gross negligence is case of actions for damage to health of employees.

Also: Assembly Bill No. 752—An Act creating the office of inspector of mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the Attorney General and district attorney in relation to suits instituted by the inspector of mines.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WHITE, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and thirteen.

Assembly Bill No. 1247—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Assembly Bill No. 1333—An Act to vacate and abandon a portion of Channel street in the city and county of San Francisco and utilize the same for industrial purposes.

Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballot when a challenge to a person offering to vote is sustained.

Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code, relating to the challenging of voters.

Assembly Bill No. 1876—An Act to authorize and empower the commission constituted by an Act entitled "An Act to establish the California state reformatory; to provide for the purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 4, 1911, to dispose of lands heretofore purchased or agreed to be purchased by said commission for a site for said California reformatory and directing it to select another site.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 375—An Act to amend Section 1552 of the Political Code of the State of California, relating to the traveling expenses of the county superintendent of schools.

Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits and authorizing the State to accept the same.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as section two thousand six hundred ninety-seven and section two thousand six hundred ninety-eight, relating to the abandonment of highways.

Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code.

Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274c.

Assembly Bill No. 1272—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered twenty-six hundred and forty-eight, relating to county government.

Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties and cities and counties of over 200,000 population, and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock m. the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1514—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at

the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1514 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Moorhouse, Morgenstern, Neison, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as section twelve hundred two *a*, relating to indeterminate sentences.

During third reading of the bill, Mr. Sutherland moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all of the bill following the enacting clause, and in lieu of the matter stricken out insert the following:

"SECTION 1. There is hereby added to the Penal Code of the State of California a new section to be known as Section 1202*a* to read as follows:

1202*a*. Hereafter every person who shall be convicted for the first time of any crime punishable by imprisonment in any jail, reformatory or prison for a term of more than twelve months, except murder or robbery, shall be sentenced to imprisonment in the proper place of confinement for a term of not less than twelve months nor more than the maximum length of time prescribed for the punishment of persons convicted of such crimes under the respective provisions of the Penal Code for the punishment of such offense. The judgment of conviction and sentence shall in all such cases specify that the imprisonment shall be for not less than twelve months nor more than the maximum length of time provided for punishment of such offenses, the maximum length of time to be specified. The governing authority of the jail, reformatory or prison in which such person may be confined or any board or commission that may be hereafter given authority so to do, shall determine after the end of the first twelve months what length of time, if any, such person shall be confined unless the sentence be sooner terminated by commutation or pardon by the Governor of the State; *provided, further*, that if it be determined that such person so sentenced may be released, before the expiration of the maximum period for which he is sentenced, then such person shall be released at such time as the governing board, commission or other authority may determine. By the expression "convicted for the first time," is intended to mean the first conviction for any offense whatever.

Motion carried.

The Speaker appointed Mr. Sutherland as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1518, with instructions, do now report that the instructions of the Assembly have been carried out.

SUTHERLAND, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read :

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote :

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Inman: Assembly Bill No. 2048—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

SPECIAL ORDER—(POSTPONED).

On motion of Mr. Schmitt, consideration of the special order heretofore set for this time was postponed until Thursday, March 27, 1913, at two o'clock and thirty minutes p.m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds, and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers." approved April 28, 1909.

During third reading of the bill, Mr. Bohnett moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, lines 6 and 7, strike out the words "trees, hedges, shrubs, lawns and flowers," and insert in lieu thereof the words "trees or hedges".

Also: On page 3, line 23, strike out the words "tree, hedge, shrub, lawn or flower," and insert in lieu thereof the words "tree or hedge".

Also: On page 3, lines 28 and 29, strike out the words "tree, hedge, shrub, lawn or flower," and insert in lieu thereof the words "tree or hedge".

Also: On page 3, strike out all of line 33, after the word "misdemeanor," and all of lines 34, 35, 36 and 37, and insert in lieu thereof a period (.).

Motion carried.

The Speaker appointed Mr. Bohnett as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 277, with instructions, do now report that the instructions of the Assembly have been carried out.

BOHNETT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 722 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gates, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57 and 59 thereof.

During third reading of the bill, Mr. Sutherland moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 6, strike out all of subsection (bb) following the comma, in line 17, and in lieu of the matter stricken out insert the following: "where the service is performed for or the commodity delivered to the public or any portion thereof. The term 'public or any portion thereof' as herein used means the public generally, or any limited portion of the public including a person, private corporation, municipality or other political subdivision of the State, for which the service is performed or to which the commodity is delivered, and whenever any common carrier, pipe line corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, wharfinger or warehouseman performs a service or delivers a commodity to the public or any portion thereof for which any compensation or payment whatsoever is received, such common carrier, pipe line corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, wharfinger or warehouseman is hereby declared to be a public utility subject to the jurisdiction, control and regulation of the commission and the provisions of this Act. Furthermore, when any person or corporation performs any service or

delivers any commodity to any person or persons, private corporation or corporations, municipality or other political subdivision of the State, which in turn either directly or indirectly, mediately or immediately, perform such service or deliver such commodity to or for the public or some portion thereof, such person or persons, private corporation or corporations and each thereof is hereby declared to be a public utility, and to be subject to the jurisdiction, control and regulation of the commission and to the provisions of this Act."

Also: On page 14, add a new section, to be numbered 8, and to read as follows: "SEC. 8. All Acts and parts of Acts in conflict herewith are hereby repealed."

Also: On page 7, line 14, strike out the word "attorneys," and insert the word "attorney".

Motion carried.

The Speaker appointed Mr. Sutherland as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 196, with instructions, do now report that the instructions of the Assembly have been carried out.

SUTHERLAND, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1267 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Chandler, Collins, Cram, Dower, Ellis, Emmons, Ferguson, Fish, Gates, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Roberts, Ryan, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 593—An Act to amend Section 3075 of the Political Code, relating to the office of State Register of the Bureau of Vital Statistics and the State Board of Health, and providing for deputies, clerks, and assistants and their compensation.

Mr. Scott moved that the above Assembly bill be re-referred to Committee on Ways and Means.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 593 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Collins, Cram, Dower,

Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Wyllie, and Mr. Speaker—55.

NOES—Mr. Gelder—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1020—An Act to amend Section 4300a of the Political Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1020 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State, but not owned by it, said section as amended also providing for the waiver by the State of any statute of limitation as to the issuance of said certificate, and also as to the issuance of warrants by county auditors and the State Controller, as provided in Section 3572 of said Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1050 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Sutherland, Wall, Weldon, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1624—An Act to amend Section 3398 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the state for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended also providing that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no

further action thereon shall be taken and also relating to amending or correcting selections, re-selections, amended selections, designations and re-designations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1624 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Wall, Weisel, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending Section 1 thereof relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1625 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Weldon, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections, and providing the fee therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1626 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Richardson,

Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Slater, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1627 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Gabbert, Gates, Gelder, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Pears, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Wall, Weisel, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States, of certain lands erroneously conveyed or patented to said State by said government," approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1628 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Gabbert, Gates, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Pears, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 747—An Act to further divide the State into fish and game districts, by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 747 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Ferguson, Finnegan, Gabbert, Gates, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Pears, Richardson, Ryan, Schmitt, Shannon, Shartel, Shearer,

Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Weisel, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance, or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newton jetties,' and repealing an Act entitled 'An Act to authorize the Lauritzer Company of San Francisco, a corporation, to sue the State of California,' approved March 23, 1907," approved March 20, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1317 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beek, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Richardson, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 7—Approving charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5, 1912.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 7 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Griffin, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, and Mr. Speaker—58.

NOES—None.

Assembly Concurrent Resolution No. 7 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 7.

Approving Charter of the County of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5th, 1912.

WHEREAS, At a special election duly held in the county of San Bernardino, State of California, on the 14th day of May, 1912, under and in accordance with the provisions of Section 7½ of Article XI of the Constitution of said State, a board of fifteen

freeholders, duly qualified, were elected by the qualified electors of said county to prepare and propose a charter for the government of said county; and

WHEREAS, Said board of freeholders, within one hundred and twenty days after the result of said election was declared by the board of supervisors of said county, did prepare and propose a charter for the government of said county which charter was signed in duplicate by all the members of said board of freeholders on the 14th day of September, 1912, and thereupon filed, one copy in the office of the county clerk of said county and the other in the office of the county recorder of said county; and

WHEREAS, Said board of supervisors thereupon caused said proposed charter to be published for at least ten times in a daily newspaper of general circulation, printed, published and circulated in said county, the first of such publications having been made within fifteen days after the filing of a copy thereof, as aforesaid, in the office of said county clerk; and

WHEREAS, Said proposed charter was, by said board of supervisors, submitted to the qualified electors of said county at a general election that occurred in said county not less than thirty days nor more than sixty days after the completion of such publication, to wit, the general election occurring on the 5th day of November, 1912; and

WHEREAS, At said general election, a majority of said qualified electors voting thereon voted in favor of said proposed charter, and ratified the same; which said charter, as so proposed, voted upon and ratified, was and is in words and figures as follows:

CHARTER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

ARTICLE I.

BOARD OF SUPERVISORS.

SECTION 1. The board of supervisors shall consist of five members, one from each supervisorial district. The supervisors shall be nominated and elected at the times and in the manner provided by general laws, except and provided that each supervisor shall be elected by the electors of the county at large.

SEC. 2. At the general election to be held in November, 1914, there shall be elected as hereinbefore provided two supervisors, one from the second and one from the fourth supervisorial district, each of which supervisors shall be so elected for a term beginning on the first Monday after the first day of January, 1915, at noon of that day, and ending on the first Monday in December, 1918, at noon. At the general election to be held in November, 1916, there shall be elected in like manner three supervisors (one from the first, one from the third and one from the fifth supervisorial districts), for a term beginning on the first Monday after the first day of January, 1917, at noon, and ending on the first Monday in December, 1920, at noon. At each general election subsequent to November, 1916, there shall be elected in like manner two or three supervisors, as the case may be, for a term of four years, beginning at noon on the first Monday in December next after their election, and ending at noon on the first Monday in December four years thereafter.

SEC. 3. The board of supervisors, and each supervisor, shall have and perform such powers and duties as are or shall be provided by general laws, except as otherwise provided in this charter and not in conflict with the provisions hereof; and shall have and perform such other and further powers and duties as are or shall be provided for in this charter.

SEC. 4. It shall be the duty of the board of supervisors (except as may be otherwise specially provided herein), at its first regular meeting after noon of the first Monday after the first day of January, 1915, to appoint each and all of the county officers provided for by this charter or by general law for a term beginning with such appointment and ending at noon of the first Monday after the first day of January, 1919; and it shall be the duty of said board, at its first regular meeting after the first Monday in December, 1918, and at its first regular meeting after the first Monday in December of every fourth year thereafter, to appoint each and all of such officers for a term of four years, beginning at noon of the first Monday after the first day of January next, following such month of December.

SEC. 5. It shall be the duty of the board of supervisors, by ordinance, to fix and regulate the appointment and number of assistants, deputies, clerks, attachés and other persons to be employed, from time to time, in the several offices of the county, and also, by ordinance, to prescribe and regulate the powers, duties, qualifications and compensation of such persons, the times at which and the terms for which they shall be appointed, and the manner of their appointment and removal.

SEC. 6. It shall be the duty of the board of supervisors by ordinance to provide, that in the appointment of any person as assistant, deputy, clerk or attaché of any officer of the county, it shall be the right of such officer to nominate the person so to be appointed, subject to the approval of the board, and that no person shall be appointed to any such position unless first so nominated; *provided*, that the board shall in no case be obligated to make any appointment, unless satisfactory to the board, and if such officer, after reasonable opportunity so to do, shall fail to nominate

for any such appointment a person satisfactory to the board, the board may thereupon make such appointment, according to their own judgment and selection; *provided, further*, that if the board shall provide a board of civil service commissioners and shall prescribe civil service rules and regulations governing appointments, as elsewhere authorized by this charter, then all appointments provided for in this article shall be made in accordance with such civil service rules and regulations, in so far as such rules and regulations shall be applicable to such appointments.

SEC. 7. It shall be the duty of the board of supervisors, by ordinance, to provide that any person appointed as assistant, deputy, clerk or attaché of any officer of the county shall, before entering upon the performance of the duties of his position, give bond for the faithful performance of his duties, substantially in like manner and form as in the case of a county officer, in a penal sum to be fixed by the ordinance, and which bond shall be first approved by the board.

SEC. 8. At the first regular meeting of the board of supervisors after noon of the first Monday after the first day of January, 1915, the board shall elect one of its members as chairman of the board, to serve until noon of the first Monday in January, 1917, and at the first regular meeting held after noon of the time last stated, the board shall elect a chairman, to serve until noon of the first regular meeting after noon of the first Monday in December, 1918. At the first regular meeting after noon of the first Monday in the month of December, 1918, and of every second year thereafter, the board shall elect a chairman for a term of two years. Any vacancy in the position of chairman shall be filled by the board by election for the unexpired term.

SEC. 9. The chairman of the board of supervisors shall be the general executive agent of the board. It shall be his duty, subject to regulation and control by the board, to exercise general supervision over the official conduct of all county officers, and officers of all districts and other subdivisions of the county charged with the assessing, collecting, safe-keeping, management or disbursement of public revenues; also over all county institutions, buildings and property; and to make report to the board from time to time, with such recommendations as he shall deem proper. He shall be ex officio county purchasing agent, and shall perform the duties of that officer as prescribed in this charter. He shall devote his entire time during usual office hours to the duties of his office. He shall keep an office in the room or rooms where the board usually meet, and shall be in attendance at such office during usual office hours, except when elsewhere engaged in the performance of his official duties.

SEC. 10. The chairman of the board of supervisors, as compensation for his services as supervisor, chairman of the board and county purchasing agent, shall be paid an annual salary of two thousand four hundred dollars, and each of the supervisors other than the chairman shall be paid an annual salary of one thousand two hundred dollars.

SEC. 11. A supervisor may be removed from office in the manner provided by law. Any vacancy in the office of supervisor shall be filled by appointment, in the manner and for the term provided by law; and in case of the election of a supervisor for an unexpired term, or for a remainder of an unexpired term, such officer shall be nominated by district and elected at large, in like manner as hereinbefore provided for the nomination and election of such officer.

ARTICLE II.

COUNTY OFFICERS OTHER THAN SUPERVISORS.

SECTION 1. The county officers other than supervisors shall be a sheriff, a county clerk, a treasurer, a recorder, a license collector, a tax collector, a public administrator, a coroner, a surveyor, a district attorney, an auditor, an assessor, a superintendent of schools, a horticultural commissioner, and such others as are or shall be provided for by the constitution or by general law or by this charter.

SEC. 2. The following county officers are hereby consolidated:

- (a) The district attorney shall be ex officio public administrator.
- (b) The sheriff shall be ex officio coroner.
- (c) The treasurer shall be ex officio tax collector and license collector.
- (d) The county clerk shall be ex officio recorder.

SEC. 3. All county officers, other than supervisors, shall be appointed by the board of supervisors, and such appointments shall be made at the time and for the terms specified in this charter under the head of "board of supervisors," except as otherwise specially provided in this charter.

SEC. 4. Each county officer shall have the powers and perform the duties now or hereafter prescribed by general law as to such officer, except as otherwise provided by this charter; and shall have and perform such other powers and duties as are or shall be prescribed by this charter.

SEC. 5. The annual salary of each of the following county officers shall be as follows:

Sheriff and ex officio coroner-----	\$2400 00
County clerk and ex officio recorder-----	2500 00
Treasurer and ex officio tax collector and license collector---	2400 00
District attorney and ex officio public administrator-----	2700 00
Auditor -----	2400 00
Assessor -----	2400 00
Superintendent of schools-----	2400 00
Horticultural commissioner-----	2400 00

The compensation of other county officers and of such fish and game wardens, probation and other officers as are or may be provided for by general law or by this charter shall be fixed by the board of supervisors.

SEC. 6. Any county officer other than supervisor may be removed from office in the manner provided by law; also any such officer may be removed by the board of supervisors, for cause, after first serving upon such officer a written statement of the alleged grounds for such removal and giving him a reasonable opportunity to be heard in the way of explanation or defense.

SEC. 7. Any vacancy in a county office, other than that of supervisor, shall be filled by the board of supervisors by appointment for the unexpired term.

ARTICLE III.

TOWNSHIP OFFICERS.

SECTION 1. There shall be one justice of the peace and one constable for each judicial township.

SEC. 2. Justices of the peace and constables shall be nominated and elected at the times and in the manner and for the terms provided by general law.

SEC. 3. The compensation of justices of the peace and constables shall be fixed by the board of supervisors, and shall in every case be a fixed salary; but such salary need not be uniform for the several townships, nor in proportion to population.

ARTICLE IV.

PURCHASING AGENT.

SECTION 1. There is hereby created the office of county purchasing agent. The chairman of the board of supervisors shall be ex officio the county purchasing agent, and the term of office of the county purchasing agent shall coincide with that of the chairman of the board of supervisors.

SEC. 2. Except as otherwise hereinafter provided, no county, township or road district officer shall contract for or purchase any furniture, fixtures, tools, supplies, material or other articles or property for his use as such officer, or for use in or pertaining to his office, except by and through said purchasing agent, and in the manner herein provided.

SEC. 3. Whenever any such officer shall require any such furniture, fixtures, tools, supplies, materials or other articles or property for his use as such officer, or for use in or pertaining to his office, he shall make and present to the auditor a written requisition for the same. The auditor shall thereupon examine such requisition, and endorse thereon his approval or disapproval, in whole or in part, and deliver the same to the clerk of the board of supervisors, who shall file it and present it to the board for allowance. If such requisition be allowed, in whole or in part, the clerk shall certify the fact of such allowance to the purchasing agent, who shall thereupon make such purchase as may be necessary to fill the requisition, as so allowed by the board, and shall deliver the articles so allowed, together with an invoice of the same, to the officer making the requisition, and the purchasing agent shall at the same time deliver a duplicate of such invoice to the auditor.

SEC. 4. Subject to regulation and direction by the board of supervisors, it shall be the duty of the purchasing agent to purchase from time to time, in quantity, such supplies of record and account books, printed blanks, stationery and other articles that may be required for official use, as shall be ordered by the board, and keep the same on hand for the filling of such requisitions for the same as shall be allowed by the board as hereinbefore provided.

SEC. 5. The foregoing provisions shall not apply to prevent or forbid the purchase by an officer of such minor articles or supplies as may be required for immediate use in case of emergency; but all such purchases shall be reported to the board of supervisors, and shall be subject to approval and allowance by the board.

SEC. 6. Subject to regulation and direction of the board of supervisors, it shall be the duty of the purchasing agent to contract for and purchase all furniture, supplies and material required for use in, or in connection with any and all county institutions; except and provided that perishable foodstuffs and other perishable articles may be purchased as required, by the officer or person in immediate charge of any such institutions, subject to such rules and regulations as shall be prescribed by the board of supervisors.

ARTICLE V.

REPORTS AND ACCOUNTS.

SECTION 1. Every county officer, other than the auditor, and every township and road district officer, shall, within five days after entering upon the discharge of the duties of his office, make and file with the auditor a complete and detailed inventory of all property belonging to or pertaining to his office, received by him from his predecessor; and the auditor, within the same time, shall make and file a like inventory as to his office with the clerk of the board of supervisors.

SEC. 2. Every such officer, other than the auditor, shall monthly, within five days after the expiration of each calendar month, make and file with the auditor a report for such month, showing in detail all accessions to property of or pertaining to his office, during such month, and how and from whom acquired, and also showing in detail what property of or pertaining to his office has, during such month, been lost, destroyed, consumed, or otherwise disposed of; and the auditor, within the same time, shall make and file a like monthly report as to his office with the clerk of the board of supervisors.

SEC. 3. Every such officer, other than the auditor, shall monthly, within five days after the expiration of each calendar month, make and file with the auditor an account for such month, showing in detail all moneys received by him as such officer, from any and all sources, during such month, and also, in detail, the amounts of all moneys, if any, that shall during such month have become due or payable to such officer upon any and all accounts, but not received or collected by such officer, and also showing in detail all expenditure, payment, or other disposition of any and all moneys made by him during such month; and the auditor, within the same time, shall make and file a like monthly account as to his office with the clerk of the board of supervisors.

SEC. 4. It shall be the duty of the auditor to examine and audit each and all of such reports and accounts as received by him, and if it shall appear to him that any such report or account is erroneous, or not sufficiently full, complete or detailed, he shall forthwith, in writing, direct the attention of the officer making such report or account to such apparent error or insufficiency, and require from such officer such correction or such new or supplemental or further report or account as to the auditor shall seem proper; and it shall be the duty of such officer to comply forthwith with such requirement of the auditor.

SEC. 5. The auditor shall not audit, nor shall the treasurer pay, the monthly salary of any officer whose duty it is to make monthly report and account to the auditor as aforesaid, until after such report and such account shall have been made to the auditor and accepted by him.

SEC. 6. It shall be the duty of the auditor to make thorough inspection and examination from time to time, and at least once every three months, of all books and accounts of all other county officers and of all township and road district officers, and of the methods of keeping the accounts and transacting the business of such officers, and to prescribe in writing as to each or any or all of such offices such rules, regulations, forms and methods as to keeping the accounts thereof, and as to making the reports and accounts hereinbefore provided for, as to the auditor shall seem proper; and it shall be the duty of each and all of such officers to comply with such requirements of the auditor.

SEC. 7. It shall be the duty of the auditor to make written report, quarterly, to the board of supervisors, as to the condition, affairs, business and accounts of each and all county, township and district offices, with such criticisms, commendations, suggestions and recommendations as he shall deem proper as tending to the correction of defects or abuses, or the promotion of efficiency or economy, in the administration of all or any of such offices; and it shall be his duty in such report to point out particularly any known or apparent misconduct, neglect or failure in regard to official duty, as to all or any of such offices. It shall also be the duty of the auditor to make special examination and report as to any particular office or officer, or as to any matter relating to any particular office or officer, whenever directed so to do by the board of supervisors.

SEC. 8. It shall be the duty of the board of supervisors to employ from time to time, and at least once every six months an expert accountant, whose duty shall be to make thorough examination and report as to the condition, business and affairs of the auditor's office and particularly as to the books and accounts of that office; and the board may, whenever it shall deem it necessary or expedient so to do, employ an expert accountant to make examination and report as to any other office or officer, independent of and in addition to any report or account made, or required to be made, by the auditor.

SEC. 9. The auditor shall keep a "property account" with each county, township and road district officer, in which account such officer shall be charged with all property received by him from his predecessor, as shown by the inventory and report hereinbefore provided for, and shall be charged with all property thereafter received by such officer, as shall appear from the monthly reports of such officer or from the duplicate inventories filed with the auditor by the county purchasing agent; and such officer shall be officially responsible for all property so charged to him until the

same shall properly be consumed or be delivered to his successor, or be disposed of or accounted for as authorized or provided for by the board of supervisors.

SEC. 10. All reports and accounts hereinbefore provided for shall be kept on file in the proper office, and shall be open to inspection there, during office hours, by any citizen or taxpayer of the county.

ARTICLE VI.

ROADS AND HIGHWAYS.

SECTION 1. The board of supervisors shall divide the county into such road districts as they shall deem proper, and may change the boundaries or create new districts from time to time. The road districts now existing shall constitute the road districts here provided for, until changed by the board.

SEC. 2. There is hereby created the office of county highway commissioner, who shall be appointed by the board of supervisors at any time and shall hold office at the pleasure of the board; and the board shall fix his compensation. It shall be the duty of the board to appoint to such office a competent, experienced road engineer.

SEC. 3. Except as otherwise specially provided by law or by the board of supervisors in connection with an issue of bonds for highway construction, the county highway commissioner, subject to such general rules and directions as shall be prescribed by the board of supervisors, shall have general supervision, direction and control over all work of construction, maintenance and repair of any and all roads, highways and bridges in any and all of said road districts, other than work done under contract entered into by the board of supervisors; and as to such contract work, it shall be his duty to examine and inspect all such work, as the same progresses, and see that it is done in accordance with the contract.

SEC. 4. There is hereby created the office of district road commissioner in and for each road district, who shall be appointed at any time by the board of supervisors and shall hold office at the pleasure of the board; and the compensation of each and all of the district road commissioners shall be fixed by the board of supervisors, and such compensation need not be uniform in amount.

SEC. 5. Except as otherwise specially provided by law or by the board of supervisors in connection with an issue of bonds for highway construction, and subject to such general rules and directions as shall be prescribed by the board of supervisors, and subject to the general supervision, direction and control of the county highway commissioner, each district road commissioner shall have the immediate charge, direction and control of all work of construction, maintenance and repair of any and all roads, highways and bridges in his road district, other than work done by contract, and of the employment and discharge of all employees required in the performance of such work, and the hiring of such teams and the purchasing of such tools, implements, supplies and material as may be required for such work, except as such purchase may be required to be made from the lowest bidder under contract, or may by this charter be required to be made by the county purchasing agent.

SEC. 6. No member of the board of supervisors shall be appointed county highway commissioner or district road commissioner, nor shall any supervisor have or exercise any power or duty conferred by this charter upon a county highway commissioner or a district road commissioner.

SEC. 7. The county highway commissioner and each of the district road commissioners, before entering upon the duties of his office, shall give an official bond for the faithful performance of his duties, in a penal sum to be fixed by the board of supervisors, which bond shall be approved by the board.

ARTICLE VII.

MISCELLANEOUS.

SECTION 1. In all cases in which the board of supervisors are authorized by law or by this charter to fix the compensation of any officer, such compensation shall be fixed prior to the election or appointment of such officer, and shall not be increased or diminished during the term for which such officer shall be elected or appointed.

SEC. 2. In all cases in which an officer is to receive a fixed salary, whether such salary be fixed by this charter or by the board of supervisors, such salary shall be in full compensation for all service by such officer; and in all cases in which such officer is, by general law, entitled to charge or receive any fees or commissions, it shall be the duty of such officer to charge, collect and receive such fees and commissions, and to pay the same monthly to the county treasurer; *provided*, that the necessary actual traveling expenses properly incurred by any officer, or by any assistant, deputy, clerk or attaché of such officer, in the performance of his official duties, shall be a legal charge against the county.

SEC. 3. All annual salaries of officers, assistants, deputies, clerks and attachés, whether fixed by general law or by this charter or by the board of supervisors, shall be payable in equal monthly installments.

SEC. 4. The board of supervisors may, by ordinance, provide for the appointment of a board of civil service commissioners, and prescribe their duties and fix their

compensation and their term of office; and the board may by ordinance, prescribe such civil service rules and regulations as they shall deem proper to govern themselves in the appointment of any or all officers, assistants, deputies, clerks and attachés, whose appointment they are authorized to make, by general law or by this charter.

SEC. 5. Nothing in this charter is intended to affect, or shall be construed as affecting, the tenure of office of any of the elective officers of the county, or of any district, township or division thereof, in office at the time this charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected, unless sooner removed in the manner provided by law; nor shall anything in this charter be construed as changing or affecting the compensation of any such officer during the term for which he shall have been elected. But the successors of each and all of such officers shall be elected or appointed as in this charter provided, and not otherwise.

SEC. 6. This charter, in so far as it relates to the nomination and election of supervisors and township officers, shall take effect and be in force from and after the time of its approval by the Legislature, and as to all other matters it shall take effect and be in force from and after twelve o'clock, noon, of the first Monday after the first day of January, 1915.

We, the undersigned, members of the board of fifteen freeholders of the county of San Bernardino, in the State of California, elected at a special election held in said county on the fourteenth day of May, 1912, to prepare and propose a charter for said county, under and in accordance with Section 7½ of Article XI of the Constitution of this State, have prepared and we do hereby propose the foregoing as and for a charter for said county.

In witness whereof, we hereunto sign our names in duplicate this fourteenth day of September, 1912.

[SEAL]

W. M. PARKER,
Chairman.
THOMAS DONNELLY,
Secretary.
EDGAR H. PRICE.
JACOB JESSON.
ISAAC JONES.
M. D. KATZ.
W. H. REED.
J. S. WHITEMAN.
G. W. BEATTIE.
M. F. PALMER.
CHARLES RUEDY.
J. B. HANNA.
C. S. LOMBARD.
L. WM. GURR.
CHAS. A. ROUSE.

CERTIFICATE.

I, Charles Post, county clerk of the county of San Bernardino, State of California, hereby certify that the proposed charter for said county, as set forth in the annexed preamble and concurrent resolution, is a true copy of such charter, filed in my office as recited in said preamble, and that each and all of the recitals in said preamble are true.

In witness whereof, I have hereunto set my hand and affixed my official seal, this 20th day of January, 1913.

[SEAL]

CHARLES POST,
County Clerk and ex officio Clerk of the Superior Court in and for San Bernardino County, State of California.

AND WHEREAS, Said proposed charter has been duly presented and submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring herein), That said proposed charter of the county of San Bernardino be and it is hereby approved as a whole, as and for the charter of said county.

Assembly Bill No. 491—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all Acts, other Acts and parts of Acts in conflict with this Act.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all of section one of amended bill, and insert in lieu thereof the following.

"SECTION 1. Whenever, by any law of this State, power is granted to any legislative body, or to any board, commission or officer of any county, municipal corporation, district or other public corporation, to erect or construct, or to cause to be erected or constructed, any public building or structure for such county, municipal corporation, district or other public corporation, it shall be the duty of such legislative body, board, commission or other officer, to obtain complete architectural plans, specifications, details, and supervision of construction for any such building or structure the cost of the construction of which shall exceed five thousand dollars, from an architect or architects holding a certificate to practice architecture in this State under the laws thereof relating to the practice of architecture.

SEC. 2. Any architect or architects whose architectural services are obtained under the provisions of section one of this Act, may be appointed by the legislative body, board, commission or other officer having power to erect or construct such public building or structure, or to cause the same to be erected or constructed, without the submission of competitive plans therefor, or such legislative body, board, commission or other officer, may at its discretion, call for competitive plans for such building or structure, and employ the architect or architects whose plans are found and determined by such legislative body, board, commission or other officer to be most satisfactory.

SEC. 3. At the time of the appointment or employment of any such architect or architects, such legislative body, board, commission or other officer shall furnish such architect or architects a statement in writing of the amount of money appropriated for or proposed to be expended for the construction or erection of such building or other structure, and such architect or architects shall furnish plans, specifications and details therefor, so that the cost of such building or other structure shall approximate such amount of money so appropriated or proposed to be expended as nearly as may be. The compensation to be paid to such architect or architects for services rendered for the drawing of plans, specifications and details, for any public building or other structure and for the supervision of construction thereof, under the provisions of this Act, shall not exceed the usual and prevailing compensation for such services when performed for private persons, firms or corporations.

SEC. 4. No legislative body, board, commission, or other officer of any county, municipal corporation, district or other public corporation in this State, having the authority to erect or construct any public building or other structure therein, shall appoint or employ, or obtain the architectural services of any architect or architects for such building or other structure, contrary to the provisions of this Act.

SEC. 5. An Act entitled 'An Act to regulate the erection of public buildings and structures,' approved April 1, 1872, and all other Acts and parts of Acts in conflict herewith are hereby repealed."

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 491, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

MR. SPEAKER: Your Committee on Conference on Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title of real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on

or before the 31st day of December, 1914, but not thereafter—reports that it has met a like committee from the Senate consisting of Senators Gates, Wright and Curtin, and that the said Conference Committees were unable to agree, and recommend the appointment of a Committee on Free Conference.

LIBBY.
SMITH.
RYAN.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

In accordance with the above report, the Speaker appointed Messrs. Schmitt, Sutherland and Bradford as such committee.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 61—An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein," approved March 20, 1909.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure, of the State of California, relating to qualifications of jurors.

Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees, instead of establishing a separate county free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Assembly Bill No. 560—An Act to amend Sections 205 and 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing, and time of service of jurors.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following bills:

Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 396a, relating to the driving of vehicles propelled by motor power or by animal power.

Assembly Bill No. 154—An Act to amend Section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justice courts in cities or towns of the second and one half and third classes, and appointments, salaries and duties of same.

Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California, relating to powers of railroad corporations—and report that the same has been correctly re-re-re-engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Murray, the following teacher and students of the Sutter City high school were granted the privilege of the floor of the Assembly for this day: Miss Ethel Peters, teacher; Fayne Hill, Leonard Betty, Roy Hixson, Wilmer Hixson, Irwin Farington, June Carrel, Marjorie Rose, Neva Bradbury, Irma Adams, Margaret Best, Ruby Norton, Bessie Schellenger, Clara Webb, Gladys Gault, Wilna Knight, True Thomas, Paul Morehead.

Through the courtesy of Mr. Clarke, Mr. W. J. Cooley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. Green Majors was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and twenty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, March 26, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—74.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Benedict, Messrs. Ellis, Farwell, Johnston, Ryan and McCarthy were granted leave of absence until Monday, March 31, 1913.

On motion of Mr. Nolan, Mr. Schmitt was granted leave of absence for the day.

PRAYER.

Upon invitation of the Speaker, prayer was offered by Rev. B. D. Naylor, Chaplain of the Senate.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Smith, the further reading was dispensed with.

PETITIONS.

The following petitions were received, and ordered printed in the Journal:

By Mr. Killingsworth:

To the Legislature of the State of California.

GENTLEMEN: We, the undersigned, residents of the city of Benicia and citizens of the State of California, respectfully solicit your earnest endeavor to defeat Assembly Bill No. 1639, for the following reasons:

That the enactment of said proposed law would result in great damage to the citizens of this city; would depreciate in value a large amount of real estate and personal property, and would result in depriving this city of a large portion of its income, with which we expected to meet our large bonded indebtedness, which was incurred upon the basis of the income existing at the time the debt was contracted and which now exists.

The enactment of this bill into law would deprive us of the income anticipated and relied upon to meet our obligations and would compel the city to levy a direct tax on the people already burdened to the limit.

F. W. QUINN (and others).

Also:

Resolution adopted by Captain Charles Young Camp No. 6, United Spanish War Veterans, Vallejo, California, relative to bills before the State Legislature to empower school directors to establish separate free schools for negro children.

WHEREAS, Bills are pending before the Legislature of the State of California to give to the governing body of any school district power to establish separate schools for negro children; and

WHEREAS, Any law that gives to school directors power to establish separate schools for negro children will cause friction between the races and between the members of each race who favor the establishing of separate schools and those opposed to such schools, thereby disturbing the peace and quietness of each community wherein separate schools are suggested; and

WHEREAS, The number of negro children in this State is so small and widely scattered that separate schools will compel them to assemble in one-room school houses, instead of the thoroughly equipped and highly efficient schools of to-day; or necessitate conveying our children long distances to and from school, which will not only be an expense that we are unable to meet, but will endanger the health and lives of our children as well; and

WHEREAS, Negroes of California are citizens of this State, and, as such, are justly entitled to the rights and privileges of her public institutions, and any legislation that will deprive them of the exercise of that right and privilege is unjust, unreasonable and detrimental to our future development and advancement and the welfare of the communities in which we are compelled to reside; therefore, be it

Resolved, That Captain Charles Young Camp No. 6, United Spanish War Veterans, of Vallejo, California, in the interest of justice, fair play, equal advantages and the development and advancement of the very best that there is in the negro, do hereby petition the Legislature of the State of California and individual members thereof to withhold approval from said bill; and be it further

Resolved, That Comrade E. U. Moore be and is hereby appointed a committee of one to place this resolution before the Legislature of this State.

By order of Captain Charles Young Camp No. 6, U. S. W. V.

JAMES M. OWENS, Camp Commander.

ALBERT SMITH, Camp Adjutant.

By Mr. Speaker:

To the Legislature of the State of California:

The undersigned, secretary of the Woman's Board of the Panama-Pacific International Exposition, hereby certifies that at a meeting of the board of directors of the Woman's Board of the Panama-Pacific International Exposition, held at its regular place of business in the city and county of San Francisco on this, Thursday, the 20th day of March, 1913, the following preamble and resolutions were regularly introduced, duly seconded and unanimously adopted:

WHEREAS, The Woman's Board of the Panama-Pacific International Exposition is a representative organization composed entirely of women of the State of California, united to further the interests of the Panama-Pacific International Exposition to be held in San Francisco in the year 1915;

WHEREAS, There are now pending before the Legislature of the State of California certain proposed bills having for their object the prohibition of the sale of malt, vinous or distilled liquors in every form;

WHEREAS, The nations of the earth have been invited by the President of the

United States to participate in the Panama-Pacific International Exposition, and many nations and their peoples have signified their intention of participating in said exposition;

WHEREAS, The State of California and the city and county of San Francisco have been honored by being designated by the Congress of the United States as the hosts of the nations and the peoples of the earth;

WHEREAS, In reliance upon the hospitality of the State of California in visiting and participating in the Panama-Pacific International Exposition, the peoples and nations of the earth will rightfully expect that the personal liberties which they enjoy in their respective homes and home countries will not be interfered with by their hosts, insofar as their personal habits are not offensive to those rules of morality recognized in common by all nations;

WHEREAS, We are assured by the directors of the Panama-Pacific International Exposition that it is proposed that no liquor be sold to minors, and that no saloon or bar be maintained within the site of the exposition, but that the concessionaries be permitted to serve malted liquors and wines at cafes and restaurants;

WHEREAS, Being conversant with the rules and regulations safeguarding the conventions and decencies recognized as proper standards by all right-thinking people, which have been incorporated in the contracts governing all concessions, and being confident of the enforcement of the same by the directors of the Panama-Pacific International Exposition and by the Panama-Pacific International Exposition Commission of the State of California, thereby ensuring seemly behavior and morality in all departments; and feeling for the aforesaid reasons justified in bespeaking the confidence of the State that its dignity will be upheld by those responsible for the conduct of the exposition during the term of the Panama-Pacific International Exposition; now, therefore, be it

Resolved, That the Governor and the Legislature of California be and they are hereby petitioned not to pass or give approval to any measure the effect of which will be to prohibit the sale of liquors within the site selected for the holding of the Panama-Pacific International Exposition; and be it further

Resolved, That a copy of the foregoing preamble and resolutions be certified by the secretary of the Woman's Board of the Panama-Pacific International Exposition, and a copy thereof, so certified, be sent to the Governor of the State of California, to the President of the Senate and to the Speaker of the Assembly of the Legislature of the State of California, now assembled in its fortieth session.

GEORGIANA STONEY,

Secretary of the Woman's Board of Panama-Pacific International Exposition.

By Mr. Alexander:

GABILAN PARLOR, No. 132, N. S. G. W.

CASTROVILLE, CALIFORNIA, March 6, 1913.

Hon. J. K. Alexander, Sacramento, California.

DEAR SIR: Enclosed find copy of resolution adopted by Gabilan Parlor, No. 132, N. S. G. W., Castroville, Cal.

Yours truly,

R. H. MARTIN, Recording Secretary.

WHEREAS, There is introduced in the Legislature of California, a bill to appropriate \$5,000 to be used in building a "Bear Flag Party" monument in the town of Sonoma; therefore, be it

Resolved, That the members of Gabilan Parlor, No. 132, N. S. G. W., heartily indorse said bill, and ask the members of the Legislature to do all in their power to promote its passage.

[SEAL]

TIM HURLEY,
R. H. MARTIN,
L. GRIFFIN,
Committee.

By Mr. Morgenstern:

To the Assembly of the State of California:

The undersigned hereby earnestly petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

We favor Assembly Bill No. 615, introduced by Assemblyman Ellis, which has no exemptions as to territory.

The above was indorsed by a vote at a meeting of the Melrose Baptist Church in the city of Oakland, State of California, on the 16th day of March, A. D. 1913, and the undersigned was authorized to so report to you.

Attest: REV. F. M. ARCHER, D. D., Presiding.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Also: Assembly Bill No. 1576—An Act to provide for the formation and establishment of road districts; the construction, acquisition, maintenance, control and use of roads; defining the term road; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commission to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GABBERT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 508—An Act to create the California highway commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor.

Also: Assembly Bill No. 658—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GABBERT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 37—An Act to establish the Yolo and Lake state highway; to define its course; to provide for its survey and construction, repair and maintenance, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation, and ask that it be re-referred to the Ways and Means Committee.

GABBERT, Chairman.

The above bill re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 285—An Act to provide for locating, surveying and maintaining a state highway from Pescadero in the county of San Mateo to the Santa Cruz county line, to connect with a road to the California Redwood Park, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended, and be re-referred to the Ways and Means Committee.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108.

in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Also: Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

MORGENSTERN, Chairman.

The above reported bills ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Building and Loan Associations, to whom was referred Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 6334.

Also: Assembly Bill No. 1405—An Act to amend section sixteen of an Act known as "The Building and Loan Commission Act," Chapter 354, Laws of 1911, approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HAYES, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Also: Senate Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 902—An Act to make an appropriation to pay the salaries and mileage of Senators for the fortieth session of the Legislature during the sixty-fourth fiscal year.

Also: Senate Bill No. 903—An Act making an appropriation for the pay of officers and clerks of the Senate for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Also: Senate Bill No. 506—An Act to amend Section 1876 of the Political Code of the State of California, relating to contracts by boards of school trustees and city boards of education.

Also: Senate Bill No. 1565—An Act to add a new section to the Political Code of the State of California, to be numbered Section 4220a, relating to the duties of county surveyors and deputies.

Also: Senate Bill No. 1001—An Act to add a new section to the Political Code, to be numbered 4235a, relating to and fixing the compensation of grand jurors in counties of the sixth class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 902 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 903 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 506 read first time, and referred to Committee on Education.

Senate Bill No. 1565 read first time, and referred to Committee on County Government.

Senate Bill No. 1001 read first time, and referred to Committee on County Government.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Canepa:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 338 of the Code of Civil Procedure, relating to actions which must be commenced within three years.

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 340 of the Code of Civil Procedure, relating to actions which must be commenced within one year.

Referred to Committee on Introduction of Bills.

By Mr. T. D. Johnston:

MR. SPEAKER: I hereby ask permission to introduce the accompanying bills, the titles of which are as follows: An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Also: An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Kuck:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Referred to Committee on Introduction of Bills.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Richardson:

WHEREAS, A great disaster has befallen our sister states of Ohio, Nebraska, Indiana, and Pennsylvania; and

WHEREAS, The loss of life and property is increasing hourly; and

WHEREAS, We have undergone the sufferings and privations of a great catastrophe, that of 1906; therefore, be it

Resolved, That the Assembly of the Legislature of California in behalf of the

people of this State, does hereby express its heartfelt sympathy to the disaster-stricken state and devastated districts; and be it further

Resolved, That these resolutions be printed in the Journal, and the Governor of the State of California be empowered to transmit to the Governors of Ohio, Nebraska, Indiana, and Pennsylvania copies of these resolutions.

Resolution read, and on motion adopted.

By Mr. Bohnett:

Resolved, That the Controller be, and he is hereby, authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of seven hundred fourteen and 73/100 (\$714.73) dollars, in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, the same being for the payment of the following bills attached:

The Fred Warren Transfer Co.	\$1 00
Kilgore & Tracy	4 05
Wasserman & Gattman	9 50
Wahl Stationery Co.	365 38
The Pacific Telephone & Telegraph Co.	29 45
Whiskey Hill Water Co.	75
Owl Drug Co.	1 05
Sleeper & Stever	1 50
Bender-Moss Co., Inc.	80 00
Wahl Stationery Co.	33 60
D. Falkner	188 45
Total	\$714 73

Resolution read, and referred to Committee on Contingent Expenses.

CONSIDERATION OF REPORT OF COMMITTEE ON RULES.

The following report of the Committee on Rules, previously presented, was taken up for consideration.

ASSEMBLY CHAMBER, SACRAMENTO, March, 24, 1913.

MR. SPEAKER: Your Committee on Rules respectfully recommend that standing rule seventy-five (75) be amended by adding thereto a paragraph to read as follows: "Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction."

Mr. Brown moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Scott, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—54.

NOES—None.

UNFINISHED BUSINESS.

Assembly Bill No. 81—An Act to amend Section 396 of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 11, strike out the word "misdemeanor," and all thereafter.

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 81, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 51—An Act to provide for relief of soldiers, sailors and marines, who have served in the late civil war, and to provide for relief to such soldiers, sailors, and marines, under certain circumstances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 51 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—62.

NOES—Messrs. Bagby, Fish, Gates, Johnstone, W. A., and Wyllie—5.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

During second reading of the bill, the following amendment was submitted by the committee:

Amend by adding Section 2:

"SEC. 2. This Act, inasmuch as the health and comfort of the patients who are confined in the said Mendocino State Hospital will be greatly improved by the building of this gas plant, under the provisions of Section 1 of Article IV of the Constitution of the State of California, shall take effect immediately."

Amendment adopted.

Bill read second time.

Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

During second reading of the bill, the following amendment was submitted by the committee:

Amend by adding Section 2:

"SEC. 2. This Act, inasmuch as should the provisions hereof not go into effect for ninety days, the summer season would be so far advanced that there is danger of early fall rains doing great and irreparable damage to the work of construction of said dam, under the provisions of Section 1 of Article IV of the Constitution of the State of California, shall take effect immediately."

Amendment adopted.

Bill read second time.

Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909,

to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 1 and 2, strike out the words and figures "sixteen dollars and three cents (\$1816.03)" and insert in lieu thereof the following: "twenty-four dollars and two cents (\$1824.02)."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, after the figure "8," insert the following: "and Crane Co. in the sum of \$7.99."

Amendment adopted.

Bill read second time.

Assembly Bill No. 282—An Act to amend section seven hundred and eighteen of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line 2, page 2, strike out the word "fifteen", and insert in lieu thereof the word "twenty-one".

Amendment adopted.

AMENDMENT No. 2.

In line 10, page 2, after the word "first", insert the words "until May first".

Amendment adopted.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 114, 115, 784, and 282.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 114, 115, 784, and 282 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 114, 115, 784 and 282, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Bill read second time.

Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

Bill read second time.

Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

Bill read second time.

Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E. Smith of Modoc County against the State of California, exempting this Act from the provisions of section six hundred seventy-two of the Political Code and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Bill read second time.

Assembly Bill No. 247—An Act making an appropriation of four hundred thirty-four and 53-100 dollars to pay the claim of Alice J. Miller against the State of California.

Bill read second time.

Assembly Bill No. 248—An Act to appropriate the sum of thirty-two hundred and twelve dollars and ninety-four cents (\$3,212.94), to pay the claim of J. Harry Russell.

Bill read second time.

Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Bill read second time.

Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Bill read second time.

Assembly Bill No. 781—An Act appropriating money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Bill read second time.

Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Bill read second time.

Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Bill read second time.

Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

Bill read second time.

Assembly Bill No. 90—An Act appropriating money to pay the claim of Riverside County against the State of California.

Bill read second time.

Assembly Bill No. 25—An Act appropriating two hundred thousand dollars (\$200,000) to complete the construction of the exposition building of the State of California at the Panama-California Exposition, to be held in San Diego, California, during the year 1915.

Bill read second time.

Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Bill read second time.

Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer, and defining its use and the liability therefor.

Bill read second time.

Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Bill read second time.

Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Bill read second time.

Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes 1907, for searching for beneficial insects.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 783, 785, 786, 344, 247, 248, 779, 780, 781, 782, 1642, 778, 90, 25, 195, 371, 776, 777, 787, and 788.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 783, 785, 786, 344, 247, 248, 779, 780, 781, 782, 1642, 778, 90, 25, 195, 371, 776, 777, 787, and 788 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 783, 785, 786, 344, 247, 248, 779, 780, 781, 782, 1642, 778, 90, 25, 195, 371, 776, 777, 787, and 788, and now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 720—An Act to amend Section 2681 of the Political Code of the State of California, relating to who may apply to alter, discontinue or lay out roads.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 963—An Act to amend sections eleven and eighteen of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors." approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district, and providing for the payment thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter, any street in any incorporated city or town, lying adjacent to or upon the property of any such county and providing for the payment thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for

establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 11, strike out the words "methods of assessment. Frontage assessment".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 12, strike out the word "one", and insert in lieu thereof the following: "1".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 12, strike out the words "Main street crossings".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 13, strike out the word "two," and insert in lieu thereof the following: "2".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 24, strike out the words "Main street terminations".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 25, strike out the word "three," and insert in lieu thereof the following: "3".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 4, strike out the words "alley and Main street crossings".

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 5, strike out the word "four," and insert in lieu thereof the following: "4".

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 11, strike out the words "alley crossings".

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 12, strike out the word "five," and insert in lieu thereof the following: "5".

Amendment adopted.

AMENDMENT No. 11.

On page 4, line 1, strike out the words "one side of street".

Amendment adopted.

AMENDMENT No. 12.

On page 4, line 2, strike out the word "seven," and insert in lieu thereof the following: "7".

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 11, strike out the words "public property."

Amendment adopted.

AMENDMENT No. 14.

On page 4, line 12, strike out the word "eight," and insert in lieu thereof the figure "8."

Amendment adopted.

AMENDMENT No. 15.

On page 5, line 8, strike out the words "when owners may grade."

Amendment adopted.

AMENDMENT No. 16.

On page 5, line 8, strike out the words "when owners may grade."

Amendment adopted.

AMENDMENT No. 17.

On page 6, line 29, strike out the words "Diagram of assessment district."

Amendment adopted.

AMENDMENT No. 18.

On page 6, line 30, strike out the word "ten," and insert in lieu thereof "10."

Amendment adopted.

AMENDMENT No. 19.

On page 7, line 25, strike out the words "Railroad property."

Amendment adopted.

AMENDMENT No. 20.

On page 7, line 26, strike out the word "eleven," and insert in lieu thereof the figures "11."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 657—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 5, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, strike out the words "powers of recorder as judge,".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and presenting penalties for violation of this Act," approved April 21, 1911.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, Section 1, line 15, strike out all after the word "hours," and insert in lieu thereof the following: "And whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty; *provided*, that no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four hours, in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period, or not exceeding three days in any week; *provided*, that the provisions of this Act shall not apply in any case of casualty or unavoidable accident, or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of such employee at the time said employee left a terminal, and which could not have been foreseen; *and provided*, further, that the provisions of this Act shall not apply to the crews of wrecking or relief trains."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 234—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i*, and 4225*j*, all relating to county boards of health and sanitary inspectors.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 236—An Act to prevent the supply of water, dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies in their own homes, and for their free transportation and support while undergoing treatment under the direction and treatment by the State Board of Health.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California, to be numbered 499*d*, relating to the taking, using, operating or removing, or causing to be taken, used, operated or

removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 10, strike out the words "is guilty of grand," and also all of line 11, and insert in lieu thereof the following: "shall be punished by imprisonment, in the state prison or county jail, not to exceed one year, or by fine not to exceed one thousand dollars, or by both."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 253—An Act to amend section twelve hundred thirteen of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 7, strike out the word "mortgages," and insert in lieu thereof the word "mortgagees".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2031—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 5, strike out the word "Section".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 341—An Act to amend Section 1218 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 911—An Act to amend Section 4300c of the Political Code, relating to the fees of recorders.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 912—An Act to amend Section 4142a of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1132—An Act to amend Section 10 of the Political Code of California, relating to holidays.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1133—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 25—An Act appropriating two hundred thousand dollars (\$200,000) to complete the construction of the exposition building of the State of California at the Panama-California Exposition, to be held in San Diego, California, during the year 1915.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and the forcing out of underground mines and tunnels, smoke and gases generated by blasting powder and other explosives, and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction constitutes gross negligence in case of actions for damage to health of employees.

During second reading of the bill, the following amendment was submitted by the committee:

Amend by striking out of the printed bill, page 1, line 6, the word "cave," and substitute in lieu thereof the word "core".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 752—An Act creating the office of inspector of mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the Attorney General and district attorney, in relation to suits instituted by the inspector of mines.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title by striking out all of the title after the word "Act" and inserting the following:

"To create the office of inspector of mines, fixing his duties and powers; providing for the appointment of a deputy, and fixing the qualification and compensation of both, and fixing the bond of each; providing for his necessary expenses, clerk hire and office expenses; prescribing oath to be taken by said inspector and deputy; imposing duties and penalties and requiring reports from owners, lessors, lessees, agents or managers of mines; defining the duties of district attorneys and of the Attorney General under this Act, and providing for prosecutions when said district attorney or Attorney General refuses or neglects to act; providing for reports of serious or fatal accidents in any mine or mines, and providing for the attendance of the inspector of mines or his deputy at inquests; providing for a yearly report by said inspector of mines to the Governor, as enumerated in this Act; excluding certain mines from the provisions hereof; making it the duty of the Governor to appoint said inspector of mines; prohibiting the storing of explosives in mines except temporary supply, and providing for storage of explosives outside of mines; requiring the use of wooden tamping bars and removal of timbers from under ground; requiring indicators on hoisting machinery; prohibiting the riding of persons on cars, skips or buckets with certain materials; requiring ladders in shafts and two compartments in certain kinds of shafts, and requiring landings at certain intervals, and requiring that ladders shall be kept in repair; requiring that in mines of two hundred feet or more in depth certain shafts shall be bulkheaded or rigged with a trap door, and requiring sign boards showing direction to exit or outlet of mine;

forbidding use of gasoline underground; requiring chain ladder when sinking shafts or inclines; requiring guard rails at specified dangerous points; specifying kind and dimension of cage in shafts exceeding three hundred and fifty feet in depth; requiring the leaving of pillars to protect and secure working in mines; prohibiting certain structures over the shaft or outlet of any mine; requiring doors at mouth of tunnel to be so arranged as to be closed from the outside by wire or cable; requiring the use of ropes and cables as specified herein, and prohibiting the raising or lowering of men by a cable or rope when containing more than a certain per cent of breaks or worn to a certain extent, or which shows signs of corrosion; requiring the care and inspection of boilers used for the generation of steam in and around mines; prohibiting hoisting in shafts while being repaired; requiring mines to be ventilated; requiring that men shall not be separated at such distances as to prevent cries being heard; requiring an engineer to be kept on duty to answer signals; prohibiting persons from riding on bail or cable of bucket, cage or skip; requiring the posting of number of men permitted to ride in cage, skip or bucket at one time, and making overloading a misdemeanor; requiring keeping of smoke helmets; providing for punishment of failure to comply with the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith.

Amendment adopted.

AMENDMENT No. 2.

Strike out of the printed bill, page 1, line 5, the word "necessary," and insert in lieu thereof the word "actual".

Amendment adopted.

AMENDMENT No. 3.

Strike out of page 1, line 10, the word "as," and in line 11 of the printed bill strike out beginning with the word "full" through the word "service," and insert in lieu thereof the words, "and his actual traveling expenses when traveling in the discharge of his official duties".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 34, after the word "swear," insert the following: "that I will support the Constitution of the United States, and the Constitution of the State of California".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 9, strike out beginning with the word "to" all the remainder of said line, and in line 10 the words: "sacred honor".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 211—An Act to amend an Act entitled "An Act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," approved February 6, 1911, by adding a new section granting to the board of commissioners the power to acquire property by gift, bequest, donation, contribution, devise, purchase, condemnation, and otherwise.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 75—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

During third reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out all of sections one and two.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 14, strike out the words "dust-proof containers," and insert in lieu thereof the following: "paper sack containers or other equally dust-proof containers."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 13, strike out the word and figure "Sec. 3," and insert in lieu thereof the following: "Section 1."

Amendment adopted.

AMENDMENT No. 4.

On page 2, Section 4, strike out all of Section 4.

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 10, strike out the figure "5," after the word "Sec.," and insert in lieu thereof the figure "2."

Amendment adopted.

AMENDMENT No. 6.

On page 1, strike out the title, and insert in lieu thereof the following: "An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same."

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 1, strike out the words "in a dust-proof container," and insert in lieu thereof the following: "in the manner herein provided."

Amendment adopted.

AMENDMENT No. 8.

On page 1, line 22, strike out the word and figure "Sec. 7," and insert in lieu thereof the following: "Sec. 4."

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 20, strike out the word and figure "Sec. 6," and insert in lieu thereof the following: "Sec. 3."

Amendment adopted.

Bill ordered to reprint, re-engrossment and third reading.

Assembly Bill No. 154—An Act to amend Section 103½ of the Code of Civil Procedure of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 154 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Chandler, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guiberson, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Pears, Pelsley, Richardson, Roberts, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 875—An Act to amend Section 288 of the Penal Code, relating to lewd and lascivious acts against children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 875 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A. Collins, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Scott, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Assembly Bill No. 671—An Act to provide for supplying the county auditor with a report of commitments to and discharges from public institutions.

Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893."

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

Also: Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

KUCK, Chairman.

The above reported bills ordered on file for second reading.

ON ATTACHÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Attachés, to whom was referred Assembly Bill No. 2043—An Act to amend Section 269 of the Political Code, relating to compensation for services after close of session—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

MR. SPEAKER: We, the undersigned, members of the Committee on Building and Loan Associations, being a majority of said committee, the necessary number to pass out bills, do hereby agree that Assembly Bill No. 834, introduced by Mr. Green, be passed out of committee with the recommendation that the same do pass.

HAYES.
FERGUSON.
STUCKENBRUCK.
GRAM.
LIBBY.
ROBERTS.
WYLLIE.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: In accordance with the requirements of Rule 30, Assembly Standing Rules, I hereby submit a report of the condition of legislation involving appropriations, in so far as such matters have reached this committee, and the aggregate amount of such proposed appropriations.

EDUCATIONAL INSTITUTIONS.

University of California	\$2,201,360 00
Chico State Normal	25,620 00
Fresno State Normal	205,000 00
Los Angeles State Normal	37,500 00
Santa Barbara State Normal	49,500 00
San Diego State Normal	34,000 00
San Francisco State Normal	263,800 00
California Polytechnic School	235,400 00
Contra Costa Polytechnic (new)	50,000 00
Scripps Institution of Biological Research	33,600 00
California Institution for the Deaf and the Blind	89,175 00
Total for educational institutions	\$3,314,955 00

HOSPITALS AND HOMES.

Industrial Home of Mechanical Trades for the Adult Blind	\$51,500 00
Sonoma State Home	107,816 03
Agnews State Hospital	170,000 00
Mendocino State Hospital	97,500 00
Napa State Hospital	149,800 00
Los Angeles State Hospital (new)	500,000 00
Southern California State Hospital	263,000 00
Stockton State Hospital	180,000 00
Veterans' Home	256,450 00
Hospitals—pension bills	4,000 00
Total for homes and hospitals	\$1,280,066 03

PRISONS AND REFORMATORIES.

Folsom State Prison	\$298,560 00
Preston Industrial School	44,000 00
Whittier Industrial School	53,500 00
State Training School for Girls (new)	200,000 00
State Reformatory, Yountville (new)	800,000 00
For assisting discharged and paroled prisoners	35,000 00
Total for prisons and reformatories	\$1,431,060 00
Boards and Commissions	\$245,500 00
Claims	16,800 48
Agricultural Park and Fair Grounds	310,022 41
Monuments and Memorials	59,600 00

EXPOSITIONS.

Panama-Pacific Exposition	\$1,100,000 00
Panama-California Exposition	535,000 00
Expositions—miscellaneous	324,000 00
Total for expositions	\$1,959,000 00

APPROPRIATIONS—Continued.

State Engineer's Department	\$49,566 65
State Board of Health	216,000 00
Angeles National Forest	15,000 00
Roads and Highways	326,950 76
National Guard	220,500 00
State Capitol and Grounds	42,490 00
State Buildings	4,068,500 00
State Printing Office	197,249 60
Bonds and funded indebtedness	3,703,500 00
Bonds of Officials	30,000 00
Salaries of Assemblymen, attachés and legislative printing	55,500 00
Deficiency appropriations	2,013 00
Miscellaneous appropriations	91,119 50
Total for all institutions	\$17,535,393 43
Total of salary increases and salaries of newly created officials	\$89,690 00
Grand total	\$17,625,083 43
Total appropriations recommended	\$29,749 60
Total amount of appropriations in bills signed by Governor Johnson	\$27,049 60
Respectfully submitted.	

WAYS AND MEANS COMMITTEE.

By W. F. CHANDLER, Chairman.

RECESS.

At twelve o'clock m. the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker pro tem. Johnstone in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes." approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1848 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bush, Byrnes, Canepa, Cary, Collins, Cram, Emmons, Ferguson, Ford, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Murray, Palmer, Pairs, Polsley, Richardson, Scott, Shannon, Shearer, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Weisel—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act

to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing section sixteen thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees, instead of establishing a separate county free library, and by amending section seventeen thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 490 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Cary, Cram, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Palmer, Peairs, Polsley, Richardson, Scott, Shannon, Shearer, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and White—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 61—An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein," approved March 20, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 61 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Collins, Cram, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Wall, Walsh, and Weisel—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 52 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Collins, Cram, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Scott, Shannon,

Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, and Weldon—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 232 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Richardson, Shearer, Simpson, Smith, Sutherland, Tulloch, Walsh, Weisel, and Weldon—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 409—An Act to amend section five hundred and eighty-three of the Code of Civil Procedure, relating to the dismissal of actions in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 409 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Collins, Cram, Dower, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, and Weldon—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to amend Section 340 of the Code of Civil Procedure, relating to actions which must be commenced within one year.

An Act to amend Section 338 of the Code of Civil Procedure, relating to actions which must be commenced within three years.

An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Assembly concurrent resolution relative to the mailing of copies of all Acts passed and approved relating to courts, judicial officers and amendments to codes to each judge of Superior Court, district attorneys and county clerks of the counties and cities and counties of this State.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Pelsley, Richardson, Roberts, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Wyllie—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Canepa (by request): Assembly Bill No. 2049—An Act to amend Section 340 of the Code of Civil Procedure, relating to actions which must be commenced within one year.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 2050—An Act to amend Section 338 of the Code of Civil Procedure, relating to actions which must be commenced within three years.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston: Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Kuck: Assembly Bill No. 2053—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Alexander: Assembly Concurrent Resolution No. 23—Relative to the mailing of copies of all Acts passed and approved relating to courts, judicial officers and amendments to codes to each judge of

Superior Court, district attorneys and county clerks of the counties and city and counties of this State.

Read, and referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1303—An Act to amend Section 2349 of the Political Code of the State of California, relating to certain streams and waters and the navigability thereof as public ways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1303 passed by the following vote:

AYES—MESSRS. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Green, Guiberson, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weldon, White, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1179 passed by the following vote:

AYES—MESSRS. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Cary, Cram, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Slater, Strine, Tulloch, Weisel, White, Woodley, and Wyllie—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

On motion of Mr. Fish, the consideration of the above Assembly bill was made a special order for Friday, March 28, 1913, at eleven o'clock a.m.

SPEAKER IN THE CHAIR.

At two o'clock and fifty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1001 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2016—An Act to amend an Act entitled “An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School,” approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 20 and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

During third reading of the bill, Mr. Gates moved that the Speaker appoint a select committee of one to amend the bill as follows:

Amend the title of Assembly Bill No. 2016 by striking out the whole thereof and inserting in lieu thereof the following: “An Act to amend an Act entitled ‘An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor,’ approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 18, 19, 20, and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.”

Also: On page 1, strike out all of lines 2, 3, and 4, and insert in lieu thereof the following: “‘An Act to establish a state reform school for juvenile offenders, and to make an appropriation therefor.’”

Also: On page 1, after the word “April”, in line 6, strike out the figure “9”, and insert in lieu thereof the figures “19”.

Also: On page 2, strike out the word “other” in line 33, and insert in lieu thereof the word “such”.

Also: On page 2, strike out the word “such” in line 34, and insert in lieu thereof the word “other”.

Also: On page 3, amend lines 21, 22, 23, and 24, by striking out the following: “Whenever said institution shall have been so far completed as to properly admit of the reception of inmates therein, the Governor shall make due proclamation of the fact, and thereafter”.

Also: On page 3, amend line 25, by striking out the words “its care and guardianship,” and inserting in lieu thereof the words “the care and guardianship of the school”.

Also: On page 4, line 4, *et seq.*, strike out all of Sections 7, 8 and 9, and insert in lieu thereof the following:

“SEC. 7. Section 18 of said Act is hereby amended to read as follows:

Section 18. It shall be lawful for the trustees of the Whittier State School whenever they may deem any inmate of the school to have been so far reformed as to justify his or her discharge, to give him or her a discharge and to cause an entry of the reasons for same to be made in the book of records prepared for that purpose. All the persons thus discharged, and all those who have attained the age of twenty-one years shall thereafter be released from all penalties and disabilities resulting from the offenses or crimes for which they were committed. Upon the final discharge of any inmate as in this section provided, the superintendent shall immediately certify such discharge in writing, and shall transmit the certificate to the court by which such inmate was committed. Said court shall thereupon dismiss the accusation and the action against such inmate.

SEC. 8. Section 19 of said Act is hereby amended to read as follows:

Section 19. There shall be established in said school a system of marking and grading, based upon merit of attainments in school, shop, and general conduct, by which the boy or girl committed thereto may work out his or her way to parole and honorable discharge, with power to the superintendent of penalizing an inmate for

misconduct by loss of merit marks. When, in the opinion of the superintendent, a boy or girl by the regulations established for that purpose, has earned a right to a parole, a reputable home or place of employment shall be provided, where said girl or boy may be employed and earn an honorable living, and the superintendent shall then recommend said boy or girl to the trustees for parole, and if the trustees are satisfied that it is for the welfare of such boy or girl to be paroled, they shall grant such parole under such conditions as they may deem best, which parole shall continue until such boy or girl has proved his or her ability for honorable self-support, whereupon he or she shall, upon the recommendation of the superintendent, be discharged. Any boy or girl, however, who, while on parole, violates any of the conditions of parole, may be returned or brought back to the school.

SEC. 9. Section 20 of said Act is hereby amended to read as follows:

Section 20. Any boy or girl committed to said school who after the trial is found to be, in the opinion of the superintendent, incapable of reformation or so mentally or morally deficient or incorrigible, or in such a condition of health as to render his or her detention detrimental to the interests of said school, or when it is ascertained by good and sufficient evidence that said boy or girl has misrepresented his or her age to the court who sentenced him or her, or has been previously convicted of a felony, he may recommend such boy or girl to the trustees for return to the said court, and if the said board of trustees is satisfied that it is for the best interests of the school that such boy or girl be returned it shall so cause him or her to be returned to said court, and it shall be lawful for said court to set aside the previous commitment to the said Whittier State School, whereupon the court shall resume proceedings where the same were suspended when such commitment was made. And in the event of such return or transfer, the transportation of said boy or girl shall be made in the same manner, and the compensation therefor, if any, be paid as provided for in Section 25 of this Act for the execution of a writ of commitment.

SEC. 10. Section 27 of said Act is hereby amended to read as follows:

Section 27. Any boy under the age of sixteen years who is undergoing sentence in any state prison in this State (except such as are undergoing a life sentence), and who shall be deemed a fit subject for training in said school, may, upon the recommendation of the State Board of Prison Directors, with the approval of the Governor and the consent of the superintendent of the school, be transferred to said school for the unexpired portion of his sentence; and when honorably discharged from said school, as hereinbefore provided, he shall be entitled to such benefits and immunities as are provided for the other inmates of the institution.

SEC. 11. All Acts and parts of Acts inconsistent with this Act are hereby repealed."

Motion carried.

The Speaker appointed Mr. Gates as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2016, with instructions, do now report that the instructions of the Assembly have been carried out.

GATES, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Morgenstern, Mr. Green Majors was granted the privilege of the Assembly Chamber for this day.

INTRODUCTION OF CONCURRENT RESOLUTION.

Mr. Benedict asked for and was granted unanimous consent to introduce the following: Assembly Concurrent Resolution No. 24—Approving thirteen amendments to the charter of the city of Los Angeles.

Assembly concurrent resolution read, and ordered on file without reference.

ADJOURNMENT.

At three o'clock p.m., on motion of Mr. McDonald, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, March 27, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, W. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shattel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—76.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Weldon, Mr. Griffin was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Inman, the further reading was dispensed with.

PETITIONS.

The following petitions were received, and ordered printed in the Journal:

By Mr. Bohnett:

Resolved, That the Willows Reading and Improvement Club of San Jose does hereby endorse the Flint-Cary bill to prohibit the sale of wild game, and urges its passage by the California Legislature, as an important measure for the conservation of wild life.

Resolved, That the Willows Reading and Improvement Club of San Jose does hereby petition the members of the California Legislature to actively oppose the passage of measures which would remove protection from any of the present non-game birds, especially any laws which place robins, meadowlarks, and blackbirds on the game list.

By Mr. Johnson:

WHEREAS, The State Legislature has under consideration certain bills aimed now at the removal of San Francisco cemeteries, said legislation if enacted would establish a precedent for scheming real estate exploiters in every city and town in the State; and

WHEREAS, Said proposed legislation is opposed to the very principle upon which our government is founded, to wit: the taking of property without permission of the owner, and not in the exercise of the right of public domain, and without due compensation or process of law; and

WHEREAS, This violation of justice would be perpetrated not because "the dead are crowding the living," but that the ambitions of certain investors, whose greed

would forever deny a permanent resting place for the dead, might be satisfied; therefore, be it

Resolved, That we are unalterably opposed to all cemetery bills now pending and do hereby petition the State Legislature to refuse to enact any of these bills.

(Endorsed by)

UPLAND WOMAN'S CLUB.

MAE E. CABLE, President.

BERTHA WATSON, Corresponding Secretary.

By Mr. Murray:

To the Legislature of the State of California:

We, the undersigned, hereby protest against Senate Bill No. 905, which launches the State of California into the insurance business.

We believe such a bill will work a hardship on employers of labor and eventually be ruinous and disastrous. We, therefore, request that you vote against this proposed measure and use your influence to defeat same.

(Signed) W. R. SWAN.

Cashier The Rideout Bank.

Also:

WHEREAS, There has been introduced at the present session of the State Legislature bills (Senate No. 466 and Assembly No. 858) limiting the daily hours of labor for women to eight; and

WHEREAS, The passage of such bill will work hardship, wrong and great financial loss to the fruit growers, packers and canners of the State of California, and especially to the women who depend upon employment in the fruit and canning industries for such of their livelihood; and

WHEREAS, The passage of this bill will be of benefit only to the Oriental population of this State, who will succeed to the work of the women when the latter are barred from employment in the orchards, packing houses and canneries; and

WHEREAS, The passage of said bill will greatly add to the expense of hospital and surgical and medical attendance and services, by necessitating the employment of three eight-hour shifts of female nurses and other employees of the hospitals, physicians and surgeons; therefore, be it

Resolved, That it is the sense of the Merchants' Association of Woodland that said bills (Senate No. 466, and Assembly No. 858) are harmful, unjust and foolish, and that same should not be passed; and

Resolved, That vigorous protest should be made by the entire State against this measure, which will rob the women for the benefit of the Japs, Chinese and Hindus; and

Resolved, That the president and secretary of this association be instructed to send a copy of these resolutions to the Senators and Assemblymen representing this district, protesting against said bill, and urging that same be not passed.

T. S. SPAULDING, President.

JAMES C. HARE, Secretary.

Also:

To the Legislature of the State of California:

For the protection of the dairy industry, we respectfully request your support and vote for the following bills: Assembly Bill No. 535, Guiberson, and Senate Bill No. 570, Cogswell; Assembly Bill No. 536, Guiberson, and Senate Bill No. 569, Cogswell; Assembly Bill No. 537, Guiberson, and Senate Bill No. 572, Cogswell; Assembly Bill No. 538, Guiberson, and Senate Bill No. 571, Cogswell.

Would also ask you to use your influence in defeating the following bills, which are injurious, and several ruinous to the dairyman: Assembly Bill No. 575, Inman; Assembly Bill No. 573, Inman, and Senate Bill No. 757, Finn; Assembly Bill No. 663, Richardson, and Senate Bill No. 566, Regan; Assembly Bill No. 232, McDonald; Assembly Bill No. 241, Benedict; Assembly Bill No. 493, Walsh; Assembly Bill No. 31, Kingsley.

The labor question at the present time is almost unbearable for the dairyman, and it would be out of the question to employ an extra crew for one day in the week.

Very respectfully yours,

A. W. MORRIS & SONS CORP.

By F. L. MORRIS.

By Mr. Killingsworth:

WINTERS, CAL., March 22, 1913.

To the Legislature of the State of California:

At a meeting held by the Putah Creek Riparian Defense Association at Winters, on this date, the following resolution was unanimously passed:

WHEREAS, We, the riparian landowners on Putah Creek, in Yolo, Solano, Napa and Lake counties, in conference gathered, view with apprehension Senate Bill

No. 606, and feel that the same is against our best interests and vested rights; therefore, be it

Resolved, That we call upon our representatives in the Legislature of California to use all honorable methods to cause the defeat of this and any similar bill.

Respectfully,

WM. W. BRINK, Secretary.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1113—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site.

Also: Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, by adding a new section thereto, to be numbered 77a, relating to the doing of work and making improvements upon railroad tracks and the roadbed thereof existing upon the streets of municipalities and the proceedings relating thereto.

Also: Senate Bill No. 392—An Act to amend Section 288b of the Code of Civil Procedure, relating to licenses to practice law.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1070—An Act to regulate certain scaffolding or staging for the protection of workmen; requiring that in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support such employers shall be subject to the provisions of this Act: fixing penalties for a violation hereof to be the same as provided in Section 402c of the Penal Code; and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Also: Senate Bill No. 1495—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

Also: Senate Bill No. 487—An Act to amend Section 4261 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1232—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Also: Senate Bill No. 683—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Also: Adopted Senate Concurrent Resolution No. 16—Relative to the appointment of a committee of the Legislature, to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture

and painting, in the furnishing, decoration, repair and construction of all state, county, school and municipal buildings, grounds and public works throughout this State.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1113 read first time, and referred to Committee on Judiciary.

Senate Bill No. 63 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 392 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1070 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 1495 read first time, and referred to Committee on Irrigation.

Senate Bill No. 487 read first time, and referred to Committee on County Government.

Senate Bill No. 1232 read first time, and referred to Committee on Judiciary.

Senate Bill No. 683 read first time, and referred to Committee on Judiciary.

Senate Concurrent Resolution No. 16 read, and referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Emmons:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as an Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

Referred to Committee on Introduction of Bills.

By Mr. Collins:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Sections 953a and 953c of the Code of Civil Procedure of the State of California, relating to the duty of the clerk upon appeal and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Courts of Appeal.

Referred to Committee on Introduction of Bills.

By Mr. Hayes:

MR. SPEAKER: I hereby request permission to introduce the accompanying bill, the title of which is as follows: An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF CONCURRENT AND JOINT RESOLUTIONS.

The following were introduced, and referred as indicated:

By Mr. Roberts: Assembly Joint Resolution No. 24—Relative to banking and currency reform.

Read, and referred to Committee on Federal Relations.

By Mr. Green: Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of San Luis Obispo.

Read, and referred to Committee on Municipal Corporations.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1404—An Act amending the Civil Code of the State of California, by adding a new section thereto, to be numbered 633½.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 507—An Act amending sections one and three of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 508—An Act to create the California highway commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 8, line 21, strike out the word "session," and insert in lieu thereof the following: "regular session of the Legislature."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 658—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, lines 1 and 2, strike out the words and figures "one hundred sixty-eight dollars and seventy-six cents (\$19,168.76)" and insert in lieu thereof the following: "two hundred seventy-six dollars and twenty cents (\$19,276.20)."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1405—An Act to amend Section 16 of an Act known as "The Building and Loan Commission Act," Chapter 354, Laws of 1911, approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1576—An Act to provide for the formation and establishment of road districts; the construction, acquisition, maintenance, control and use of roads; defining the term "road"; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commissioner to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commissioner, their terms of office, and of elections to be held in such districts.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

Strike out all of Section 1 and insert in lieu thereof the following:

"Section 1. A drainage district is hereby created, to be known and designated 'Knight's Landing Ridge Drainage District,' the boundaries of which said district shall be as follows:

Beginning at a point which is the intersection of the township line dividing township 12 north, range 1 east, and township 13 north, range 1 east, Mt. Diablo base and meridian, and the right or west bank of the Sacramento River, said point being on the boundary line between the counties of Colusa and Yolo, State of California; and thence southeasterly along and with the said right or west bank of the said Sacramento River, to the intersection with the east boundary line of section 12 in township 12 north, range 1 east; thence south along the east line of said section 12 to its intersection with the right bank of said Sacramento River; thence southeasterly along the right or west bank of said Sacramento River to its intersection with the quarter section line running north and south through the center of section 32, township 11 north, range 3 east, Mount Diablo base and meridian; thence south to the center of section 8, township 10 north, range 3 east, Mount Diablo base and meridian; thence west to the quarter section corner common to section 7, township 10 north, range 3 east, and section 12, township 10 north, range 2 east; thence north to the southeast corner of the northeast quarter of the northeast quarter of said section 12; thence west to the east line of section 11, township 10 north, range 2 east; thence north to the section corner common to sections 1, 2, 11 and 12, township 10 north, range 2 east; thence west to the southwest corner of the southeast quarter of the southeast quarter of said section 2; thence north to the center of the southeast quarter of said section 2; thence west to the center of the southwest quarter of said section 2; thence north to the mid-section line running east and west through the said section 2; thence west to the east line of section 3, township 10 north, range 2 east; thence north to the southeast corner of the northeast quarter of the northeast quarter of said section 3; thence west to the center of the northeast quarter of said section 3; thence north to the center of the southeast quarter of section 34, township 11 north, range 2 east; thence west to the mid-section line running north and south through said section 34; thence north to the center of said section 34; thence west to the southwest corner of the southeast quarter of the northwest quarter of said section 34; thence north to the mid-section line running east and west through section 27, township 11 north, range 2 east; thence east to the center of said section 27; thence north to the south line of section 22, township 11 north, range 2 east; thence east to the southwest corner of the southeast quarter of the southeast quarter of said section 22; thence north to the mid-section line running east and west through the said section 22; thence east to the west line of section 23, township 11 north, range 2 east; thence north to the northeast corner of said section 22; thence west to the northwest corner of

said section 22; thence north to the one fourth section corner between sections 15 and 16, said township and range; thence west to the one fourth section corner between sections 17 and 18, said township and range; thence north to the northeast corner of the southeast quarter of the northeast quarter of section 18; thence west to the center of the northeast quarter of the said section 18; thence north to the center of the southeast quarter of section 7, township 11 north, range 1 east; thence west to the center of the southwest quarter of the said section 7; thence north to the center of the northwest quarter of the said section 7; thence west to range line between ranges 1 and 2 east and the southwest corner of said northwest quarter of the northwest quarter of said section 7; thence south along the range line to the southeast corner of section 12 in township 11 north, range 1 east, Mount Diablo base and meridian; thence west one and one half miles to the quarter section corner between sections 11 and 14 in said last mentioned township and range; thence north, through the center of said section 11, to the quarter section corner between said section 11 and section 2 in said last mentioned township and range.

Thence west one mile to the quarter section corner between sections 3 and 10, said last mentioned township and range; thence north one mile through the center of said section 3 to the township line between townships 11 and 12 north, and to the quarter section corner between section 3 in said township 11 and said section 34 in said township 12 north, range 1 east; thence west one mile to the quarter section corner between section 4 in township 11 north and section 33 in township 12 north, range 1 east; thence north zero degrees, 50 minutes east to a point nine hundred eighty-four and three-tenths (984.3) feet south of the center of said section 33, in township 12 north, range 1 east; thence north 81 degrees, 59 minutes west twenty-six hundred and eighty and four-tenths (2680.4) feet to the line between sections 32 and 33, in said last mentioned township and range; thence south along said line, to the southeast corner of said section 32; thence west one mile to the southwest corner of said section 32; thence north, along the section line between sections 31 and 32 in said township and range to a point seven hundred and forty-six and two-tenths (746.2) feet north of the quarter section corner between said sections 31 and 32; thence north 31 degrees, 14 minutes, 30 seconds west, eleven thousand five hundred and twenty-seven and one-tenth (11,527.1) feet to a point six hundred feet west of the quarter section corner between sections 19 and 24, and townships 1 east and 1 west; thence parallel with the meridian line north 00 degrees 04 minutes east to the north boundary line of section 1, in said township 12 north, range 1 west, and the line between the counties of Yolo and Colusa; thence, northeasterly in a straight line to the northeast corner of the southeast quarter of section 36, in township 13 north, range 1 west, Mount Diablo base and meridian, in the county of Colusa; thence north to the northeast corner of said section 36; thence continuing north to an intersection with a line running parallel with and five hundred feet westerly, from the westerly base of "Howell Point" levee, which point of intersection is one and ninety-six hundredths (1.96) chains south of the northeast corner of section 25 in said township 13 north, range 1 west, M. D. M.; thence north 31 degrees, 45 minutes west, parallel with and five hundred feet westerly of the base of said "Howell Point" levee, sixty-six and ninety-six hundredths (66.96) chains; thence north 48 degrees, 15 minutes west, to an intersection with the south line of section 11, said last mentioned township and range at a point one and sixty-four hundredths (1.64) chains east of the southwest corner of said section 11; thence west one and sixty-four hundredths (1.64) chains to the southwest corner of section 11; thence (variation 18 degrees, 30 minutes east) north 00 degrees, 07 minutes east, three and ninety-three hundredths (3.93) chains to the westerly boundary of a certain tract of land over which Henry Gregory granted to reclamation district No. 108 a right of way for levee and canal purposes, by deed recorded in the office of the county recorder of the county of Colusa, on the 31st day of March, 1903, in book 55 of deeds at page 514; thence (variation 18 degrees, 30 minutes east) north 42 degrees, 27 minutes west, along the western boundary of said last mentioned tract, one hundred and four and twenty-four hundredths (104.24) chains to a stake on the line between sections 3 and 10 said last mentioned township and range, at a point 14.29 chains east of the northwest corner of said section 10; thence west, along the line between said sections 3 and 10 to the said northwest corner of said section 10; thence north, on the line between sections 3 and 4 in said last mentioned township and range, fifteen and sixty hundredths (15.60) chains to the westerly boundary of a certain tract of land over which Andrew Hopkins granted to reclamation district No. 108 a right of way by deed recorded in the office of the county recorder of Colusa County, on the 31st day of August, 1906, in Book "62" of Deeds, at page 102; thence north 42 degrees, 27 minutes west, forty-three and twenty-nine hundredths (43.29) chains to an intersection with the north boundary line of land now owned by Andrew Hopkins in section 4; thence, continuing on same course, forty-three and eleven hundredths (43.11) chains to township line between townships 13 and 14 north, range 1 west, at a point seven and twenty-seven hundredths (7.27) chains west of the quarter section corner between said section 4 and section 33 in township 14 north, range 1 west; thence west to the quarter section corner between section 5, township 13 north, range 1 west, and section 32 in township 14 north, range 1 west, Mount Diablo base and meridian; thence north to the center of section 29, township

14 north, range 1 west; thence east to the center of section 27 in said township and range; thence north to the center of the south half of section 22, said township and range; thence east to the northeast corner of the southeast quarter of the southeast quarter of said section 22; thence north to the quarter section corner between sections 22 and 23; thence east to the quarter section corner between sections 23 and 24, said township and range.

Thence north to the northwest corner of the southwest quarter of the northwest quarter of said section 24; thence east to the center of the northwest quarter of said section 24; thence north to south line of section 13, same township and range; thence west to the southwest corner of said section 13; thence north to the quarter section corner between sections 13 and 14, same township and range; thence east, through the center of said section 13 to the quarter section corner between sections 13 and 18 on the meridian line between ranges 1 west and 1 east; thence south along the meridian line, and east boundary of said sections 13 and 24, to the southwest corner of the northwest quarter of the northwest quarter of section 19 in township 14 north, range 1 east, M. D. M.; thence east to the mid-section line running north and south through the center of said section 19; thence south to the southeast corner of the northeast quarter of the northwest quarter of section 30, in said township and range; thence west to the center of the northwest quarter of said section 30; thence south to the mid-section line running east and west through said section 30; thence east to the center of said section 30; thence south to the southwest corner of the northwest quarter of the northeast quarter of section 31, thence east to the center of the northeast quarter of said section 31; thence south to the mid-section line running east and west through said section 31; thence east to the east line of said section 31; thence north to the southeast corner of the northeast quarter of the southeast quarter of said section 30; thence west to the center of the southeast quarter of said section 30; thence north to the mid-section line running east and west through the center of said section 30; thence east to the east line of said section 30; thence north to the southeast corner of the northeast quarter of the northeast quarter of said section 30; thence east to the mid-section line running north and south through the center of section 29, same township and range; thence north to the north line of said section 29; thence east to the northeast corner of the northwest quarter of the northeast quarter of said section 29; thence south to the mid-section line running east and west through the center of said section 29; thence east to the center of section 28 in said township 14 north, range 1 east; thence south to the southeast corner of the northeast quarter of the southwest quarter of section 33, said township and range; thence west to the center of the southwest quarter of said section 33; thence north to the mid-section line running east and west through the center of said section 33; thence west to the west line of said section 33; thence south to the southwest corner of section 33; thence east to the southwest corner of the southeast quarter of the southwest quarter of said section 33; thence south to the center of the northwest quarter of section 4 in township 13 north, range 1 east, M. D. M.; thence west to the west line of said section 4; thence south to the quarter section corner between sections 4 and 5 in said last mentioned township and range; thence east to the southeast corner of the southwest quarter of the northwest quarter of said section 4; thence north to the center of the northwest quarter of said section 4; thence east to the east line of said section 4; thence north to the northeast corner of said section 4 and the township line; thence east, along said township line between townships 13 and 14 north, range 1 east, to the quarter section corner between sections 35 in township 14 north, range 1 east, and section 2 in township 13 north, range 1 east, M. D. M.; thence south to the center of said section 2; thence east to the east line of said section 2; thence south to the quarter section corner between sections 11 and 12, in said township 13 north, range 1 east; thence west to the center of the east half of said section 11; thence south to the south line of said section 11; thence west to the quarter section corner between sections 11 and 14 in said township and range; thence south to the center of said section 14; thence west to the west line of section 14; thence south to the southwest corner of said section 14; thence west to the southwest corner of the southeast quarter of the southeast quarter of section 15, same township and range; thence south to the south line of section 27, same township and range; thence west to the quarter section corner between sections 27 and 34, same township and range; thence south, through the center of said section 34 to the south line of said section 34 and the township line between townships 12 and 13 north, said township line, being also the boundary line between the counties of Colusa and Yolo, State of California; thence east along the township line to the point of beginning, and being in the counties of Colusa and Yolo, State of California."

Amendment adopted.

AMENDMENT No. 2.

1. Strike out all of Section 5, beginning with the word "it," line 7, and ending with the word "employees," line 25, page 14, and insert the following:

"It shall be the duty of said board of drainage commissioners to take such steps as may be necessary to open a cut through Knight's Landing ridge in Yolo County, and to construct a canal leading from said cut for the purpose of draining and dis-

posing of the waters of Colusa Basin by carrying the same to the head of the Yolo by-pass in section 8, township 10 north, range 3 east, M. D. B. and M., in said county of Yolo, as defined by and in accordance with the general plan of the California Debris Commission, transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War, on the 27th day of June, 1911, with such modifications or amendments as may hereafter be adopted by said reclamation board, and in accordance with such plan as shall be approved by said reclamation board, or made in accordance with law and in the manner hereinafter provided. The said canal shall be of such size and the embankments thereof of sufficient strength and dimensions as to prevent the waters therein from overflowing its banks. No water shall be permitted to flow through any cut or excavation in said ridge provided to be made in this Act until the canal to be constructed as hereinbefore provided shall have been completed so as to convey the waters flowing or to flow through said cut to the head of said Yolo by-pass in said section 8 in a manner satisfactory to the said reclamation board.

Said drainage commissioners shall also have power to construct such gates in said canal or ridge, or in or near Sycamore Slough where the same enters the Sacramento River above said ridge, as may be necessary to carry out such plan. If required by the said reclamation board, such gates must be constructed before such ridge is cut or excavated."

Amendment adopted.

AMENDMENT No. 3.

1. Strike out all of Section 6, beginning with the word "said," line 12, page 15, and ending with the word "money," line 5, page 16, and insert the following: "Said lists, when completed, shall be filed with the clerk of the board of supervisors of the county of Yolo, State of California. The board of supervisors shall appoint a time when it will meet for the purpose of hearing objections to said assessment, and notice of such hearing shall be given by publication for four weeks in a newspaper of general circulation published in the county of Yolo, and in a newspaper of general circulation published in the county of Colusa. At any time before the date of such hearing any person interested in any land upon which any charge has been assessed may file written objections to such assessment, stating the grounds of such objections, which said statement shall be verified by the affidavit of such person, or some other person who is familiar with the facts. At said hearing the board of supervisors shall hear such evidence as may be offered in support of said written objection, and may modify or amend the assessment in any particular, or make a reapportionment of the entire assessment. If the amount of any assessment in said list shall be changed, the board of supervisors shall set a day for hearing objections to said assessment as changed, and shall give notice thereof by publication for four weeks in a newspaper of general circulation published in the county of Yolo, and in a newspaper of general circulation published in the county of Colusa. At such hearing objections in writing may be made by any person interested, and the board of supervisors shall proceed to hear the same in the same manner as upon the original hearing. If the amount of any assessment shall again be changed, the board of supervisors shall proceed as before to give notice and to hear objections thereto, and shall proceed in a similar manner until the amount of each assessment shall be finally fixed and approved. The board of supervisors shall then make an order approving said assessment, and shall endorse such order upon such assessment list, which said endorsement shall be signed by the chairman of said board of supervisors and attested by the clerk thereof, and such decision of said board of supervisors shall be final, and thereafter said assessment list shall be conclusive evidence that the said assessment has been made and levied according to law, except in an action commenced, as hereinafter provided.

Immediately after the approval of said assessment the order approving same shall, by the clerk of said board of supervisors, be deposited in the office of the county treasurer of Yolo County, and a copy thereof shall be certified to by said clerk and deposited by said clerk in the office of the treasurer of Colusa County.

Any person aggrieved by the decision of the board of supervisors may commence an action in the Superior Court of the county in which the greater part of said district is situated, to have said assessment corrected, modified or annulled. Such action must be commenced within thirty days after said assessment list has been filed in the office of the county treasurer. If said action shall not be commenced within said thirty days, no action or defense shall thereafter be maintained attacking the legality of said assessment in any respect."

2. Strike out all of line 6, beginning with and including the word "after," on said line, all of lines 7, 8 and 9, and line 10, down to and including the period on said line 10, page 16.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 4, Section 3, line 11, strike out the word and figures "twelve (12)", where the word "twelve" first occurs in line 11, of page 4, and insert in lieu thereof the following: "one (1)".

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 2, line 13, after the word "county," insert the following: "None of the lands contained within the description set forth in Section 3 of this Act, which do not lie within the boundaries of either Reclamation District No. 108 or Reclamation District No. 729, prior to their reorganization and consolidation, as set forth in Section 1 hereof, shall be liable for any indebtedness or obligations of either incurred before this Act shall take effect."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2043—An Act to amend Section 269 of the Political Code, relating to compensation for services after close of session.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 10, strike out the word "thirty", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 12, strike out the word "thirty", and insert in lieu thereof the word "twenty".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 3, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 24, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 37, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 6.

On page 4, line 16, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 26, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 29, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 9.

On page 4, line 34, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 10.

On page 5, line 9, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 11.

On page 5, line 17, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT No. 12.

On page 6, line 3, strike out the word "superintendent", and insert in lieu thereof the word "commissioner".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 834—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, of the Civil Code of the State of California, and repealing Section 648a of the Civil Code of the State of California, all relating to land and building corporations.

Bill read second time, and ordered to engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballot when a challenge to a person offering to vote is sustained.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1732 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Guill, Hayes, Judson, Killingsworth, Kingsley, McDonald, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Scott, Shannon, Simpson, Slater, Wall, Weisel, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code, relating to the challenging of voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1735 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Collins, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Judson, Killingsworth, Libby, Moorhouse, Morgenstern, Murray, Palmer, Peairs, Polsley, Scott, Simpson, Slater, Strine, Sutherland, Wall, Weisel, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Fitzgerald gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1735 was this day passed.

Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1647 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Brown, Bush, Canepa, Cary, Chandler, Collins, Cram, Dower, Emmons, Ferguson, Finnegan,

Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 598 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Schmitt, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bagby gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 598 was this day passed.

Assembly Bill No. 671—An Act to provide for supplying the county auditor with a report of commitments to and discharges from public institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—54.

NOES—None.

TITLE AMENDED.

The following amendment to title was submitted by Mr. Bloodgood:

Amend title as follows: Strike out the words "and discharge from".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities

and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 163 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Judson, Killingsworth, Kuck, McDonald, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Woodley, and Mr. Speaker—49.

NOES—Messrs. Schmitt, and White—2.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

During third reading of the bill, Mr. Chandler moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 9, strike out the word "forever".

On motion of Mr. Sutherland, further consideration of the above motion was postponed until one o'clock and thirty minutes p.m.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 1150—An Act making an appropriation for office equipment for the State Board of Health—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 366—An Act to amend Section 737 of the Political Code, relating to the salaries of superior judges.

Also: Assembly Bill No. 688—An Act to amend Section 737 of the Political Code of the State of California, relating to the salaries of superior judges.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on County Government.

CHANDLER, Chairman.

The above reported bills re-referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Also: Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

Also: Assembly Bill No. 1368—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire, in September, 1912.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap, so as to eliminate the grade crossing over the railroad track near Summit Station.

Also: Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Also: Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Also: Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Also: Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "State Building Bonds," to provide a fund for the erection and equipment of a state hospital near the city of Los Angeles, for the erection and equipment of buildings for a state reformatory to be established near Yountville, in the county of Napa, and for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 626—An Act appropriating money to pay the expense of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the kingdom of Belgium, in the year nineteen hundred thirteen—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 26—An Act making an appropriation to construct, furnish and

equip a building to be used as a State Printing Office—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 1852—An Act appropriating money to assist in paying expenses for encampment of the United Spanish War Veterans.

Also: Assembly Bill No. 2048—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

HINKLE, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901 and 1902 of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HINKLE, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 281—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered Section 2a, relating to the dissolution of such districts where they have no assets and have no indebtedness not barred by the statute of limitations and have ceased to be going concerns.

Also: Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MURRAY, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628a, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Also: Assembly Bill No. 1289—An Act to amend Section 626*k* of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof. Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GUILL, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 809—An Act to amend the Penal Code of the State of California by adding a new section, to be known as 626*g*, relating to the protection and preservation of game birds—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1292—An Act providing for an investigation of the prevalence of venereal diseases in the State of California and making an appropriation therefor.

Also: Assembly Bill No. 1293—An Act directing the State Board of Health to prepare and disseminate information upon the subject of sex hygiene and venereal diseases and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

NELSON, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian and the State Commissioner of Horticulture of injury to animal life and vegetation in California caused by smelter wastes, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be re-referred to Committee on Ways and Means.

JUDSON, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1601—An Act to amend Section 702 of the Code of Civil Procedure of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1326—An Act to provide for the improvement of the public roads and highways of the State, and to provide the means of defraying the cost of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2025—An Act to amend sections twenty-seven hundred and sixty-one and twenty-seven hundred and sixty-four of the Political Code of the State of California, relating to permanent road divisions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1125—An Act to provide for the survey, location and construction of a state highway connecting the western end of the present Trinity state highway in Trinity County with the road system of Humboldt County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as the Kings River Canyon road.

Also: Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway, to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bills re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 92—An Act to provide for prompt relief and medical attention in case of accidents to employees and travelers upon railroads by compelling common carriers by railroads to maintain hospital cars.

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Assembly Bill No. 1401—An Act to amend section four thousand and seventy-five and section four thousand and seventy-six of the Political Code, relating to the presentation and form of claims against counties.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 506—An Act to provide for the care, management and protection of state highways and to repeal an Act entitled "An Act to provide for the care, management, and protection of state highways," approved March 24, 1903, and all Acts or parts of Acts amendatory thereof.

Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Assembly Bill No. 679—An Act to add a new section to the Political Code, to be known as Section 3665a.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 24—Approving thirteen certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Los Angeles at a special municipal election held therein on the 24th day of March, 1913—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 25—An Act appropriating two hundred thousand dollars (\$200,000) to complete the construction of the exposition building of the State of California at the Panama-California Exposition to be held in San Diego, California, during the year 1915.

Assembly Bill No. 90—An Act appropriating money to pay claim of Riverside County against the State of California.

Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Assembly Bill No. 234—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs and the times and places of hearings of drug cases.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

Assembly Bill No. 247—An Act making an appropriation of four hundred thirty-four and 53/100 dollars to pay the claim of Alice J. Miller against the State of California.

Assembly Bill No. 248—An Act to appropriate the sum of thirty-two hundred and twelve dollars and ninety-four cents (\$3,212.94) to pay the claim of J. Harry Russell.

Assembly Bill No. 341—An Act to amend section twelve hundred eighteen of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E. Smith, of Modoc County, against the State of California, exempting this Act from the provisions of section six hundred seventy-two of the Political Code, and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

Assembly Bill No. 720—An Act to amend Section 2681 of the Political Code of the State of California, relating to who may apply to alter, discontinue or lay out roads.

Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer, and defining its use and the liability therefor.

Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the state or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Assembly Bill No. 781—An Act appropriating money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes of 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes of 1907, for searching for beneficial insects.

Assembly Bill No. 830—An Act to amend Section 4041 of the Political Code of the State of California by adding a subsection thereto to be numbered Subsection 20a.

Assembly Bill No. 911—An Act to amend Section 4300c of the Political Code, relating to the fees of recorders.

Assembly Bill No. 912—An Act to amend Section 4142a of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter any street or alley in any incorporated city or town lying adjacent to or upon the property of any such school district, and providing for the payment thereof.

Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter any street in any incorporated city or town lying adjacent to or upon the property of any such county, and providing for the payment thereof.

Assembly Bill No. 963—An Act to amend Sections 11 and 18 of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

Assembly Bill No. 1132—An Act to amend section ten of the Political Code of California, relating to holidays.

Assembly Bill No. 1133—An Act to amend section ten of the Code of Civil Procedure, relating to holidays.

Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town.

Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Also: Assembly Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker pro tem. Johnstone in the chair.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

The question being upon the motion to appoint a select committee of one to amend the bill as follows:

On page 1, line 9, strike out the word "forever".

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Alexander, Chandler, Finnegan, Ford, Guiberson, Inman, McDonald, Moorhouse, Palmer, Shartel, Slater, Tulloch, Weldon, White, and Wyllie—15.

NOES—Messrs. Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Cram, Dower, Emmons, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Green, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Richardson, Roberts, Schmitt, Shannon, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—44.

SPEAKER IN THE CHAIR.

At one o'clock and fifty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Mr. Chandler moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 24, strike out the period, and add the following: "*provided, however, that the State of California may at any time cancel this grant by assuming the payment of all outstanding bonds and repaying all money that said city of Berkeley may have issued or paid for the improvement of said lands.*"

Motion lost.

Mr. Chandler moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 24, strike out the period and add the following: "*provided, however, that after fifty years the State of California may cancel this grant by assuming the payment of all outstanding bonds and repaying all money that said city of Berkeley may have issued or paid for the improvement of said lands.*"

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Chandler, Finnegan, Guill, Inman, McDonald, Moorhouse, Polsley, Scott, Shartel, Slater, Tulloch, Weldon, White, and Wyllie—14.

NOES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A.,

Dower, Emmons, Ferguson, Fitzgerald, Ford, Gates, Gelder, Green, Guiberson, Hinkle, Johnson, Geo. H., Killingsworth, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Richardson, Schmitt, Shannon, Shearer, Simpson, Smith, Strine, Sutherland, Walsh, Weisel, Woodley, and Mr. Speaker—44.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1090 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—58.

NOES—Messrs. Chandler, Finnegan, Moorhouse, Tulloch, Weldon, White, and Wyllie—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 35 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Emmons, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Libby, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—52.

NOES—Messrs. Chandler, Finnegan, Moorhouse, Weldon, White, and Wyllie—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits, and authorizing the State to accept the same.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 14, strike out all after the first word "fund," in line 14, down to and including the word "benefited," in line 15, and insert a period after the word "fund" in line 14.

On motion of Mr. Guill, further consideration of the above Assembly bill was made a special order for Friday, March 28, 1913, at two o'clock p.m.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

Consideration of the above Assembly bill postponed until after the consideration of Assembly Bill No. 505, on Friday, March 28, 1913, at two o'clock p.m.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION—(OUT OF ORDER)

Assembly Concurrent Resolution No. 24—Approving thirteen certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Los Angeles at a special municipal election held therein on the 24th day of March, 1913.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 24 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Assembly Concurrent Resolution No. 24 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 24.

Approving thirteen certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Los Angeles at a special municipal election held therein on the 24th day of March, 1913.

WHEREAS, The city of Los Angeles in the county of Los Angeles, State of California, contains a population of over one hundred thousand (100,000) inhabitants and has been ever since the year 1889 and is now organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 20th day of October, 1888, and approved by the Legislature of the State of California on the 31st day of January, 1889 (Statutes of 1889, p. 455); and

WHEREAS, The city council of said city of Los Angeles did, by ordinance designated as Ordinance No. 26,934 (new series), adopted by said city council on the 18th day of February, 1913, and approved by the mayor of said city on the 18th day of February, 1913, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of Los Angeles thirteen certain amendments, hereinafter set forth, to the charter of said city, to be submitted to said qualified electors at a special municipal election to be held in said city on the 24th day of March, 1913; and

WHEREAS, Said thirteen proposed amendments hereinafter set forth were and each of them was published for ten times in a daily newspaper printed and published in said city and of general circulation therein, to wit, *The Los Angeles Daily Journal*, said publication ending on the 3d day of March, 1913; and

WHEREAS, Thereafter the city council of said city did, by an ordinance designated as Ordinance No. 26,984 (new series), which was duly adopted on the 27th day of February, 1913, order the holding of a special municipal election in said city of Los Angeles on the 24th day of March, 1913, which last mentioned date was not less than twenty days nor more than forty days after the completion of the publication of said thirteen proposed amendments hereinafter set forth, for ten times in said daily newspaper of general circulation in said city of Los Angeles, to wit, the *Los Angeles Daily Journal*, and did provide in said ordinance for the submission of said thirteen proposed amendments to the said charter to the qualified electors of said city for their ratification at said special municipal election, which said ordinance was approved by the mayor of said city on the 4th day of March, 1913, and was published for at least five times prior to the time appointed for the holding of said election in the *Los Angeles Daily Journal*, a daily newspaper printed and published in said city; and

WHEREAS, At said election a majority of the qualified electors voting thereon voted in favor of the ratification of and did ratify each and all of said thirteen proposed amendments hereinafter set forth to said charter; and

WHEREAS, The city council of said city of Los Angeles, at a regular meeting thereof held within ten days after said election, duly canvassed the returns of said special election and duly found, determined and declared that a majority of such

qualified electors voting thereon had voted for and ratified each and all of the said thirteen proposed amendments to said charter; and

WHEREAS, The mayor and city clerk of said city of Los Angeles did, on the 25th day of March, 1913, duly certify to the submission to the electors of said city of Los Angeles of said thirteen proposed amendments to said charter and to the ratification of said thirteen amendments and did further certify to a copy of said proposed amendments, authenticated by the seal of said city of Los Angeles, which said certificate is in words and figures following, to wit:

STATE OF CALIFORNIA,	} ss.
COUNTY OF LOS ANGELES,	
CITY OF LOS ANGELES.	

CERTIFICATE OF RATIFICATION OF PROPOSED CHARTER AMENDMENTS TO THE CHARTER OF THE CITY OF LOS ANGELES.

We, the undersigned, Geo. Alexander, mayor of the city of Los Angeles, State of California, and Charles L. Wilde, city clerk of said city, do hereby certify as follows, to wit:

That the city of Los Angeles, in the county of Los Angeles, State of California, contains a population of over one hundred thousand (100,000) inhabitants and has been ever since the year 1889 and is now organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 20th day of October, 1888, and approved by the Legislature of the State of California on the 31st day of January, 1889 (Statutes of 1889, p. 455):

That the city council of said city of Los Angeles did, by Ordinance No. 26934 (new series), adopted by said council on the 18th day of February, 1913, approved by the mayor of said city on the 18th day of February, 1913, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of Los Angeles certain amendments to the charter of said city, to be submitted to the qualified electors at a special municipal election to be held in said city on the 24th day of March, 1913, which said amendments were and are in words and figures as follows, to wit:

Charter Amendment Number One.

That Subdivision (7) of Section 2 of Article I of the charter be amended to read as follows:

(7) To acquire by purchase, condemnation, lease, gift or otherwise, or to construct, extend, maintain and operate within or without the city limits, any and all plants and property necessary or convenient for furnishing the city and its inhabitants, or other municipal corporations or territory outside the city, and the inhabitants thereof, with transportation, communication, telephones, telephone service or connections, terminal facilities, water, light, heat, power, refrigeration, storage, or any other public service; to sell the products or service of any such utility, and to acquire lands, rights and property necessary or convenient for furnishing such products or service; and for the purpose of such acquisition, construction, extension, maintenance or operation of any such public utility or service, the city shall have power to do any, all, or any number of the following:

(a) To acquire any such utility subject to outstanding bonds against the same, in an amount not to exceed the total price or consideration at which the city shall acquire such utility.

(b) To issue, without regard to the debt limit, bonds in an amount not to exceed the total price or consideration at which the city shall acquire any utility, such bonds to be a lien upon the property of such utility alone and the city otherwise not to be liable on account thereof; and to grant a security franchise for the operation of such utility in case of default in the payment of such bonds.

(c) To issue bonds against its general credit within the debt limit prescribed by law; but whenever such public utility shall, upon application by the city, be determined by the Railroad Commission of the State of California to be self-sustaining, then the bonds so issued may by ordinance approved by a majority of the voters voting thereon at an election, be excluded from the debt limit.

(d) To enter into a contract with the owner of any public utility held or operated under franchise rights acquired prior to the adoption of this charter, by the terms of which contract the city may acquire an option or right to purchase, upon such notice as may be prescribed in such contract, or may agree to purchase all or any part of the property of such utility, upon paying therefor a price to be fixed in accordance with the terms of the contract. Such contract may provide that the city may acquire the utility subject to all or any portion of the outstanding indebtedness against the same, within the limitations above prescribed, but no such contract shall be valid until it is approved by a majority of the qualified electors of the city voting thereon at an election. The financial obligation assumed by the city under any such contract shall not be subject to the debt limitation until the purchase is actually consummated, and then may be exempted by ordinance, approved by a majority of the electors voting thereon at an election, from such limitation, if the State Railroad

Commission shall determine that the utility is self-sustaining. The provisions of the contract in this paragraph (d) mentioned need not include any, and the sale contract shall not be subject, as to the price to be paid thereunder, to any limitation prescribed in Section 2 of this charter, of which section this paragraph (d) is a part. Nothing in any such contract contained shall operate to extend the term of any franchise of any utility therein mentioned.

(c) To acquire all necessary land, rights and property, either within or without the city limits, or both within and without such limits.

No public utility, plant or property owned by the city, except as herein otherwise provided, shall ever be leased for private operation for a longer period than ten years.

That Subdivision (8) of Section 2 of Article I of the charter be amended to read as follows:

(8) To provide for supplying surplus water, gas or electricity belonging to the city, or the surplus product or service of any public utility conducted or operated by the city, to other municipal corporations, and to consumers and users outside of the city limits; *provided*, that the supplying or distribution of water, light or power, for use outside of the city, as aforesaid, shall, in every case, be subject to the paramount right of the city at any time to discontinue the same, in whole or in part, and to take and hold, or to distribute such water, light and power, or either thereof, for the use of the city and its inhabitants.

Charter Amendment Number Two.

That Subdivision (30) of Section 2, Article I of the charter be amended to read as follows:

(30) To fix the rates to be charged and collected by any person, firm or corporation for water, gas, heat, light, power, refrigeration, storage, telephones, telephone service, or telephone connections, or the conveyance of passengers or freight by means of ferries, street or interurban railway cars, hacks, cabs, or other cars or vehicles for hire, or for the products of or service by any other public utility operated or conducted within the city limits; and to regulate and prescribe the extent, character and quality of any public utility service and the method of and charges for making connections with the property of patrons and consumers; to regulate the construction and operation of works or plants for the production, transmission or distribution of such service, and the works or plants of any other public utility; to prescribe, regulate and control the systems of account of any such public utility; to require the construction, operation and maintenance of extensions necessary for the accommodation of the public and the development of the city, or to acquire or construct such extensions, or cause the same to be constructed; and require the owner or operator of any such utility to operate or use such extensions, and to have and exercise all powers necessary or convenient for the complete supervision, control and regulation of all public utilities and public utility service in the city, including all powers of control and regulation respecting the same vested in the city at the time of the approval hereof by the Legislature, or thereafter.

That Subdivision (40) of Section 2, Article I of the charter be amended to read as follows:

(40) To grant franchises, permits, or privileges for the construction and operation of plants necessary or convenient for furnishing the city and its inhabitants with transportation, communication, terminal facilities, water, light, heat, power, refrigeration, storage, or any other public service; to prescribe the terms and conditions of any such grant, and to prescribe by ordinance, approved by a vote of the people, the method of procedure for making such grants; subject, however, to the limitations elsewhere contained in this charter. No such grant, unless otherwise provided in this charter shall be made for a period exceeding twenty-one years. No grant for an extension of an existing utility shall be made for a period beyond the expiration of the franchise under which such utility or the portion of the utility with which such extension is to be connected, is held or operated, nor in any case for a period longer than twenty-one years. The city may by ordinance, upon the expiration of any franchise for a fixed or limited term, grant a renewal thereof for a period not to exceed three years in any one renewal, which renewal shall be terminable upon one year's written notice by the city. Such renewal shall not obligate the city in any manner over and above the obligations assumed by the city in the original franchise. Any such renewal may be succeeded by a similar renewal, but the sum total of such renewals on any given franchise shall not exceed twenty-one years.

Except as otherwise in this charter provided, every franchise, permit or privilege for the construction, extension or operation of a public utility shall reserve to the city the right to purchase the property of such utility, or find a purchaser therefor, after a period not exceeding five years from the date of the grant, upon one year's written notice, either at an agreed price or at a price to be determined in a manner prescribed in the grant. In fixing in any franchise the price to be paid by the city for any utility no allowance shall be made for franchise value, good will, going concern, earning power, increased cost of reproduction or increased value of right of way. All such grants, including grants of extension, shall be by ordinance subject to the referendary provisions of this charter.

That Subdivision (43) of Section 2, Article I of the charter be amended to read as follows:

(43) To grant franchises to cross public streets or ways for street, interurban or other railroads operated on or suspended from elevated structures or through subways on private rights of way for a period not to exceed forty years subject to the right of the city to purchase all or any part of the property of such utility, whether inside or outside the city limits, or both, or find a purchaser therefor, at the end of the period of such grant, upon the terms and conditions specified in the franchise; but in no such case shall any payment be made on account of franchise value, good will, going concern, earning power, increased cost of reproduction or increased value of right of way. If the city shall fail to exercise its option of purchasing the property of such utility at the end of the period of such grant, then the franchise, if it shall contain a provision for purchase by the city, shall be renewed for a period not to exceed ten years. Such renewals shall be subject to the right of the city to purchase the property of the utility at any time upon two years' notice, upon the same terms provided in the original franchise. No franchise for an elevated structure or subway shall be granted in or along any street or way in a longitudinal direction, either above or below the surface thereof, and every right so granted to cross any public street or way shall be subject to the right of the city to regulate the crossings of subways or elevated roads; and every ordinance making such a grant shall reserve to the city, for municipal subways or municipal elevated roads, its choice of levels, or grades, such choice to be made therein and such ordinance shall require that privately owned subways or elevated roads be so constructed as not to interfere with the levels for municipal subways or municipal elevated roads so chosen and reserved, or with the operation of municipal lines upon such levels.

Any franchise for a subway to cross either Hill, Broadway, Spring or Main streets, shall reserve, at the crossing points on said streets, to the city, the upper subway level for municipal subways and other municipal purposes, and shall grant only the second or lower subway level at such crossing points.

No franchise for a subway shall require the city, in the event of its purchasing such subway, to take surface property or pay for surface values.

Charter Amendment Number Three.

That Subdivision (33) of Section 2, Article I of the charter be amended to read as follows:

(33) To provide the places at which elections shall be held, to appoint the officers of election, to provide regulations for the purity of elections, including limitations upon the amounts of money that may be expended in connection with elections, and the purposes for which money may be so expended.

That Subdivision (21) of Section 2, Article I of the charter be amended to read as follows:

(21) To license and regulate, under general and uniform laws, any lawful business or calling; to fix the amount of license tax thereon, and to prescribe the manner of enforcing the same; *provided*, that no discrimination in the amount of license tax shall be made between persons engaged in the same business, otherwise than by proportioning the tax to the amount of business done. To license, regulate, restrain, suppress, or prohibit any or all laundries, livery and sale stables, cattle and horse corrals, slaughterhouses, butcher shops, brickyards, dance halls or academies, public billiard or pool halls or tables, bowling and tenpin alleys, boxing contests, sparring or other exhibitions, shows, circuses, games and amusements. To license, regulate or prohibit the construction and use of billboards, signs and fences.

That Subdivision (42) of Section 2, Article I of the charter be amended to read as follows:

(42) The bed of the Los Angeles River, as now or hereafter defined and located, shall not, nor shall any part thereof, ever be sold, granted, leased, transferred or alienated in any way; but the whole thereof shall be kept at all times for municipal purposes, and no franchise or right to use the same, or any part thereof, shall ever be granted, sold, leased or given away; *provided*, that this section shall not prevent the granting, by ordinance, of franchises or rights to cross said river bed, or to take sand or gravel therefrom, or to prevent the transportation by the city over any municipal railroad constructed by said city upon, across or along said bed of the Los Angeles River, of the motors, engines, cars or trains of any private person, firm or corporation operating any other line or system of railroad, or to prevent the city from permitting any such person, firm or corporation to run or operate motors, engines, cars or trains over such municipal railroad, the movement or handling of which motors, engines, cars or trains shall be subject at all times to the control of the city under such terms and conditions, and under such rules and regulations as may be prescribed by ordinance; such transportation by the city over a municipal railroad, of the motors, engines, cars or trains of any private person, firm or corporation, and permits to any such person, firm or corporation to run or operate motors, engines, cars or trains over such municipal railroad to be provided for only under a general ordinance authorizing such transportation and permit and allowing equal rights therein and thereto, without discrimination, to all such persons, firms and corporations applying for the same in a manner to be prescribed in such ordinance.

That a new subdivision be added to Section 2, Article I of the charter, to be known as subdivision (48), and to read as follows:

(48) To acquire private property by excess condemnation when the same shall be permitted by the Constitution or laws of the State.

That a new subdivision be added to Section 2, Article I of the charter to be known as Subdivision (49), and to read as follows:

(49) To permit and control the construction and maintenance of passageways or structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Charter Amendment Number Four.

That a new subdivision be added to Section 2, Article I of the charter, to be known as Subdivision (50), and to read as follows:

(50) The city of Los Angeles shall have and it is hereby given and it hereby reserves unto itself, and the people of the city hereby reserve unto it, and the people of the State of California hereby grant unto it, and said city may hereafter exercise, each and every of the powers which a municipal corporation might or could exercise under the Constitution of the State of California; and said city may hereafter acquire, own, hold, sell, deal in, manage, operate, or control any office, department, business, enterprise, utility, or property which might or could be acquired, owned, held, sold, dealt in, managed, operated or controlled by any person, firm or corporation whatsoever; *provided*, that under the authorization of this subdivision the city of Los Angeles shall not engage in any purely commercial or industrial enterprise not now engaged in by the city, except on the approval of a majority of the electors voting thereon at an election. By the insertion in this charter of the sentence next preceding the present sentence, the city of Los Angeles and the people thereof intend, and the people of the State of California, acting by and through the Legislature thereof in ratifying this charter, intend that the said sentence shall be, and is hereby declared to be, an express grant of the powers referred to therein, without a more specific enumeration or designation.

Charter Amendment Number Five.

That a new section be added to Article II of the charter, to be known as Section 11a, and to read as follows:

SEC. 11a. The council shall have power, by ordinance, to issue instructions to any appointive administrative board, commission or officer of the city, except to the board of civil service commissioners; *provided*, that such instructions shall relate to and not be inconsistent with the duties, as prescribed by the charter or otherwise by law, of the board, commission or officer so instructed and shall not be in conflict with or restraint of any instructions or delegation of authority made to any such board, commission or officer by any ordinance approved by a majority vote of the electors of the city heretofore or hereafter voting thereon at an election. The failure of any board, commission or officer to obey any instruction issued by the council under the provisions of this section shall, in addition to any other cause provided by law, constitute cause for the removal from office of any official so failing to obey such instructions.

Immediately after the first Monday in July, 1913, all the functions of the government of the city shall, by ordinance, be divided or grouped into nine divisions, and each member of the council shall, as provided in such ordinance, be the council committeeman for one of such divisions. It shall be the duty of each such committeeman to be fully informed of the business of the city included within the division to which he is assigned, and to report to the council such information or recommendations concerning the business of such division as shall be necessary to enable the council properly to legislate for such division. Each council committeeman shall, as such committeeman, have no administrative control over the various functions of the city government embraced within the division to which he is assigned, but shall perform the duties of investigation for and recommendation to the council in its work of legislation, and the administration of all the branches of the city government embraced within the said nine subdivisions shall continue to be vested in the officials duly elected or appointed in accordance with the provisions of this charter.

Charter Amendment Number Six.

That Section 65, Article VI of the charter be amended to read as follows:

SEC. 65. The officers of the city shall receive, in full compensation for all services of every kind whatever rendered by them, the following salaries, payable in monthly installments at the end of each calendar month:

The mayor shall receive \$4,500 per annum.

Each councilman shall receive \$2,400 per annum.

The city attorney shall receive \$4,000 per annum.

The city auditor shall receive \$3,000 per annum.

The city assessor shall receive \$3,000 per annum.

All appointive officers of the city shall receive such salaries as may now be in force or as may hereafter be prescribed by ordinance, or otherwise in accordance with the provisions of this charter.

That Section 13 of Article III of the charter be amended to read as follows:

SEC. 13. The said council, consisting of nine councilmen, elected as herein provided, is the governing body of the city, and shall meet daily, Sundays and holidays excepted, and shall by ordinance provide for the manner, time and place of holding all regular and special meetings.

Charter Amendment Number Seven.

That Section 5 of Article II of the charter be amended to read as follows:

SEC. 5. All elective officers shall hold their offices for a term of two years, commencing on the first Monday in July next succeeding their election, at twelve o'clock noon; *provided, however,* that the term of office of the present elective officers of the city shall expire on the first Monday in July, 1913.

That Section 195, Article XIX of the charter be amended to read as follows:

SEC. 195. General municipal elections shall be held in said city on the first Tuesday in June of every odd numbered year, commencing with the year 1913. At the general municipal election in 1913 all the elective officers of said city provided for by this charter shall be elected.

That Section 206b of Article XIX of the charter be amended to read as follows:

SEC. 206b. A primary nominating election shall be held on the first Tuesday in May, 1913, and on the first Tuesday in May of every second year thereafter, at which shall be nominated the candidates for the elective offices to be voted for at the general municipal election to be held on the first Tuesday in June next ensuing. The officers of election who shall be appointed for the primary nominating election shall be the officers of such general election, and such general election shall be held at the same places, as far as possible, and the polls shall be opened and closed at the same hours, as may be provided for the primary nominating election. All ballots, blanks and other supplies to be used at any primary nominating election, and all expenses necessarily incurred in the preparation for or the conducting of such primary nominating election shall be paid out of the treasury of the city in the same manner, with like effect, and by the same officers, as in the case of other elections.

That Section 196 of Article XIX of the charter be amended to read as follows:

SEC. 196. The officers elected at a general municipal election shall after they have qualified as provided in this charter enter upon the discharge of the duties of the offices to which they have been elected, on the first Monday in July next succeeding their election, at twelve o'clock noon and shall, except as otherwise provided for in this charter, serve for two years, and until their successors have been elected and qualified; *provided,* that any person elected to fill a vacancy shall, after qualifying as herein provided, enter at once upon the discharge of the duties of the office to which he has been elected, and shall serve for the remainder of the term and until his successor shall have been elected and qualified.

That Section 18, Article III of the charter be amended to read as follows:

SEC. 18. No member of the council shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the city is party. No city official shall vote on or participate in any contract or transaction in which he is directly or indirectly financially interested. No city official shall be financially interested, directly or indirectly, in any contract, sale, or transaction to which the city is a party and which comes before said official, or the department of the government with which he is connected, for official action. If any officer of the city shall, during the term for which he was elected or appointed, so vote or participate, he shall, upon conviction thereof, forfeit his office and be punished for misdemeanor. Any contract or transaction hereinabove mentioned in which any officer of the city shall be or become financially interested shall become void at the election of the city, to be declared by resolution of the council.

That paragraph (a) of Section 198w of Article XIX of the charter be amended to read as follows:

(a) The petition for the removal of the incumbent of an appointive office shall be signed by qualified electors equal in number to at least twenty per centum of the entire vote cast for the office of mayor at the last preceding general municipal election at which a mayor was elected and shall contain a demand for the submission to the electors of the city of the question whether the incumbent of such appointive office shall be removed by vote of such electors.

Charter Amendment Number Nine.

That Section 169 of Article XVI of the charter be amended to read as follows:

SEC. 169. The members of the board of harbor commissioners shall be appointed by the mayor, subject to confirmation by a majority of the council. No person shall be appointed a harbor commissioner who is not a qualified elector of the city of Los Angeles. The council may, by ordinance, provide for, and fix the amount of, salaries for the members of said board or any thereof.

That Section 176 of the charter is hereby amended to read as follows:

SEC. 176. There is hereby established a district in the city of Los Angeles to be known as the harbor district, which shall comprise, among other lands, the tide lands and submerged lands within the limits of said city, which said lands were granted to the city of Los Angeles in trust for public uses by an act of the Legislature of the State of California, approved May 1, 1911. Until otherwise provided by ordi-

nance said district shall consist of that portion of the said city included within the following described boundaries:

Beginning at the intersection of the westerly boundary line of the city of Los Angeles with the line of ordinary high tide of the Pacific Ocean; thence easterly and northerly following the said line of high tide to its intersection with the northerly line of the United States reservation; thence northwesterly in a direct line to the intersection of the northerly line of Twenty-second street, in that portion of the city of Los Angeles comprised within the limits of the former city of San Pedro, and the westerly line of Crescent avenue; thence northerly and northeasterly along the westerly and northwesterly line of Crescent avenue and its prolongation to the easterly line of Beacon street; thence northerly along the easterly line of Beacon street to the northerly line of Wall street; thence easterly along the northerly line of Wall street to the westerly line of Front street; thence northerly along the westerly line of Front street to the southerly line of Fourth street; thence northeasterly in a direct line to the intersection of the northerly line of Fourth street with the westerly line of that certain highway known as the Harbor boulevard; thence northerly and northwesterly along the westerly line of said Harbor boulevard to its intersection with the southwestery line of Bay street; thence northwesterly along the said southwestery line of Bay street and its prolongation to the westerly line of Palos Verdes street; thence northerly along the westerly line of Palos Verdes street and its prolongation to its intersection with the southerly line of that certain highway known as the Wilmington and San Pedro road; thence northwesterly, westerly, southwestery, northwesterly, northeasterly, northwesterly and northeasterly along the southwestery, southerly, southeasterly, southwestery, northwesterly, southwestery and northwesterly line of said Wilmington and San Pedro road to its intersection with the westerly prolongation of the center line of West First street in that portion of the city of Los Angeles comprised within the limits of the former city of Wilmington; thence easterly along the center line of West First street to the center line of "E" street; thence southerly along the center line of "E" street to the center line of Front street; thence easterly along the center line of Front street and its easterly prolongation to the center line of East street; thence northerly along the center line of East street to the center line of East First street; thence easterly along the center line of East First street to the center line of Banning street; thence northerly along the center line of Banning street to the center line of East Second street; thence easterly along the center line of East Second street to the center line of Downey street; thence northerly along the center line of Downey street to the center line of East Third street; thence easterly along the center line of East Third street to the center line of Dominguez street; thence northerly along the center line of Dominguez street to the center line of East Fourth street; thence easterly along the center line of East Fourth street to the center line of Sanford street; thence northerly along the center line of Sanford street to the center line of East Fifth street; thence easterly along the center line of East Fifth street to the center line of Carson street; thence northerly along the center line of Carson street to the center line of East Sixth street; thence easterly along the center line of East Sixth street to the center line of Watson street; thence northerly along the center line of Watson street to the center line of East Seventh street; thence easterly along the center line of East Seventh street to the westerly line of the right of way of the Southern Pacific Railroad Company; thence northeasterly along the westerly line of said right of way to its intersection with the northerly boundary line of that part of the city of Los Angeles comprised within the limits of the former city of Wilmington; thence easterly, southeasterly, southwestery, southeasterly, southwestery, southerly, westerly and northerly along the boundary line of the city of Los Angeles to the point of beginning.

The council may, from time to time, by ordinance, alter the boundaries of said harbor district; *provided, however*, that no such alteration shall be made so as to exclude from such district any tide lands or any submerged lands, whether filled or unfilled, any navigable waters included within the aforesaid boundaries, or any portion of said harbor district situated below the line of ordinary high tide.

The said tide lands and submerged lands within said harbor district, whether filled or unfilled, are hereby declared to be required and withheld for public use for navigation, commerce and fishery, or purposes in connection therewith, and shall, except as hereinafter provided, continue to be withheld for such purposes.

The board of harbor commissioners shall have charge of the enforcement of all ordinances relating to the construction, alteration, repair, demolition or removal of sea walls, embankments, bulkheads, wharves, piers, docks, quays, slips, landings, elevators, cranes, derricks, marine ways, warehouses and other structures and appliances within said harbor district for the accommodation of commerce and navigation, and relative to any work of filling, excavating or dredging in said district.

The board of harbor commissioners shall have possession and control, under such ordinances as may from time to time be adopted by the council, of the entire water front of the city, and of Los Angeles harbor and other navigable waters within the limits of said city, and authority to use, for the loading and landing of merchandise, with a right to collect dockage, wharfage and tolls thereon, such portions of the streets and other public places terminating in or fronting upon the navigable waters within

the city of Los Angeles as may be used for such purposes without obstructing the same as thoroughfares.

For the purposes of this section and of this article, the board of harbor commissioners shall have such further powers and perform such other duties as may be granted or imposed by ordinance.

That Section 183 of Article XVI of the charter be amended to read as follows:

SEC. 183. (a) It shall be unlawful to grant, sell, convey, alienate, transfer or otherwise dispose of, except as hereinafter provided, any part of, or any interest in, the water front, tide lands, submerged lands, or appurtenances thereunto belonging, owned, possessed, controlled or held by the city of Los Angeles; *provided*, that grants of such lands may be made to the State of California or to the United States for public purposes, when authorized by a majority of the qualified voters of the city, voting upon the question of authorizing any such grant at an election; *and provided, further*, that whenever the city of Los Angeles shall have acquired the ownership, title, control and possession of more than ten thousand feet, linear measurement, of water frontage, of Los Angeles harbor, measured along the harbor lines, as now or hereafter established by the United States or the city of Los Angeles, and of the coterminous and adjacent tide and submerged lands upon the water front, as fixed by such harbor lines upon the navigable waters of Los Angeles harbor, but not including water frontage upon any island, or breakwater, nor any water frontage created by the construction of channels by any person, firm or corporation other than the United States, the board of harbor commissioners may grant to any persons, firms or corporations franchises, permits, and warehouse or other privileges to use the water frontage in excess of said ten thousand feet, for purposes in aid of navigation, commerce and fishery, together with the adjacent and coterminous tide or submerged lands necessary for such purposes, for periods not exceeding thirty years; *and provided, further*, that whenever it shall be determined by the city of Los Angeles, by ordinance or by other proper legal authority, that any part of the tide or submerged lands of Los Angeles harbor may not be required for public use, by reason of their remoteness from the harbor lines, as now or hereafter established, or otherwise, the board of harbor commissioners may grant leases of such tide or submerged lands in excess of the tide and submerged lands adjacent and coterminous to the aforesaid ten thousand feet, for periods not exceeding thirty years and for purposes consistent with the trusts upon which said lands are held by the city of Los Angeles and with the requirements of commerce, navigation or fishery at said harbor. Such franchises, leases, privileges and permits shall be granted subject to such terms and conditions as may be prescribed therein, and to the limitations, conditions, restrictions and reservations in this section contained, but no such franchise, lease, privilege or permit shall be valid or binding upon the city until the same is approved by the council by ordinance.

(b) The board of harbor commissioners shall not grant to any one person, firm or corporation franchises, leases, privileges, permits or licenses to use any such water frontage whatever in excess of three thousand feet, linear measurement, measured along the United States harbor lines, as they are now or may be hereafter established in Los Angeles harbor or other navigable waters within the city of Los Angeles; *provided, however*, that more than three thousand feet of such water frontage, but not exceeding five thousand feet thereof, may be so granted whenever authorized by ordinance adopted or approved by a majority of the qualified electors of the city voting upon the question of the adoption or approval of such ordinance at an election.

(c) Of the water frontage of Los Angeles harbor, ten thousand feet thereof, linear measurement, along the United States harbor lines, measured as aforesaid, together with such coterminous and adjacent tide and submerged lands fronting thereon, as may be determined by ordinance, owned or held by the city of Los Angeles, is hereby forever reserved for public purposes by said city, for uses to be improved, constructed, owned, controlled, maintained and operated by said city. The city shall not grant, and shall not have granted at any time, to all persons, firms or corporations to whom such grants may be made, any such franchises, leases, privileges or permits exceeding in the aggregate one half of the total water frontage owned or held by the city at such time, exclusive of the aforesaid ten thousand feet of such frontage, to wit, one half of the water frontage in that portion of Los Angeles harbor northerly of an east and west line passing through a point in the center of the Turning Basin easterly of Smith's Island, also known as Boschke Island, and one half of the water frontage in that portion of Los Angeles harbor southerly of said line; and said one half of the total water frontage so owned or held by the city of Los Angeles, located as aforesaid in the portions of Los Angeles harbor above described, and in addition to said ten thousand feet of water frontage so reserved, as aforesaid, is also hereby reserved for public purposes by said city, for uses to be improved, constructed, owned, controlled, maintained, and operated by said city; *provided, however*, that the city may make such grants of, in or upon such water frontage owned by the city in excess of one half thereof, linear measurement, but not exceeding three fourths thereof, exclusive of said ten thousand feet of such frontage, whenever authorized by ordinance adopted or approved by a majority of the qualified

electors of the city voting upon the question of the adoption or approval of such ordinance at an election.

(d) In any case where a franchise, lease, privilege or permit pertaining to such water frontage or such tide or submerged lands is granted, the same shall be so granted for a rental or payment to the city to be prescribed therein as hereinafter provided. In case of any such grant, the same shall be made only upon the condition, whether expressed therein or not, that the construction of the wharves, docks, warehouses or other works or structures provided for therein shall, if the same be not already constructed, be commenced within ninety days from the date of such grant, and be prosecuted diligently to completion under such further terms and conditions as may be prescribed therein.

(e) Every such grant shall provide for the payment to the city as compensation therefor of either, any or all of the following: (a) A specified rental; or (b), a percentage of the gross receipts derived from or arising out of the use, operation or possession thereof, or of the lands included therein and improvements, if any, made thereunder; or (c), a percentage of the valuation of such lands and improvements, such payment to be made in such manner, at such times and upon such basis or scale, either fixed or variable, as shall be prescribed therein; *provided, however*, that nothing herein contained shall be construed to prevent the city from making such grants to the highest regular responsible bidder after receiving competitive bids therefor.

(f) Every such grant shall provide that in case the same, or any improvements made thereunder, or any part thereof, shall be assigned, transferred or subleased, or the control thereof be given or granted to any person, firm or corporation, so that such person, firm or corporation shall then own, hold or control under any such franchises, leases, privileges or permits more than the length of water frontage permitted or authorized under this section, then such grant, and all rights thereunder, shall thereupon and thereby be absolutely terminated; nor shall any such assignment, transfer, sublease, gift or grant of control be valid for any purpose unless first approved by the board of harbor commissioners.

(g) Every such grant shall be subject to such rights of way over tide or submerged lands embraced therein for such public sewers, pipe lines, conduits, or for such public telephone, telegraph, light, heat, or power lines, as may from time to time be determined by the council; and the same shall also be subject to such rights of way for public streets and other highways, and for such public street or public railroads, or other public means of transportation as shall have been duly established, or as shall be reserved in such grant. No such grant shall ever be made that shall provide for any use of the property or for the construction or placing of any structure, building or other improvement thereon that shall interfere with any plan approved or adopted by the city for harbor improvements or for the development of facilities for commerce or navigation in Los Angeles harbor, or for providing railroad or other terminal facilities at said harbor.

(h) Every such grant shall provide for a readjustment of rental or compensation every ten years during the term thereby created. The procedure for such readjustment shall be specified in such grant, but in no case shall such readjustment decrease the amount of rental or compensation. At the expiration of any such grant the board of harbor commissioners may, upon such terms as it deems advisable, extend the term thereof for a period not to exceed ten years; *provided*, that in making any such extension, no reduction in the rate or amount of rental or compensation fixed for or in effect as to such grant for and during any period next preceding such extension shall be allowed; and *provided, further*, that no such extension shall be effective until approved by the council by ordinance.

(i) Every such grant shall prescribe that upon the expiration thereof, all wharves, piers, docks, slips, bulkheads, seawalls, and channels constructed or maintained thereunder shall be and become the property of the city of Los Angeles without compensation therefor to the grantee or holder thereof, and as to the other permanent structures or improvements constructed or maintained thereunder, shall prescribe whether the same shall become the property of said city without compensation or upon compensation to be paid to such grantee or holder, or shall be removed by such grantee or holder at his own expense.

(j) Upon the forfeiture of any such grant, any and all buildings, structures and improvements of whatsoever character erected, installed or made under, through or because of or pursuant to the terms thereof shall immediately *inso facto* become the property of the city, and every such grant shall so provide. The method of procedure for making such grants shall be prescribed by ordinance.

(k) In any case where the city, or its predecessors in interest or authority, shall have granted or issued any lease, franchise or permit or any document purporting to be such, to any person, firm or corporation, the water front tide lands and submerged lands covered thereby shall not be subject to grants under this section, until such lease, franchise or permit shall have been terminated, and until the city shall have regained peaceable possession of such property.

(l) Nothing contained in this section shall be construed to prevent the board of harbor commissioners from granting revocable licenses or permits to use limited portions of the water front, or tide or submerged lands for purposes consistent with

commerce, navigation and fishery in Los Angeles harbor, upon such terms and conditions as may be prescribed therein, and in such manner as may be prescribed by ordinance, and no lease, franchise, privilege, permit, or any such revocable license or permit, shall ever be granted, made or issued for any purpose inconsistent with the trusts upon which the water frontage, tide lands and submerged lands mentioned in this section are held by the city of Los Angeles, or inconsistent with the requirements of commerce, navigation and fishery at Los Angeles harbor. The board of harbor commissioners shall make such rules and regulations as may be necessary to carry out the provisions of this section. Such rules and regulations shall be approved by the council by ordinance.

(m) That the certain tract in the outer harbor designated as Los Angeles municipal dock number one, and formerly known as the Huntington concession, and all wharves and other improvements thereon or pertaining thereto now or hereafter constructed, shall never be sold, conveyed, alienated, leased or otherwise disposed of in whole or in part, in any manner to any private person, firm or corporation whatsoever, nor shall any lease, franchise, privilege or permit ever be granted to any private person, firm or corporation of, in or to said tract, wharves or other improvements, or any part thereof; but said tract, wharves, and other improvements, and the whole thereof, shall be forever reserved by the city of Los Angeles for public improvements and municipal uses, to be made, constructed, operated and maintained by the city of Los Angeles; *provided*, that the board of harbor commissioners may, under such terms and conditions as may be prescribed by ordinance, grant permits, licenses or concessions to conduct any such occupation or business on said tract as may conduce to the comfort and convenience of the public; *and provided, further*, that said board may designate and assign berths or landings for the use of vessels at any wharves on said tract, as well as on other lands and water frontages reserved by the city for public purposes, but any such use may be terminated at any time on such previous notice as may be prescribed by ordinance, and said board may, whenever any railroad tracks are located, or constructed by the city, upon said tract, or upon such other lands or water frontages, contract for or permit the operation of cars thereon under such terms and conditions as may be prescribed by ordinance.

That Section 261 of Article XXV of the charter be amended to read as follows:

SEC. 261. The city of Los Angeles shall have power to provide for opening, improving, constructing or maintaining streets, highways or other means of public transportation to navigable waters within the said city, and acquiring the necessary land therefor by purchase or condemnation, and for constructing and maintaining canals and waterways between such navigable waters and any such streets, highways or means of transportation, and acquiring the necessary land therefor, by purchase or condemnation, and for acquiring or constructing docks, wharves, warehouses, railroads and railroad terminals at the harbor, to be owned and operated by, or on behalf of the city, and acquiring the necessary land therefor by purchase or condemnation, and may incur indebtedness, and issue bonds therefor.

That Section 262 of Article XXV of the charter be and the same is hereby repealed.

Charter Amendment Number Ten.

That Section 61 of Article V of the charter be amended to read as follows:

SEC. 61. The following named officers of said city shall respectively execute to said municipal corporation, bonds in the following sums, respectively, conditioned for the faithful discharge by them of the duties of their respective offices, to wit:

The bond of the city auditor is fixed at \$10,000.

The bond of the city tax and license collector is fixed at \$100,000.

The bond of the city assessor is fixed at \$10,000.

The bond of the city treasurer is fixed at \$150,000.

The bond of the city engineer is fixed at \$10,000.

The bond of the city attorney is fixed at \$5,000.

The bond of the chief of police is fixed at \$5,000.

The bond of the health commissioner is fixed at \$2,000.

The bond of the city clerk is fixed at \$5,000.

The bond of the city sealer of weights and measures is fixed at \$5,000.

The premium on any official bond furnished under the provisions of this section and executed by a corporate surety shall be paid by the city.

That Section 62 of Article V of the charter be amended to read as follows:

SEC. 62. Each such official bond shall be executed by a corporation authorized by law to become a surety upon bonds or undertakings, or by two or more personal sureties, who shall each be a resident of the city or county of Los Angeles, and the owner of real estate therein valued, over and above all incumbrances, upon the last city or county assessment roll, at not less than the aggregate amount for which he becomes responsible upon such official bonds. Each personal surety shall be approved as hereinafter set forth, and shall bind himself in a sum not less than \$1,000.

The aggregate amount of the sums which the sureties on any of such bonds shall respectively bind themselves to pay, shall be at least double the sum in which the principal on such bond binds himself.

No such surety shall be held liable on such bond for a larger sum of money than

that which he specifically binds himself to pay, together with such costs of action as may be allowed by the court on the recovery of judgment against him on such bonds.

Section 963 of the Political Code shall apply to the official bonds given under the requirements of this charter.

Each personal surety on any bond given under the provisions of this charter shall justify in double the amount for which he binds himself on such bond.

The bonds of all officers, after approval by the city attorney, as to form, shall be approved by the mayor and the council, and, after such approval, shall be filed with and remain in the keeping of the city auditor, provided that the bond of the city auditor shall be filed with and remain in the keeping of the city clerk.

Charter Amendment Number Eleven.

That Section 207e of Article XX be amended to read as follows:

SEC. 207e. Any real property owned by the city of Los Angeles may, subject to the limitations and exceptions elsewhere prescribed in this charter, be sold either in whole, or in part, in accordance with the provisions of this section. Whenever the public interest or convenience may require the council is hereby authorized to order the sale, and to sell any such real property, either at public auction, or to the highest bidder for cash, or on terms after advertising for bids; *provided, however*, that the council shall prescribe the minimum price for which the same will be sold and that at least one third of the selling price shall be payable in cash, and if the price offered at such auction, or the amount bid by the highest bidder at such sale, shall be less than such minimum price, such property shall not be sold. Before ordering the sale of any such real property the council shall, by a two-thirds vote of all its members, pass an ordinance declaring its intention to sell the same, describing the property proposed to be sold in such manner as to identify the same, specifying the minimum price and terms for which it will be sold, and stating whether such sale shall be at public auction or to the highest responsible bidder after advertising for bids. Such ordinance shall be subject to the provisions of this charter providing for a referendum vote. Unless a petition demanding the submission of such ordinance to a vote of the qualified electors of the city be filed with the city clerk within thirty days after the publication thereof, the council may, in its discretion, after the expiration of such thirty days, cause notice of the sale of the property described in such ordinance to be published for ten days in one or more daily newspapers printed and published in said city. In the case of any sale of any real property after advertisement for bids all such bids shall be sealed and filed in the office of the city clerk on or before a time to be specified in the notice of the sale. The city clerk shall present all bids received by him to the council at its next regular meeting after the expiration of the time for the submission of bids. The council shall thereupon, in public session, open, examine and declare all bids received. At the time of opening the bids, any responsible person may bid for such property a sum exceeding the highest bid by not less than five per centum, and such bid so made may be raised by any other person or persons until the property shall either be sold or withdrawn from sale. No bid shall be considered unless accompanied by a cash deposit or check certified by a responsible bank in the city of Los Angeles in an amount not less than ten per centum of the amount of such bid. The council may in its discretion in all cases where property is offered for sale reject any or all bids, or withdraw such property from sale at any time, should it deem such action to be for the public interest. Any real property proposed to be sold that is under the control of any board or commission authorized by this charter, or by law, to acquire, hold or control real property shall not be sold except with the approval of a majority of such board or commission, and the proceeds of any such sale shall be paid into the city treasury and placed in the fund of the department having control of such property.

Charter Amendment Number Twelve.

That Subdivision 44 of section two, Article I, be amended as follows:

(44) To create and maintain, and provide for the disbursement of a fireman's relief, health, life insurance and pension fund, to be used for the payment of pensions to members of the fire department of the city who shall be retired from such department; for the payment of pensions to members of such department who shall become physically disabled by reason of bodily injuries received in, or by reason of sickness caused by, the discharge of their duties, and for the payment of pensions to the widows and children of members of such fire department who shall have died from bodily injuries received or sickness or disease contracted in the performance or discharge of their duties. Said fund shall be created, maintained and disbursed in such manner as may be prescribed by ordinance.

Commencing with the fiscal year of 1913 the city council shall appropriate, create and set apart for this purpose a fund to be called the "firemen's pension fund" out of the revenue and taxes of the city, and such fund shall amount to not less than two and one half per cent of the total annual pay roll of the members of the fire department, and shall immediately prescribe by ordinance for the disbursement of said fund; *provided*, that no part of said fund shall be created, maintained, provided

or collected from the salaries or wages of any member or members of the fire department.

The disbursement of said "firemen's pension fund" as provided for by ordinance, shall be left to the exclusive control, discretion and judgment of a commission of three persons to be called the "firemen's pension commission," the said commission to consist of the chief engineer of the fire department, the health commissioner and the president of the council. Said commission shall make semi-annual reports to the city council of all moneys received and disbursed by them.

Charter Amendment Number Thirteen.

That Subdivision 45 of Section two of Article I be amended to read as follows:

(45) To create and maintain, and provide for the disbursement of a policemen's relief, health, life insurance and pension fund, to be used for the payment of pensions to members of the police department of the city, who shall be retired from such department; for the payment of pensions to members of such department who shall become physically disabled by reason of bodily injuries received in, or by reason of sickness caused by, the discharge of their duties, and for the payment of pensions to the widows and children of members of such police department who shall have died from bodily injuries received, or sickness or disease contracted in the performance or discharge of their duties. Said fund shall be created, maintained and disbursed in such manner as may be prescribed by ordinance.

Commencing with the fiscal year of 1913, the city council shall appropriate, create and set apart for this purpose, a fund to be called the "policemen's pension fund" out of the revenues and taxes of the city, and such fund shall amount to not less than two and one half per cent of the total annual pay roll of the members of the police department, and shall immediately prescribe by ordinance for the disbursement of said fund; *provided*, that no part of said fund shall be created, maintained, provided or collected from the salaries or wages of any member or members of the police department.

The disbursement of said "policemen's pension fund" as provided for by ordinance, shall be left to the exclusive control, discretion and judgment of a commission of three persons, to be called the "policemen's pension commission," the said commission to consist of the chief of police, the health commissioner and the president of the council. Said commission shall make semi-annual reports to the city council of all moneys received and disbursed by them.

Charter Amendment Number Fourteen.

That Subdivision 47 of Section 2 of Article I of the charter be amended to read as follows:

Subdivision 47. The city council shall not appropriate or provide any public money for the printing, publication, sale or distribution of a municipal newspaper.

That said thirteen proposed amendments were and each of them was published for ten times in a daily newspaper printed and published in said city and of general circulation therein, to wit, the *Los Angeles Daily Journal*, said publication ending on the 3d day of March, 1913.

That thereafter the city council of said city did, by ordinance known as ordinance No. 26984 (new series), which was duly adopted on the 27th day of February, 1913, order the holding of a special municipal election in said city of Los Angeles on the 24th day of March, 1913, which said last mentioned date was not less than twenty days nor more than forty days after the completion of the publication of said proposed amendments, for ten times in said daily newspaper of general circulation in said city of Los Angeles, to wit, the *Los Angeles Daily Journal*, and did provide in said ordinance for the submission of said thirteen proposed amendments to said charter to the qualified electors of said city for their ratification at said special municipal election, which ordinance was approved by the mayor of said city on the 4th day of March, 1913, and was published for at least five times prior to the time appointed for the holding of said election in the *Los Angeles Daily Journal*, a daily newspaper printed and published in said city.

That at said special election a majority of the qualified electors voting thereon voted in favor of the ratification of and did ratify each and all of said thirteen proposed amendments to said charter.

That the city council of said city of Los Angeles, at a regular meeting thereof held within ten days after said election, duly canvassed the returns of said election, and duly found, determined and declared that a majority of such qualified electors voting thereon had voted for and ratified each and all of the said thirteen proposed amendments to said charter.

In witness whereof, We have hereunto set our hands and affixed the corporate seal of the city of Los Angeles this 25th day of March, 1913.

[SEAL]

GEO. ALEXANDER,
Mayor of the City of Los Angeles.

CHAS. L. WILDE,
City Clerk of the City of Los Angeles.

AND WHEREAS, The said thirteen proposed amendments so ratified as hereinabove set forth have been duly presented and submitted to the Legislature of the State of

California for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein), That the said thirteen proposed amendments to the said charter of the city of Los Angeles, hereinabove set forth, as presented and as submitted to and adopted and ratified by the qualified electors of said city, be and the same are hereby approved as a whole for and as amendments to the said charter of the city of Los Angeles.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885," approved March 23, 1901."

An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Polesley, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated.

By Mr. Inman: Assembly Bill No. 2054—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885," approved March 23, 1901."

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Hayes: Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Bill read first time, and referred to Committee on Claims.

STATEMENT RELATIVE TO VOTE.

The following statement was sent to the desk, and ordered printed in the Journal:

SACRAMENTO, CAL., March 27, 1913.

MR. SPEAKER: The Assembly Journal of March 25, 1913, shows that I voted for Assembly Bill No. 1624. The fact is that I did not vote either for or against said bill, and I ask that this statement be printed in the Assembly Journal.

JOHN K. ALEXANDER,

Member from the Forty-eighth District.

COMMUNICATION.

The following communication was sent to the desk and ordered printed in the Journal:

By Mr. Sutherland:

SAN FRANCISCO, March 24, 1913.

To the Honorable, the Assembly of the State of California, Sacramento, California.

GENTLEMEN: We desire to acknowledge receipt of copy of resolutions adopted by your honorable body on March 21 and March 22, 1913, referring to this commission for such consideration and recommendation as the commission may deem proper, the bills as to which comment is hereinafter made. We desire to thank your honorable body for giving to this commission an opportunity to express its views on these bills, and submit herewith for your consideration such comments as we desire to make:

Assembly Bill No. 34 (McDonald), Labor and Capital: This is a bill to regulate the hours of employment of conductors, drivers, gripmen, and motormen employed on street railways.

As this commission has no jurisdiction with reference to the hours of labor of employees of public utilities, we have no comment to make on this bill.

Assembly Bill No. 92 (Cary), Labor and Capital: This bill provides, in effect, that all common carriers by railroad shall maintain at every division point in connection with the wrecking train a fully equipped hospital car, which car in case of accident involving injury to employees and travelers and requiring the presence of the wrecking train, shall be dispatched to the scene of the accident in charge of a surgeon, as a part of the wrecking train. It is made the duty of the Railroad Commission to enforce the provisions of the Act. We are not informed as to the number of cases in which it is necessary to send out wrecking trains because of injuries to employees or travelers or of the cases in which hospital cars may be necessary. If the Legislature decides to pass this bill, it would doubtlessly desire to amend the words "employees and travelers" in line 5 so as to read "employees or travelers," and also to provide a penalty.

We desire to draw attention to the fact that the subject-matter of this bill is fully covered by Section 42 of the Public Utilities Act, reading as follows:

"The commission shall have power, after a hearing had upon its own motion or upon complaint, by general or special orders, rules or regulations, or otherwise, to require every public utility to maintain and operate its line, plant, system, equipment, apparatus, tracks and premises in such manner as to promote and safeguard the health and safety of its employees, passengers, customers, and the public, and to this end to prescribe, among other things, the installation, use, maintenance and operation of appropriate safety or other devices or appliances, including interlocking and other protective devices, at grade crossings or junctions and block or other systems of signaling, to establish uniform or other standards of equipment, and to require the performance of any other act which the health or safety of its employees, passengers, customers or the public may demand."

Whether, in view of the fact that this commission already has jurisdiction over the subject matter of the bill, it is desirable to pass this proposed bill, is a matter which we leave to the judgment of the Legislature.

Assembly Bill No. 94 (Byrnes), Labor and Capital: This is a bill to amend Section 1 of the Act approved April 21, 1911, regulating the hours of labor of employees of electric railways.

As this commission has no jurisdiction with reference to the hours of labor of employees of public utilities, we have no comment to make on this bill.

Assembly Bill No. 107 (Johnston), Corporations: This bill proposes to add to the Civil Code a new section, to be numbered 510a, and providing, in effect, that all street railroad corporations in this State operating cars on any suburban or inter-urban line shall equip their cars with vestibule doors and shall provide such cars with seats for employees working on such cars.

We do not know whether the bill refers to side vestibule doors or end vestibule doors. If it refers to end vestibule doors we do not understand why such doors are necessary on street cars. The subject matter of this bill in so far as it affects

vestibule doors, is already fully covered by Section 35 of the Public Utilities Act, giving to the commission authority over the equipment, appliances and facilities of public utilities operating in territory subject to its jurisdiction, and reading as follows:

"Whenever the commission, after a hearing had upon its own motion or upon complaint, shall find that the rules, regulations, practices, equipment, appliances, facilities or service of any public utility, or the methods of manufacture, distribution, transmission, storage or supply employed by it, are unjust, unreasonable, unsafe, improper, inadequate or insufficient, the commission shall determine the just, reasonable, safe, proper, adequate or sufficient rules, regulations, practices, equipment, appliances, facilities, service or methods to be observed, furnished, constructed, enforced or employed and shall fix the same by its order, rule or regulation. The commission shall prescribe rules and regulations for the performance of any service or the furnishing of any commodity of the character furnished or supplied by any public utility, and, on proper demand and tender of rates, such public utility shall furnish such commodity or render such service within the time and upon the conditions provided in such rules."

Assembly Bill No. 215 (Schmitt), Corporations: This bill proposes to add to the Public Utilities Act a new section, to be numbered 42½, and providing, in effect, that every railroad and street railroad, the trains or cars of which cross intersecting streets, roads or highways within any municipality at a speed greater than ten miles per hour, must install at each such street, road or highway some adequate signaling or warning device, to be approved by the Railroad Commission.

As street railroads within our cities largely attain a speed in excess of ten miles per hour, it would be necessary to have this warning device installed throughout a large part of our cities, even in cases in which the view is entirely unobstructed, so that persons approaching the crossings may see the track in both directions. The bill proposes to establish an inflexible rule applicable to all cases covered thereby.

The subject-matter of the bill is already fully covered as to the territory over which this commission has jurisdiction by the provisions of Section 42 of the Public Utilities Act hereinbefore quoted.

As to cases in which the municipalities have jurisdiction under their police power, they now have the right to pass such ordinances as may be necessary in the premises.

Assembly Bill No. 380 (Schmitt), Public Health and Quarantine: This bill provides, in effect, that every public building, railway coach and sleeping car containing a lavatory must have installed and maintained therein some sanitation and disinfecting apparatus.

In so far as affects railway coaches and sleeping cars, the subject matter of this bill is covered by the provisions of Section 42 of the Public Utilities Act, which section has heretofore been set out in full.

Assembly Bill No. 418 (Canepa), Public Health and Quarantine: This bill provides in effect that every railroad car, except private cars, on cars or trains "running 15 miles or more" shall be provided with pure drinking water and with individual drinking cups, for which no charge shall be made. The water and the cups shall be subject to the jurisdiction of the State Board of Health.

While this commission, under the provisions of Section 42 of the Public Utilities Act, has authority over the subject-matter of this bill, we have no objections if the Legislature desires to confer this authority upon the State Board of Health.

Assembly Bill No. 468 (McDonald), Labor and Capital: This bill provides, in effect, that every railroad shall place and maintain in all of its frogs and guard rails, safety blocks of a size sufficient to prevent employees and other persons from having their feet caught therein.

The subject-matter of this bill is covered by Section 42 of the Public Utilities Act, which has heretofore been quoted in full.

Assembly Bill No. 835 (Wyllie), Corporations: This bill provides, in effect, that after July 1, 1914, it shall be unlawful for any common carrier by land to have any interest in any common carrier by water with which the land carrier does or may compete for traffic, and confers upon the Railroad Commission jurisdiction to determine questions of fact as to the competition or possibility of competition.

In so far as the carriers affected engage in interstate commerce, the subject-matter of this bill is already covered by the provisions of Section 11 of H. R. 21969, commonly known as the Panama Canal bill, approved August 24, 1912, and amending Section 5 of the Interstate Commerce Act so as to provide, in effect, that after July 1, 1914, it shall be unlawful for any common carrier subject to the authority of the Interstate Commerce Commission to have any interest in any common carrier by water operated through the Panama Canal or elsewhere with which such railroad company or other common carrier does or may compete for traffic.

In so far as such carriers engage in state commerce, this commission now has authority, under the Public Utilities Act, over the rates both of land carriers and of water carriers in so far as the latter may be subject to state authority.

Assembly Bill No. 923 (Emmons), Judiciary: This bill proposes to repeal the Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances and providing a punishment for the violation thereof, approved April 22, 1911.

This Act of April 22, 1911, covers the erection, maintenance and use of the wires, poles and other appliances of utilities conducting electric energy, the clearances of

such wires and related matters, and applies to the State of California, cities and counties, cities, counties or other political subdivisions, as well as to private persons, firms or corporations conducting such operations. The Act provides that it shall take effect six months from the date of its passage in so far as it relates to new work, and five years after its passage for the reconstruction of all existing work and construction to comply with the provisions of this Act. Extensive changes, we understand, are now being made by utilities in this State to comply with the provisions of this Act.

The subject-matter of the existing statute, in so far as it affects private persons, firms or corporations, would seem to be covered by Section 42 of the Public Utilities Act, which is a later enactment of the legislative will. Section 42, however, does not apply to public authorities and to that extent the scope of the Act of April 22, 1911, is broader than Section 42 of the Public Utilities Act.

Under the provisions of Section 42, this commission has adopted its General Order No. 26, governing clearances and construction at crossings of railroads, street railroads, streets and public highways and telegraph, telephone, trolley and pole lines. In order to prevent a possible conflict between the general order and the Act of the Legislature, the commission declared that the order should be applicable only "in so far as the same is not in conflict with any of the provisions of Chapters 499 and 500 of the Statutes of the State of California of April, 1911." The order applies in terms only to construction hereafter to be made, and hence does not cover the subject-matter of the Act of the Legislature in so far as the Act makes it necessary for the public authorities and public utilities therein referred to, to make the changes in existing construction therein specified within five years from the effective date of the Act.

We suggest that the Legislature give careful consideration to the effect of the repeal of this Act on public authorities as well as private authorities maintaining wires, poles or appliances for the transmission of electrical energy. With our present information, we see no reason why this repealing statute should be passed.

Assembly Bill No. 924 (Emmons), Judiciary: This is a new bill to take the place of the Act of April 22, 1911, referred to in connection with Assembly Bill No. 923. It strikes out a number of the most important provisions of said Act and extends the time within which to reconstruct existing work from five to ten years. It also provides that all Acts or parts of Acts in conflict with the provisions of the bill shall be repealed.

This bill, in so far as it relates to the construction and maintenance of the poles, wires and appliances of public utilities transmitting electrical energy and subject to the authority of the Railroad Commission, may also well be held to repeal *pro tanto* all the provisions of Section 42 of the Public Utilities Act.

If the Legislature contemplates giving serious consideration to Assembly Bills No. 923 and No. 924 and Assembly Bills Nos. 1478 and 1479, to which reference will hereinafter be made, we suggest that careful investigations be made, so that the full significance of the proposed changes and the effect on existing statutes may be made apparent. The effect of these bills cannot be determined except by a careful study of the entire subject-matter.

Assembly Bill No. 960 (Peairs), Corporations: This is one of the so-called "no seat, no fare," bills. It provides, in effect, that any railway or street railway which accepts the usual fare but is unable or unwilling to furnish a comfortable seat at the time of demanding and receiving the fare, shall be guilty of a misdemeanor. There is a proviso to the effect that in case the company does not have a seat, it may give the passenger another ticket which may be used within thirty days, and a further proviso that the company need not carry the passenger if it is unable from any cause for which it is not responsible, to furnish a comfortable seat. The bill further provides that any railway or street railway which shall refuse to furnish a sufficient number of cars or coaches for the accommodation of the ordinary, usual and regular transactions of its daily business "and which shall fail to furnish a comfortable seat for each passenger received for transportation" shall be guilty of a misdemeanor.

This commission is not prepared to say that this kind of a bill is a proper solution of the problem. The commission is inclined to the belief that it would be wiser where congestion of traffic exists to make a careful study of the traffic conditions, to consider the routing or re-routing of cars and the possibility of overhead elevated railways or subways, or to take such other action as a complete study of the particular situation affected may show to be wise. In territory over which this commission has jurisdiction, the subject matter is at present covered by Section 36 of the Public Utilities Act, providing, in effect, that the commission shall have power, after a hearing had upon its own motion or upon complaint, to direct that additions, extensions, repairs or improvements to or changes in the existing plant, equipment, apparatus, facilities or other physical properties of any public utility be made, or that a new structure or structures be erected, or to take such other steps as may be necessary to secure adequate service or facilities.

Assembly Bill No. 965 (Brown), Corporations: This is another bill referring to the seating capacity of railroad cars. It provides, in effect, that no rail carrier shall permit any car or train of cars to depart from any terminal unless the carrying and

seating capacity of the car or train is at least 10 per cent greater than the number of persons applying at the terminal for passage on said car or train. It provides, further, that if any passenger can not procure a seat, he may demand a slip or ticket showing the distance traveled while he was unable to procure a seat, which slip or ticket shall be redeemed by the carrier.

Our comments with reference to Assembly Bill No. 960 apply to this bill also. The bill obviously should not apply to conditions such as exist at the foot of Market street in San Francisco, where the cars start with their maximum load. We suggest that the Legislature give careful consideration to this and similar bills and consider whether this is the wisest way to attack the problem.

Assembly Bill No. 997 (Cary), Corporations: This bill amends Section 629 of the Civil Code, referring to the duty of gas and electrical companies to serve persons residing within 100 feet from any main or direct or primary wire.

The bill proposes to extend the provisions of this section to steam, heat and telephone companies. Penalties are imposed as in the original section, for failure to supply the service required within ten days after application. With reference to this bill, we desire to make the following comments:

1. Under the provisions of Section 36 of the Public Utilities Act, this commission now has the power to compel a utility to make such extensions as are just and reasonable. This power is not limited to a distance of 100 feet but may be exercised wherever the circumstances demand such action, whether the point of user be located more or less than 100 feet from the utility's mains or wires.

2. If the present Legislature passes Assembly Bill No. 997, or a similar bill, this will probably amount to a repeal to that extent of this commission's powers.

3. If Assembly Bill No. 997 or a similar bill is passed, the public utilities may well contend that such legislation, by implication, relieves them of the necessity of making extensions where the distance is greater than 100 feet or such other distance as may be specified in the Act.

Assembly Bill No. 1059 (Bloodgood), Corporations: This is another bill with reference to the seating capacity of railroad and street railroad vehicles. It provides, in effect, that a passenger who can not find a seat shall be charged only one half the regular fare, and that in making change the half cent shall be dropped in favor of the passenger.

The comments which we have heretofore made with reference to Assembly Bills No. 960 (Peairs) and No. 965 (Brown) also apply to this bill.

Assembly Bill No. 1089 (Morgenstern and Smith), Judiciary: This bill proposes to amend Section 63(b) of the Public Utilities Act by adding thereto a proviso that the rates established by the commission under the provisions of said Section 63(b) shall provide that no gas corporation, electric corporation or water corporation using any meter, gauge or other appliance or device to measure service shall charge or collect any compensation not shown by such meter, gauge or other device or appliance to have been actually rendered or used.

With reference to this bill we desire to make the following two comments:

1. The amendment refers to "the rates so established," which means the rates established under the provisions of Section 63(b). This subsection refers only to cases in which the Railroad Commission suspends a rate, rule or regulation not increasing or resulting in an increase in any rate, fare, toll, rental or charge. This commission has not hitherto found it necessary to exercise this power and the prospect for its frequent exercise is very remote. Accordingly, the proviso now proposed would very seldom go into operation. The proviso seems to have been attached in the wrong place.

2. The apparent purpose of the proviso is to eliminate minimum charges. Two elements properly enter into a rate, one for charges which are just as much for one consumer as the other, and the other element based upon the amount of his consumption. It costs just as much to read a meter for a small consumer as for a large consumer and just as much to collect the bill for one as for the other. There is consequently much to be said in favor of the principle of the minimum charge, which is supposed to take care of the costs which are uniform for all and irrespective of the amount of the product consumed.

Assembly Bill No. 1165 (Ford), Judiciary: This bill proposes to create a board of construction inspectors whose duty it shall be to compel the electrical, telephone, telegraph, fire alarm and street railway companies to comply with the rules concerning the erection of poles, the putting in of guy-wires, the placing of cross-arms, the building of manholes and the laying of underground conduits "according to the laws now governing such construction work in the State of California."

The effect of this bill will be to supersede the functions of the respective district attorneys of this State with reference to the statutes and the functions of this commission with reference to its orders bearing on these subjects. The enforcement of the laws of this State and of the orders of this commission referring to these matters is to be taken out of the hands of the district attorneys and this commission, respectively, and placed in the hands of these construction inspectors.

Assembly Bill No. 1229 (Smith), Corporations: This is a bill to add to the Civil Code a new section, to be numbered 630(b) and providing, in effect, that gas, water, electrical, steam, heat and telephone companies shall demand no deposit for their

service "if the proposed consumer or customer be a freeholder who is financially responsible or a person who is able to give a reasonably safe guarantee in an amount sufficient to secure the payment of bills for fifty days' supply."

The practical effect of this bill will be to authorize such companies to demand deposits in all cases other than those specifically mentioned. The only freeholders who will be exempted from the obligation to make a deposit if the demand is made, will be freeholders who are "financially responsible" and it is presumed that the companies are to be the judges of who is financially responsible. The companies will also presumably be the judges of what may be a reasonably safe guarantee for the payment of bills for fifty days' supply.

Considerable complaint is made from time to time to this commission by reason of the practice of public utilities in demanding deposits and by reason of alleged abuses connected therewith. This commission now has authority over the subject-matter of this bill and is making investigations into the practices of telephone and electrical companies in demanding such deposits.

If this bill is passed, the flexible power which this commission now has will be taken away by implication and a rigid rule authorizing utilities to charge deposits in a large number of cases will be substituted therefor.

Assembly Bill No. 1393 (Morgenstern), Corporations: This bill proposes to add to the Civil Code a new section, to be known as Section No. 541, and providing, in effect, that it shall be the duty of a telephone company to supply service without a deposit or the signing of a contract to any person living within 200 feet from any wire of the company.

We would refer to our comments in connection with Assembly Bill No. 997 (Cary), and would draw particular attention to the effect which the enactment of this bill will have in taking away a portion of the power of this commission and in relieving telephone companies from the duty of supplying service at points distant more than 200 feet from their wires.

Assembly Bill No. 1478 (Sutherland), Corporations: This bill provides for the repeal of the Act approved April 22, 1911, referring to the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and is the same as Assembly Bill No. 923 (Emmons).

We refer to our comments in connection with the latter bill.

Assembly Bill No. 1479 (Sutherland), Corporations: This is a bill to repeal the Act of April 22, 1911, regulating the construction and maintenance of subways, manholes, underground rooms, chambers and excavations used to contain or conduct wires, cables or appliances to conduct, carry or handle electricity.

We refer to our comments on Assembly Bill No. 924 (Emmons).

Assembly Bill No. 1501 (McCarthy), Judiciary: This is a bill to regulate and prescribe the width of all locomotives and engines, the width and height of cars, the location of side tracks, warehouses, coal chutes, overhead bridges and obstructions, and to prohibit obstructions on or between tracks and side tracks.

The subject-matter of this bill is fully covered by Section 42 of the Public Utilities Act, which has hereinbefore been quoted in full, and by this commission's General Order No. 26, passed in pursuance of said section.

If this bill is passed it will take away the Railroad Commission's authority over its subject-matter, and will substitute rigid statutory provisions covering a mass of details for this commission's present flexible jurisdiction.

Assembly Bill No. 1700 (Bradford): This is a bill providing for signal lights in connection with each derailing switch or other derailing devices of railroad companies, and provides for the enforcement of the Act by the Railroad Commission.

The subject-matter of this bill is fully covered by Section 42 of the Public Utilities Act, which has hereinbefore been set out in full.

Assembly Bill No. 1952 (Bloodgood): This bill provides, in effect, that every telephone company supplying service within any city in this State shall so connect with every other telephone company in such city as to enable any patron of that company to communicate with every patron of the other. It provides that the additional rates for the extension of service shall be fixed by the Railroad Commission, and prescribes penalties for failure to make the connections and supply the service provided in the bill.

While the people of this State seem generally to prefer a single telephone system to a double system, the proper method to attain this end is a serious matter which demands considerable thought. We desire to point out that the present telephone development in this State is rapidly tending toward this end.

This bill, in so far as it purports to give to the Railroad Commission the power to fix the rates for the extended service within the cities, is clearly unconstitutional, for the reason that under the provisions of Section 23 of Article XII of the Constitution of this State, as amended on October 10, 1911, this commission does not have the power to fix the rates for service by public utilities within municipalities which have not elected to confer upon this commission their rate fixing powers.

Assembly Bill No. 2001 (Finnegan), Corporations: This is a bill to amend Section 2169 of the Civil Code, providing that a common carrier must, if able to do so, accept and carry whatever is offered to him at a reasonable time and place of a kind which the carrier offers, undertakes or is accustomed to carry. The bill

proposes to add to these provisions the requirement that all railroads shall accept and carry on at least one train per day, operating on passenger schedule, all freight and packages which may be offered for shipment. The charges for such service may exceed those charged for freight service.

We are not advised as to how it would be possible for a freight train to run on passenger schedule and pick up and deliver freight at way stations.

Assembly Bill No. 2006 (Inman), Corporations: This bill proposes to add to the Civil Code a new section, to be known as Section No. 629(a), and providing, in effect, that a telephone company must render telephone service to any person living within 1,000 feet of its wires and making application therefor.

We refer to our comments in connection with Assembly Bill No. 997 (Cary), in which the distance was 100 feet, and Assembly Bill No. 1393 (Morgenstern), in which the distance was 200 feet, and to draw attention to the possible dangers which may result from the passage of any of these bills.

We desire to express our sincere appreciation for the opportunity which your honorable body has afforded this commission of expressing our views on these bills.

Many of the matters covered by these bills which are under our jurisdiction are now occupying the attention of this commission. The failure to act on others is due primarily to the fact that they have not been drawn to our attention.

Many of these bills raise the important question of state policy as to whether, after a state has established a regulatory body, with full power to supervise public utilities, it is wise thereafter to enact legislation crystallizing in rigid form matters as to which the regulatory body can formulate rules and regulations which it may change from time to time as experience shows changes to be necessary. We leave this matter to your honorable body in full confidence that you will adopt such a course as in your judgment may best subserve the interests of this State.

Respectfully,

RAILROAD COMMISSION.
JOHN M. ESHLEMAN,
H. D. LOVELAND,
ALEX. GORDON,
MAX THELEN,
EDWIN O. EDGERTON.
Commissioners.

INVITATION.

Mr. Scott, in behalf of the Commissioners of the Panama-Pacific International Exposition and the State Board of Harbor Commissioners, addressed the Assembly as follows:

I hold in my hand a copy of an invitation from the Panama-Pacific International Exposition Company and the Board of State Harbor Commissioners, extending to the members of the Assembly and their ladies an invitation to be their guests in San Francisco on Saturday, March 29, 1913.

The directors of the Panama-Pacific International Exposition Company have made wonderful progress with the work attendant upon this great enterprise.

The State Board of Harbor Commissioners have made extensive and important improvements upon the San Francisco water front. In addition to the building of many new docks, the Belt Railroad has been extended so that the line on both sides of Market street has been made continuous, and as a result the immense amount of freight coming into the port of San Francisco is handled cheaply and expeditiously. In addition to these improvements many more are contemplated, all of which are of great moment to the people of the whole State.

Both of these bodies of men are proud of the good work they have accomplished under their direction and are desirous of interesting the members of the Assembly in these vast enterprises.

The members of the Assembly and their ladies will be conveyed to San Francisco on a train leaving Sacramento at 8.15 a.m. Saturday morning, via the Southern Pacific line, arriving in San Francisco at 11.30 a.m., and from that time until 7.30 p.m. the members and their ladies will be provided with pleasant entertainment at the hands of the State Harbor Commissioners and the directors of the Panama-Pacific International Exposition Company. I now take extreme pleasure in extending to all members of the Assembly, on behalf of these two great bodies and the city of San Francisco, a cordial invitation to be their guests next Saturday.

Mr. Hinkle moved that the invitation be accepted.

Motion carried.

USE OF ASSEMBLY CHAMBER GRANTED.

Mr. Morgenstern asked for and was granted unanimous consent to use the Assembly Chamber for a meeting of the Committee on Drainage, Swamp and Overflowed Lands for this afternoon.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Assembly Bill No. 491—An Act repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as section twelve hundred two *a*, relating to indeterminate sentences.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, providing for the granting of letters of administration, by adding thereto a new section, to be numbered 1690; upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, except in those of the fifth and sixth class, and of cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city or city and county.

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof: to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

Assembly Bill No. 682—An Act to provide for the election of road masters, prescribing the time and manner of holding such election, the term of office, the duties of road masters and fixing their compensation.

Assembly Bill No. 1405—An Act to amend section sixteen of an Act known as "The Building and Loan Commission Act," Chapter 354, Laws of 1911, approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

Assembly Bill No. 1576—An Act to provide for the formation and establishment of road districts; the construction, acquisition, maintenance, control, and use of roads; defining the term road; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commission to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

Assembly Bill No. 2043—An Act to amend Section 269 of the Political Code relating to compensation for services after close of session.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Guiberson, Mr. L. W. Andrews and Mr. T. D. Toland were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nelson, Mr. W. A. Beasley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. M. M. Bassett and Mr. W. T. Vaughn were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. Chas. W. Thomas was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. Ben Tabor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. J. T. Boyer and Mr. A. V. Taylor were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Mallory, Mr. Bert Hodson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. Chalmer Munday was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mrs. Dan Woods was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. H. S. Derby was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dower, Mr. Chas. Grover was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and thirty minutes p.m., on motion of Mr. Smith, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, March 28, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley,

Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—72.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

PETITIONS.

The following petitions were received, and ordered printed in the Journal:

By Mr. Gelder:

To the Honorable the Members of the Legislature of the State of California.

HONORABLE SIRS: We, the undersigned electors of the State of California, being opposed to compulsory vaccination, respectfully petition your honorable body to enact Assembly Bill No. 357, the title of which is as follows:

An Act to protect any child or person enrolled or employed in, around or about or in attendance upon any public or private school, or other educational institution within the State of California, from indiscriminate vaccination; and to prevent vaccination being made a precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California.

CHARLES G. KUHLMAN.

SAMUEL TAYLOR (and 20,003 others).

By Mr. Peairs:

LOS ANGELES, February 5, 1913.

To the California State Assembly, Sacramento, California.

HONORABLE GENTLEMEN: We beg to urge your favorable consideration of Assembly Bill No. 469, better known as the Torrens land bill. The fact is that this system is the only means by which we can obtain an absolutely secure title to the land as against the world. In states where used, it has minimized fraud and has proved useful in clearing up defective titles. The property so registered is always available for immediate use as security in placing loans without loss of time or money. Under this system, instead of the property owner paying a large price to a private corporation and receiving a very small benefit, he will pay a very small price to his own state and receive what naturally and rightfully belongs to any taxpayer, a title founded on our own county records, furnished by our own county officials and backed by an assurance fund held in trust by our own State of California. We therefore ask that your honorable body pass bill No. 469, introduced by Assemblyman Howard A. Peairs, and thereby furnish your constituents with the up to date system that has proved so successful elsewhere and is being studied in every civilized country in the world.

(Signed) WILBUR D. CAMPBELL (and others).

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Weldon:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to repeal section four of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, relating to the preservation of fish.

Referred to Committee on Introduction of Bills.

By Mr. Strine:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF CONSTITUTIONAL AMENDMENT.

The following constitutional amendment was introduced, and referred as indicated:

By Mr. McDonald: Assembly Constitutional Amendment No. 83—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a section thereto, to be known as Section 19½ of Article XI, relating to the acquiring of public works or utilities by municipalities.

Read, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Mr. Schmitt:

Resolved, That the Committee on Commerce and Navigation be and it is hereby instructed to report back to the Assembly forthwith Assembly Bill No. 45, pursuant to the provisions of Rule 18 of the Standing Rules of the Assembly.

Mr. Schmitt moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Bloodgood, Bowman, Brown, Bush, Byrnes, Clarke, Geo. A., Dower, Finnegan, Ford, Gelder, Green, Griffin, Guiberson, Guill, Johnson, Geo. H., Killingsworth, Kingsley, Libby, Moorhouse, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—40.

NOES—Messrs. Ambrose, Beck, Bohnett, Bradford, Chandler, Cram, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Inman, Johnstone, W. A., Judson, Kuck, McDonald, Nelson, Peairs, Roberts, Shartel, Strine, and Sutherland—22.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 506—An Act to provide for the care, management and protection of state highways, and to repeal an Act entitled "An Act to provide for the care, management and protection of state highways," approved March 24, 1903, and all Acts or parts of Acts amendatory thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 506 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgestern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1878—An Act to amend section one of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices thereto, and providing for the punishment thereof,' approved February 23, 1893."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1878 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Schmitt, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and forty-five minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 1876—An Act to authorize and empower the commission constituted by an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor, and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct, and management thereof; and to make an appropriation therefor," approved April 4, 1911, to dispose of lands heretofore purchased or agreed to be purchased by said commission for a site for said California reformatory, and directing it to select another site.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1876 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Wall, Weisel, Weldon, White, and Woodley—59.

NOES—Messrs. Chandler, Clark, Wm. C., Johnstone, W. A., Sutherland, Tulloch, and Wyllie—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 783 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Weisel, White, and Wyllie—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At eleven o'clock a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 469 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Peairs, Polsley, Roberts, Shannon, Shearer, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Johnstone gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 783 was this day passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1368—An Act reappropriating \$964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay national guardsmen for services rendered at Ocean Park fire in September, 1912.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1368 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1368, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1368 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Richardson, Schmitt, Shannon, Slater, Smith, Strine, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—52.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

HOUR OF RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended, until the completion of reports of standing committees.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments.

Also: Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California, to be known as Section 2567a, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

KUCK, Chairman.

The above reported bills ordered on file for second reading:

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section

thereto, to be known as Section 653c, relating to wages of employees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 13—A joint resolution asking the Congress of the United States to enact the Hamill bill (H. R. 9245), known as "the straight pension" bill for the pensioning of civil service employees of the United States Post Office Department—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

JOHNSON, Chairman.

The above ordered on file for adoption.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Also: Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Also: Assembly Bill No. 1492—An Act making an appropriation to pay for street work fronting the property of the state normal school at San Jose.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to the Committee on Ways and Means.

STRINE, Chairman.

The above reported bills ordered on file for second reading, and referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the "Public Utilities Act," by amending Sections 2, 5, 10, 17, 42, 56, 57 and 59 thereof—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225a, 4225b, 4225c, 4225d, 4225e, 4225f, 4225g, 4225h, 4225i and 4225j, all relating to county boards of health and sanitary inspectors.

Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Assembly Bill No. 974—An Act to repeal sections 1923, 1935 and 1966 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 19324, 1933, 1934, 19344, 1953, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112, of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928a, 1928b, 1928c and 1928d, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies in their own homes and for their free transportation and support

while undergoing treatment under the direction and treatment by the State Board of Health.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock and five minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 3, strike out the comma after the word "trees" and insert in lieu thereof the word "and", and strike out the words "shrubs, lawns and flowers", in line 3, page 3.

Also: On page 3, line 10, strike out the comma after the word "trees" and insert in lieu thereof the word "and", and in line 11, page 3, strike out the words "shrubs, lawns and flowers".

Motion lost.

Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 29, strike out the period after the word "consent" and insert in lieu thereof a semicolon; also, add the following: "*provided, however, that nothing in this Act shall give such county board of forestry any jurisdiction over any fruit or nut trees now growing along said roads, highways, grounds or property.*"

Mr. Johnstone moved to amend the amendment as follows:

Add the following words: "except that such trees may not be removed without the consent of the said county board of forestry."

Amendment to amendment adopted.

Motion to appoint select committee carried.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 277, with instructions, do now report that the instructions of the Assembly have been carried out.

BLOODGOOD, Select Committee.

Report of select committee and amendment adopted.

Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 12, strike out the word "shall" and insert in lieu thereof the word "may".

Motion carried.

The Speaker appointed Mr. Smith as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 277, with instructions, do now report that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of select committee and amendment adopted.

Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 2, strike out all after the word "power" up to and including the word "and" on line 5.

Also: On page 2, section 2, line 5, after the word "supervisors", add the words "by unanimous vote of all members thereof".

Also: On page 2, section 2, line 14, strike out "\$150" and insert "\$100".

Motion lost.

Mr. Pelsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 24, strike out all the section after the word "property".

Also: On page 3, line 22, strike out the words "trim, prune".

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Fitzgerald moved that the vote whereby Assembly Bill No. 1735 was passed be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Fitzgerald moved a call of the House.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bowman, Bush, Dower, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Griffin, Inman, Kingsley, McDonald, Murray, Nolan, Palmer, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Stuckenbruck, Wall, Walsh, Weldon, White, and Woodley—27.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Fish, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kuck, Moorhouse, Nelson, Peairs, Pelsley, Roberts, Strine, Sutherland, Weisel, and Mr. Speaker—33.

The roll of absentees was called, and motion to reconsider lost by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bush, Chandler, Dower, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Inman, Killings-

worth, Kingsley, McDonald, Murray, Nolan, Palmer, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Stuckenbruck, Wall, Walsh, Weldon, and White—33.

NOES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Cram, Emmons, Fish, Gates, Guill, Hinkle, Johnson, Geo. H., Judson, Kuck, Moorhouse, Nelson, Peairs, Polsley, Roberts, Strine, Sutherland, Weisel, Woodley, and Mr. Speaker—28.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 25—An Act appropriating two hundred thousand dollars (\$200,000) to complete the construction of the exposition building of the State of California at the Panama-California Exposition, to be held in San Diego, California, during the year 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 25 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Moorhouse, Nelson, Palmer, Peairs, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

COMMUNICATIONS.

The following communications were sent to the desk, and ordered printed in the Journal:

OAKLAND, CAL., March 28, 1913.

Hon. FRANK M. SMITH, Assembly Chamber, Sacramento, Cal.:

The city of Oakland invites the members of the Legislature and their wives to be its guests on Saturday night and Sunday. We want to show you the east bay districts on Sunday. Your accommodations for Saturday night will be arranged for.

MERCHANTS EXCHANGE OF OAKLAND,

By A. G. TAFT, President.

OAKLAND COMMERCIAL CLUB,

By HARMON BELL, President.

FRANK K. MOTT, Mayor of the City of Oakland.

OAKLAND CHAMBER OF COMMERCE,

By W. E. GIBSON, President.

Also:

OAKLAND, CAL., March 28, 1913.

Hon. FRANK M. SMITH, Assembly Chamber, Sacramento, Cal.:

Members of Legislature and wives who accept invitation of city of Oakland for Saturday night and Sunday are cordially invited to be guests of Hotel Oakland Saturday night, with breakfast Sunday morning. Plans for their subsequent entertainment have been arranged. Kindly extend this invitation to members of Assembly.

VICTOR REITER, Manager.

Mr. Scott moved that the invitations be accepted.

Motion carried.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March 27, 1913, adopted Senate Concurrent Resolution No. 22—Relative to raising funds for the relief of flood sufferers in the East.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 22 read and on motion adopted, and ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 22.

Relative to raising funds for the relief of flood sufferers in the East.

WHEREAS. The call for help now coming from our stricken fellow citizens in many states of the East is an appeal that California does not wish to ignore; therefore, be it

Resolved by the Senate, the Assembly concurring. That a committee of six, three to be appointed by the President of the Senate and three by the Speaker of the Assembly, be selected to confer with the Governor, and report to the Legislature the best means of raising funds to answer said call, and also in what way the State of California can lend its aid.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Bohnett, Sutherland and Stuckenbruck as such committee:

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 75—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Assembly Bill No. 253—An Act to amend section twelve hundred thirteen of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Assembly Bill No. 282—An Act to amend section seven hundred and eighteen of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Assembly Bill No. 657—An Act to amend Section 883 of the Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911.

Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and the forcing out of underground mines, and tunnel smoke and gases generated by blasting powder and other explosives, and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction constitutes gross negligence in case of actions for damage to health of employees.

Assembly Bill No. 2031—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California, to be numbered 499d, relating to the taking, using, operating or removing or causing to be taken, used, operated or removed, an automobile or motor vehicle

from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled:

Assembly Bill No. 310—An Act to amend Section 1577 of the Code of Civil Procedure, relating to the sale of property of an estate, and to amend Section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Assembly Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

And were presented to the Governor March 28, 1913, at eleven o'clock and thirty minutes a.m.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of the members of the Assembly from Alameda County, the following students of the Oakland High Schools were granted the privilege of the floor of the Assembly for this day, their names ordered printed in the Journal, and the Chief Clerk instructed to mail copies of the Journal to the schools:

Etta DeLeon, Lillian Wallitz, Harry Kennedy, Neva Cray, Ella Daly, Ruth Oliver, W. J. Quinville, Anabel Hack, Mrs. W. L. Schurz, Mildred Grismore, Arthur Hutchinson, Chas. Williams, Frank E. Taylor, Edward A. Hough, Ralph Taylor, Clarence Anderson, George Patterson, Margaret Davis, Harold Christenson, Jack B. McDonald, Jeanne Zeckendorf, Amelia Muir, Hugh Kent, Livingstone G. Irving, Gladys McDonald, Mildred Porter, Mabel A. Hayden, Floy Gilmore, Nestor Sander, Myrtle Jones, Katharine Slade, Cleo Damianakes, Florence MacLean, Forrest Barrett, Van Kahler, Georgia Nelson, Nell Powell, L. May Nelson, Ruby C. Waldron, Augusta Rothweiler, Josephine Chase, Olga Huley, Alice Dean, Mildred Valergia, Eleanor Jennings, Harold Nold, Helen Woodward, Jennie Morey, Annie Sitton, Kai Wong, Anita Franz, Harold Trimble, George Lacoste, Louis Kahn, Charles Miller, George Cotton, Paul Roller, Percy Barrett, Earl Hammond, Chas. McNeill, Raynor Gembal, Roy Weesinsel, John Otto, Helen Hallawell, Helen Morehouse, Mabel Stockholm, Anita Merritt, Margery Fisher, Neva Rend, Theodosia Todd, Arthur White, Esther Sharon, Roland Meyer, Walter E. Parmelee, Gretchen Nelle, Julia Barnard, Helen Smith, Violatte C. Elesen, Caroline Lovejoy, Delia Webb, Irene Ray, Ruth O'Connell, Jane Halbert, Beth Merriam, Elmer Herbert, Esq., Stedman Todd, Gladys Duncan, Julette Atwater, Stanley Smith, Estelle Belrose, Lorena Phillips, Mabelle Charront, Adele Corwin, Beth Carrick, Mildred Wilson, Lillian Sidey, Earl Swigert, Theodore Bradbury, Gardner Crafts, Grant Hunt, Charlotte Cockcroft, Clifton Gordon, Alice Hall, Marion Oliver, Helen Gray, Louise Mills, Harold Reynolds, Bettie Yard, Chas. Garretson, Marjorie Waldron, Arthur Gonzales, Harold Blote, Clarisse Buteau, Zoe Hermle, Sadie Fredericks, Stuart Johnson, Olive Hayes, Walter Cauch, Helen Brewster, Margaret Boceroux, Ruth Foster, Helen Maher, Anita Miller, Helen Burnham, Ruth Nelson, Frances Meirdey, Rose Chen, Norma Holroyd, Hazel Simmons, Juanita Hargreaves, Ethel Kane, Florence Waldo, Florence Gould, Coit Ellis, Oscar Engblom, Roland Miliken, Yoshio Yeto, Walter Wilson, Henry L. Coffin, Stanley McKim, Estella Walker, Irene Kessler, Hope Townsend, Florence Hadden, Martha Huffaker, Hazel Hearsey, Marie Whitmore, Gertrude Knudsen, Irene Hurley, Charles Williams, Olga Stephens, Harold Morse, Belya Harcourt, Margery Hawkins, Marjorie Middleham, A. Barnes Wright, Warren White, Tillie Flierl, Florence Rhodamel, Penelope Throing, Milton Throing, Meta Neal, Gertrude Martin, Helen Swortfiguer, Ella J. O'Connell, Frances Lowell, Ernest Smith, William Young, Louise Scammell, Waite Stephenson, Charles Kohlmeier, Irene Granlund, Edna Strong, Mildred Jackson, Ed J. Hampel, Falka M. Gibson, Richard Bauer, H. Young, A. Leslie Fletcher, William A. Magee, Jr., L. N. Cobbleidick, Jr., W. R. Cobbleidick, John S. Talcott, Bertha Vanderbilt.

Through the courtesy of Mr. Kuck, Mr. N. W. Zimmer was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. M. M. Bassett was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. W. T. Vaughn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. A. V. Taylor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. Geo. A. Smith was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clarke, Mr. Jasper Patrick was granted the privilege of the floor of the Assembly for this day.

MOTION.

Mr. Shearer moved that the Assembly adjourn until Monday, March 31, 1913, at ten o'clock a.m.

Mr. Bohnett moved as a substitute that the Assembly take a recess until eight o'clock p.m. of this day.

Motion carried.

RECESS.

At three o'clock and twenty minutes p.m., the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m. the Assembly reconvened.
Speaker Young in the chair.

MOTION.

Mr. Bohnett moved that Rule 69 be suspended.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a State Printing Office.

During second reading of the bill, the following amendment was submitted by the committee:

In lines 10 and 11 of first page of printed bill, beginning with and inclusive of the word "the" in said line 10, strike out everything up to and inclusive of the word "officials" in said line 11, and substitute therefor: "its present site".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the clerk of the Supreme Court.

Bill read second time.

Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Bill read second time.

Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near Summit station.

Bill read second time.

Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Bill read second time.

Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Bill read second time.

Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Bill read second time.

Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Bill read second time.

Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of a state hospital near the city of Los Angeles, for the erection and equipment of buildings for a state reformatory to be established near Yountville, in the county of Napa, and for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Commencing in line 5, page 1, of the printed bill, after the word "prepare", strike out of said line 5 and of line 1 of page 2 thereof the word "eight thousand six hundred", and substitute therefor the words "six thousand".

Amendment adopted.

AMENDMENT No. 2.

Commencing in line 3 of page 2 of the printed bill, after the words "sum of", strike out of lines 3 and 4 of page 2 thereof the words "four million three hundred thousand", and substitute therefor the words "three million".

Amendment adopted.

AMENDMENT No. 3.

In line 17 of page 4 of the printed bill, strike out the word "purposes", and substitute therefor the word "purpose".

Amendment adopted.

AMENDMENT No. 4.

On pages 4 and 5 of the printed bill, commencing with line 18 of said page 4, and including said line 18, strike out everything up to and inclusive of line 9 of said page 5.

Amendment adopted.

AMENDMENT No. 5.

In line 10 on page 5 of the printed bill, strike out the letter "c".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Bill read second time.

SECOND READING OF SENATE BILL.

Senate Bill No. 626—An Act appropriating money to pay the expense of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the kingdom of Belgium, in the year nineteen hundred thirteen.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1280, 1371, 1372, 1373, 1375, 1376, 1377, 1007, and Senate Bill No. 626.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 1280, 1371, 1372, 1373, 1375, 1376, 1377, 1007, and Senate Bill No. 626 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 1280, 1371, 1372, 1373, 1375, 1376, 1377, 1007, and Senate Bill No. 626, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 26 and 1325.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 26 and 1325 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 26 and 1325, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2025—An Act to amend Sections 2761 and 2764 of the Political Code of the State of California, relating to permanent road divisions.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1326—An Act to provide for the improvement of the public roads and highways of the State, and to provide the means of defraying the cost of the same.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1601—An Act to amend Section 702 of the Code of Civil Procedure of the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out the words "where there is", and insert in lieu thereof the word "with".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, after the word "one", and before the word "off", insert the words "or more".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, strike out the word "the" at the end of the line, and insert in lieu thereof the word "such".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 5, strike out the word "renounce", and insert in lieu thereof the word "renounces".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 5, strike out the word "die", and insert in lieu thereof the word "dies".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 5, strike out the word "are", and insert in lieu thereof the word "is".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 8, strike out the word "other", and insert in lieu thereof the words "a trustee or".

Amendment adopted.

AMENDMENT No. 8.

On page 1, line 8, after the word "trustees", insert a comma and the following: "as the case may be."

Amendment adopted.

AMENDMENT No. 9.

On page 1, line 10, strike out the comma after the word "number".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 4, line 30 of the printed bill, after the second word "of", insert the word "any".

Amendment adopted.

AMENDMENT No. 2.

On page 4, line 31 of the printed bill, after the word "institutions", insert the words "or of any duly accredited medical college".

Amendment adopted.

AMENDMENT No. 3.

On page 4, line 35 of the printed bill, strike out the period, add a semicolon and the following: "nor shall this Act be considered to prevent a duly licensed physician from embalming or supervising the embalming of a body in case of necessity".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 809—An Act to amend the Penal Code of the State of California by adding a new section, to be known as 626*g*, relating to the protection and preservation of game birds.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628*g*, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 6, after the word "abalone", insert the following: "meat fresh or dry, or in cans holding more than one pint".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 12, after the word "abalone", insert the following: "meat fresh or dry, or in cans holding more than one pint".

Amendment adopted.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1289—An Act to amend Section 626*k* of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, after the comma after the word "sells", insert the word "ships".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, after the word "barter", strike out the word "or", and insert in the same line, after the word "trade", the words "or shipment."

Amendment adopted.

AMENDMENT No. 3.

On page 1, lines 5 and 6, strike out the words "section 626 to 626j, inclusive," and insert in lieu thereof the words "part one, title fifteen, chapter one."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 10, after the word "misdemeanor", insert the following: "and upon conviction thereof shall be punished by a fine not less than twenty dollars nor more than five hundred dollars, or imprisonment in the county jail of the county in which the conviction shall be had, not less than twenty days nor more than six months, or by both such fine and imprisonment; and all fines and forfeitures imposed and collected for violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 281—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered Section 2a, relating to the dissolution of such districts where they have no assets and have no indebtedness not barred by the statute of limitations and have ceased to be going concerns.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901, and 1902, of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

Bill read second time, and ordered to engrossment and third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 55—An Act to amend Section 264 of the Penal Code, relating to punishment for the crime of rape.

Also: Senate Bill No. 613—An Act to amend Section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Also: Assembly Bill No. 509—An Act to reappropriate and make available for the purpose of printing for the State Board of Forestry a certain amount heretofore appropriated for the support of said board.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 55 read first time, and referred to Committee on Judiciary.

Senate Bill No. 613 read first time, and referred to Committee on County Government.

Assembly Bill No. 509 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 502—An Act to amend Section 1674 of the Political Code of the State of California, relating to union school districts.

Also: Senate Bill No. 343—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

Also: Senate Bill No. 1628—An Act to amend Section 1665 of the Political Code of the State of California, relating to including California history in the course of study.

Also: Senate Bill No. 1259—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 502 read first time, and referred to Committee on Education.

Senate Bill No. 343 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 1628 read first time, and referred to Committee on Education.

Senate Bill No. 1259 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 1—Approving seventeen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the tenth day of December, 1912.

Also: Assembly Concurrent Resolution No. 24—Approving thirteen certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Los Angeles at a special municipal election held therein on the 24th day of March, 1913.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

SUTHERLAND, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 805—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Also: Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Also: Assembly Bill No. 1677—An Act to appropriate the sum of three hundred and sixty-one dollars to pay the claims of the State Board of Health.

Also: Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California—have had the same under consideration, and respectfully report the same back and recommend that it do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 675—An Act to add a new section to the Political Code, to be known as Section 4291a.

Also: Assembly Bill No. 399—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Banking, to whom was referred Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 21, 22, 23, 24, 25, 28, 31, 32, 34, 35, 37, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 95, 96, 97, 98, 99, 101, 102, 105, 121, 123, 124, 127, 128, 130, 133, 134, 136, 137, 138, and 145 thereof and by repealing Sections 13, 18, 33, 100, 103, and 104 thereof and by adding new sections thereto, to be numbered Sections 21a, 31a, 54, 55, 56, 61a, 135a, 136a, and 136b and by repealing Section 135 thereof and adding a new section thereto to be numbered Section 135, all relating to the definition and regulation of the business of banking—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

ROBERTS, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 45—An Act granting to the city and county of San Francisco certain tide lands, marsh lands and submerged lands of the State of California, within the boundaries of said city and county, including the right to wharf out therefrom; regulating the management, use and control thereof, and providing for the deposit with the State of California of certain bonds to protect the State of California from any loss which might accrue to said State by reason of outstanding bonds for the use and purpose of the harbor front of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of San Luis Obispo, in the county of San Luis Obispo, State of California, etc.—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

SCOTT, Chairman.

ASSEMBLY CONCURRENT RESOLUTION CONSIDERED.

Upon the request of Mr. Green, Assembly Concurrent Resolution No. 25 was taken up for consideration.

Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of San Luis Obispo, in the county of San Luis Obispo, State of California, which was voted for and ratified by the qualified electors of said city at a special municipal election held therein for that purpose on the 18th day of March, 1913.

The question being on the adoption of the Assembly concurrent resolution.

The roll was called, and Assembly Concurrent Resolution No. 25 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Canepa, Cary, Clarke, Geo. A., Dower, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—44.

NOES—None.

Assembly Concurrent Resolution No. 25 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 25.

Approving a certain amendment to the charter of the city of San Luis Obispo, in the county of San Luis Obispo, State of California, which was voted for and ratified by the qualified electors of said city at a special municipal election held therein for that purpose on the 18th day of March, 1913.

WHEREAS, The city of San Luis Obispo, in the county of San Luis Obispo, State of California, contains a population of more than thirty-five hundred inhabitants and has been ever since the year 1910, and is now, organized and acting under and by virtue of Section 8, Article XI, of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the twelfth day of September, 1910, and approved by the Legislature of the State of California, on the twenty-third day of February, 1911; and

WHEREAS, The council of the said city duly proposed to the qualified electors of said city an amendment to the charter of such city by the submission of one proposal entitled as follows, to wit:

Charter Amendment Number One.

That there be added to the charter an article to be known as Article XVIII, containing Sections 111 to 119, inclusive, and to read as follows, to wit:

ARTICLE XVIII.

POLICE COURT.

SEC. 111. The judicial power of the city of San Luis Obispo shall be vested in a police court to be held therein. Said court shall consist of one judge, who shall be appointed by the council, or other legislative body of said city, and who shall serve during its pleasure, and who shall receive such compensation as the council of said city shall determine.

SEC. 112. Said court shall have exclusive jurisdiction: (1) In all prosecutions for violations of municipal ordinances. (2) In all actions for the recovery of any fine, penalty or forfeiture, and the enforcement of any obligation or liability prescribed or created by the city ordinances and in which the sum sued for does not amount to three hundred dollars.

SEC. 113. Within the city limits said court shall have concurrent and co-ordinate

jurisdiction with township justices' courts in all matters and things in which said justices' courts now or may hereafter have jurisdiction, and the judge of said police court shall have as aforesaid like authority, power and jurisdiction as the justices of said justices' court.

SEC. 114. Appeals may be taken to the Superior Court of the State of California, in and for the county of San Luis Obispo, from the judgments and orders of said police court in all cases in which appeals now are, or may hereafter be provided by law to be taken in said Superior Court from said justices' and police courts.

SEC. 115. In all proceedings in and appeals from said police court, the pleadings, practice, procedure and laws, now applicable or that may hereafter be made applicable to said justices' or police courts, except as may be otherwise provided in this article, are hereby adopted and made applicable to said police court.

SEC. 116. All fines, and other moneys received or collected by the judge of said police court, for or on account of the city of San Luis Obispo, shall be paid into the city treasury on the last day of each month before the hour of twelve o'clock noon; *provided*, that if the last day of the month falls upon a Sunday or legal holiday, then such payment must be made on the day preceding before the hour of twelve o'clock noon.

SEC. 117. The judge of said police court shall have power to administer oaths and affirmations and take and certify affidavits. He shall have and use a seal on which shall be inscribed the arms of the State of California and the words: "Judge of the police court of the city of San Luis Obispo." He shall have power to issue warrants, writs and summons in all respects as if issued by the justice of the peace. Any warrant, writ or summons issued out of said court may be served in any county of the State; *provided*, there is attached to it a certificate under seal by the county clerk of San Luis Obispo county to the effect that the person issuing the same was the acting judge of said court at the time of the issuance of said process.

SEC. 118. In all civil actions for the recovery of any fine, penalty or forfeiture prescribed for the breach of any ordinance of such city or town where the fine, penalty or forfeiture imposed by the ordinance is not more than one hundred (\$100) dollars, the trial must be by the court, in civil actions where the fine, penalty, or forfeiture prescribed for the breach of any ordinance of said city is over one hundred dollars, the defendant is entitled to a jury.

SEC. 119. The mayor may, in writing, appoint any justice of the peace of said county or the judge of any inferior court of like jurisdiction in said county during the temporary absence or inability of the judge of the police court to act.

WHEREAS, Said proposal was published for ten days in the *Daily Telegram*, a daily newspaper of general circulation, printed, published and circulated in said city of San Luis Obispo; and

WHEREAS, Said council did, by Ordinance No. 26 (new series), duly and regularly adopted, passed and approved, on the 10th day of February, 1913, call a special election to be held on the 18th day of March, 1913, in said city, being not less than twenty nor more than forty days after the completion of the publication of said proposal for ten days in said newspaper; that said ordinance contained all the matters and things required to be contained therein by Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, At said election held as aforesaid, a majority of the qualified electors, voting thereon, voted in favor of such proposal or amendment and did ratify the same; and

WHEREAS, The city council of the said city of San Luis Obispo, in accordance with the law in such cases made and provided, did on the 19th day of March, 1913, duly canvass the returns of said election as certified by the election boards and duly found, determined and declared that a majority of the qualified electors of said city voting thereon, had voted for and ratified said proposed amendment to the charter of said city of San Luis Obispo; and

WHEREAS, The said amendment to the said charter was ratified by a majority of the qualified electors of said city voting at said election in words and figures as follows, to wit, as hereinbefore set forth.

STATE OF CALIFORNIA,
COUNTY OF SAN LUIS OBISPO. } ss.

I, Archibald McAlister, mayor of the city of San Luis Obispo, do hereby certify that said city is, and at all of the times herein mentioned was, a city containing a population of more than thirty-five hundred inhabitants governed by a charter framed for its own government by a board of fifteen freeholders, who were elected for that purpose, and which charter was duly ratified by the electors of said city and thereafter duly approved by the Legislature of the State of California, as hereinbefore set forth.

I further certify that the above and foregoing amendment to said charter of said city of San Luis Obispo, was proposed by the council of said city and after due and regular publication of such proposal was submitted by said council to the qualified electors of said city at a special election duly and regularly called and held in said city on the 18th day of March, 1913, and at said election said proposal or amend-

ment as hereinabove set forth was ratified by a majority of the electors of said city, voting thereon and thereat, and said proposal or amendment was upon the canvass of the votes thereon made by the council of said city on the 19th day of March, 1913, duly declared by said council to have been ratified by the electors of said city.

In witness whereof, I have hereunto set my hand and affixed my seal of said city of San Luis Obispo this 25th day of March, 1913.

ARCHIBALD McALISTER,

Mayor of the City of San Luis Obispo.

[SEAL]

Attest: CARRIE G. MILES, City Clerk.

WHEREAS, Said amendment ratified as hereinbefore set forth has been duly presented and submitted to the Legislature of the State of California, for approval or rejection without power of alteration or amendment in accordance with said Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring therein (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein), That the said amendment to the said charter of the city of San Luis Obispo hereinbefore set forth as presented and submitted to, and adopted and ratified by the qualified electors of said city, be and the same is hereby approved as a whole for, and as an amendment to, the said charter of said city of San Luis Obispo.

SPECIAL ORDER RE-SET.

On motion of Mr. Guill, the consideration of Assembly Bill No. 1236 was made a special order for Monday, March 31, 1913, at eleven o'clock a.m.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Brown moved that the vote whereby Assembly Bill No. 598 was passed be reconsidered.

On motion of Mr. Brown, the consideration of the above motion was postponed until Monday, March 31, 1913, to be taken up under the head of unfinished business.

SPECIAL ORDER SET.

On motion of Mr. Guill, the consideration of Assembly Bill No. 505 was re-set for Monday, March 31, at eleven o'clock a.m.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274c.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 678 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Dover, Ferguson, Fish, Fitzgerald, Gabbert, Green, Griffin, Guiberson, Guill, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kinsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Wyllie, and Mr. Speaker—43.

NOES—None.

TITLE AMENDED.

The following amendment to title was submitted by Mr. Bloodgood:

Amend the title by adding thereto the following: "Relating to the duties of the county clerk regarding clerk reporter's compensation."

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57 and 59 thereof.

During third reading of the bill, Mr. Sutherland moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1 of the last amended printed bill, line 5 of the title, strike out the word "and" following the figures "57", and insert in lieu thereof a comma.

Also: In line 5 of the title of the last amended printed bill, following the figures "59", insert "and 86."

Also: On page 6, line 19, of the last amended printed bill, strike out the word "an", and insert in lieu thereof the word "any".

Also: On page 7 of the last amended printed bill, in line 27, strike out the words and figures "ten thousand (10,000)", and insert in lieu thereof the words and figures "eight thousand (8,000)."

Also: On page 14 of the printed bill, between lines 30 and 31, insert the following:
"Sec. 8. Section 86 of the Public Utilities Act is hereby amended to read as follows:

SEC. 86. All moneys which are paid into the state treasury by the commission under the provisions of Section 57 of this Act, and credited to the Railroad Commission fund, are hereby appropriated, to be used by the commission in carrying out the provisions of this Act, and the controller is hereby directed to draw his warrant on said fund from time to time in favor of the commission for the amounts expended under its direction, and the treasurer is hereby authorized and directed to pay the same."

Also: On page 14 of the printed bill, line 31, strike out the figure "8", and insert in lieu thereof the figure "9".

Motion carried.

The Speaker appointed Mr. Sutherland as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 196, with instructions, do now report that the instructions of the Assembly have been carried out.

SUTHERLAND, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 375—An Act to amend Section 1552 of the Political Code of the State of California, relating to the traveling expenses of the county superintendent of schools.

Bill re-referred to Committee on County Government, upon request of author.

Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the presentation and form of claims against counties.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 36, strike out the period, and insert in lieu thereof the following: "*provided, further,* that the board of supervisors of any county may in their discretion adopt such other form or forms for the submission and payment of claims and may prescribe such other procedure for the allowance and payment of claims as may better meet the needs of the particular county, but in such form of claim so adopted shall provide:

First—For the approval of the officer directing the expenditure.

Second—For the approval of the purchasing agent or other officer issuing purchase orders, or having charge of contracts or schedules of salaries under which claims may arise.

Third—For the certificate of the auditor and the board of supervisors or of the county auditor as to the correctness of the computations.

Fourth—For the approval of at least one member of the board of supervisors.

Fifth—For the certificate of a clerk of the board of supervisors as to the date and amount of allowance of such claim by the board.

Sixth—For the county auditor's certificate of approval."

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1401, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1272—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered 2648, relating to county government.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1272 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Gary, Clark, Win. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

During third reading of the bill, Mr. Moorhouse moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out, beginning with the word "in," down to and including the period after the word "administrator," on line 11, and insert in lieu thereof the following:

"In counties where the board of supervisors by proper ordinance so elect, except as otherwise provided in this title, the duties of certain of the officers mentioned in Section 4013 are hereby consolidated as follows: Sheriff and tax collector; auditor and recorder; county clerk; county clerk and auditor; auditor, recorder and registrar of voters; county clerk, recorder and registrar of voters; county clerk, auditor and registrar of voters; county clerk and registrar of voters; treasurer and tax collector; treasurer and recorder; assessor and tax collector; public administrator and coroner; district attorney and coroner; sheriff and public administrator. Whenever any elective and appointive office shall be consolidated, and the elective office shall at that time have an incumbent, such incumbent shall continue to perform the duties of such consolidated offices during the remainder of the term for which he was elected or appointed, and such consolidated offices shall thereafter be filled by election at the time and for the purpose for which other county officers are elected. If more than one elective office shall be consolidated, and such offices shall then have incumbents, such consolidation shall become effective at the expiration of the term for which such incumbents were elected or appointed."

Motion carried.

The Speaker appointed Mr. Moorhouse as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1295, with instructions, do now report that the instructions of the Assembly have been carried out.

MOORHOUSE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 697 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Ford, Gabbert, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, providing for the granting of letters of administration, by adding thereto a new section, to be numbered 1690, upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years, and for the administration of the estates of such absent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 372 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1547 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record, in the office of the county recorder prior to the first day of January, nineteen hundred and thirteen.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 950 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Brown, Bush, Canepa, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1333—An Act to vacate and abandon a portion of Channel street in the city and county of San Francisco and utilize the same for industrial purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1333 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Richardson, Roberts, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—42.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1247—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1247 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E. Smith of Modoc County against the State of California, exempting this Act from the provisions of Section 672 of the Political Code and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 344 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Clark, Geo. A., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fitzgerald, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Wall, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 247—An Act making an appropriation of four hundred thirty-four and 53/100 dollars to pay the claim of Alice J. Miller against the State of California.

Bill read third time.

• The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 247 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bradford, Bush, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Wall, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 248—An Act to appropriate the sum of thirty-two hundred and twelve dollars and ninety-four cents (\$3,212.94), to pay the claim of J. Harry Russell.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 248 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 90—An Act appropriating money to pay the claim of Riverside County against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 90 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Brown, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fitzgerald, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Richardson, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1534 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 720—An Act to amend Section 2681 of the Political Code of the State of California, relating to who may apply to alter, discontinue or lay out roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 720 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1061 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district, and providing for the payment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 954 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Gabbert, Gates, Green, Griffin, Guiberson, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter any street in any incorporated city or town, lying adjacent to or upon the property of any such county and providing for the payment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 955 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Ford, Gates, Green, Griffin, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 341—An Act to amend section twelve hundred eighteen of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 341 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Canepa, Cary, Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Richardson, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 195—An Act making an appropriation of three thousand dollars to pay the town of Suisun City for rights of way heretofore conveyed directly to the United States of America for a

cut-off in rectification and improvement of the channel and navigation of Suisun Slough.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 195 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Moorhouse, Morgenstern, Mouser, Nelson, Polesley, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 371 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polesley, Richardson, Schmitt, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

To the Senate and House of Representatives of the Legislature of the State of California:

Your memorialists, the first legislature of the State of Arizona, in session convened, respectfully represent:

WHEREAS, An urgent necessity exists for means, in addition to railroad transportation, whereby traffic can be carried on across the Colorado River, between the states of Arizona and California, not only connecting localities within the two states, but also bridging an annoying and detrimental gap in one of the few feasible all-around-the-year routes between the Pacific coast and the rest of the United States; and

WHEREAS, The State of Arizona, exhibiting its good faith and its desire to promote this advantage, not merely to its own people and the people of the State of California, but to the people of the whole country, particularly at this time, when the citizens of other states are making plans to attend California's historic expositions in 1915, traveling by their own modes of conveyance, has enacted a law appropriating the sum of twenty-five thousand dollars (\$25,000) to pay one third the estimated cost of a bridge across the Colorado River from Penitentiary Hill, in the town of Yuma, State of Arizona, to School Hill, on the Yuma Indian Reservation, in the State of California, contingent upon like appropriations by the State of California and the Congress of the United States, for such a bridge; and

WHEREAS, The Legislature of the State of Arizona has given notice to the Congress of the United States of America, of the appropriation by the State of Arizona for this purpose, and has memorialized Congress to join with the State of Arizona and the State of California in the said undertaking; now, therefore,

The Legislature of the State of Arizona, in session convened, respectfully pray and urge the Legislature of the State of California to make an appropriation of

twenty-five thousand dollars (\$25,000) for this purpose, and to memorialize the Congress of the United States of America to make a like appropriation.

Passed the Senate unanimously, February 13, 1913.

W. G. CUNNIFF, President of the Senate.

Passed the House on the 17th day of February, 1913, by a vote of 31 ayes, 1 no, 3 absent.

H. H. LINNEY, Speaker of the House of Representatives.

Also:

To the Legislature of the State of California.

GENTLEMEN: The following petition is respectfully presented with an earnest request that it be given favorable consideration, namely, that your approval and support be accorded to the proposed constitutional amendment, which reads as follows:

"Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its grounds, not exceeding 160 acres, its buildings and equipment, bonds and other securities, used exclusively for the purposes of education."

The object of this proposed amendment is to exempt from taxation the educational plants of colleges in California, together with the funds for the support of these colleges. If any educational institution holds lands or buildings which are not used for educational purposes, but are held as investment or rented for profit, such real estate would not be exempt from taxation under the proposed enactment.

Signed: Mrs. Frances Ferrier, Roma Mildred Burnett, Mrs. D. B. Grey, Louise Strong, Rosalind A. Keep, Emma Irwin, Mrs. Wells Drury, Elva C. King, Louise Grove, Minna Robinson Clay, P. V. Hewston Grimwood, Mrs. Stephen Sill, Mrs. F. H. Dakin, Laura E. Holmes, Caroline Hawley, Alida Wadham Terrill, Virginia Washington, Mattie K. Hughes, Jessie C. Bruner, Mabel Hewes Chandler, Imogene Hawley, Leila McDermott Badt, Mrs. J. V. Bacon, Helen T. Bacon, Esther Bird-sall Bacon, Mrs. Thos. T. Read, Helen W. Kimball, Janet C. Haight, Mrs. R. M. Stonesifer, Mrs. F. A. Earil, Lillian M. D. Byington.

Also:

OAKLAND, CAL., March 17, 1913.

To the Honorable the Assembly of the State of California.

GENTLEMEN: The Building Trades Council of Alameda County, representing over twelve thousand citizens engaged in the building industry, has carefully examined the various bills pending before your honorable body, and as a result of such examination now petitions you to give the fullest measure of support to the following, to the end that they may become laws of the State of California, to wit:

Senate Bills Nos. 905, 1089, 1090, 1519, 1458 and 1457, and Assembly Bills Nos. 1804 and 1805—relating to employers' liability and workmen's compensation.

Assembly Bill No. 31, Senate Bill No. 456, and Assembly Bills Nos. 858, 1559, 150, 34, 94, 568, and Senate Bills Nos. 931 and Assembly Bill No. 1062—relating to regulation of hours of labor.

Senate Bills Nos. 1413 and 651; Assembly Bill No. 1178; Senate Bill No. 1385; Assembly Bill No. 1110; Senate Bills Nos. 1314, 1109, 1381, 275, 292; Assembly Bill No. 429; Senate Bills Nos. 1305 and 1273; Assembly Bill No. 1497; Senate Bills Nos. 1008 and 739; Assembly Bills Nos. 249, 340, 546 and 609—relating to conditions of employment.

Senate Bills Nos. 1397, 1109, 847; Assembly Bill No. 1265; Senate Bill No. 1070; Assembly Bill No. 1342; Senate Bills Nos. 982 and 984; Assembly Bills Nos. 468, 1501, 1700, 232; Senate Bills Nos. 685, 647 and 134; Assembly Bill No. 75; Senate Bills Nos. 860 and 343; Assembly Bills Nos. 379 and 11; Senate Bill No. 674; Assembly Bills Nos. 802 and 1487; Senate Bill No. 566; Assembly Bills Nos. 663, 752 and 231—relating to measures to protect life and limb and the health of the working people.

Senate Bill No. 749; Assembly Bill No. 416; Senate Bill No. 748; Assembly Bill No. 560; Senate Bill No. 54; Assembly Bill No. 378; Senate Bill No. 1520; Assembly Bill No. 1574; Senate Bills Nos. 1296 and 1517—relating to the protection of the civil rights of workmen.

Senate Bills Nos. 27, 1285 and 499—relating to the protection of the American standards of life and protection of our civilization from Asiatic inroads.

Assembly Bill No. 541; Senate Bills Nos. 140 and 686; Assembly Bills Nos. 744 and 88; Senate Bill No. 516; Assembly Bill No. 254; Senate Bill No. 646; Assembly Bill No. 665; Senate Bills Nos. 873, 322 and 1068; Assembly Bill No. 1107—relating to general protection of our citizens.

Senate Constitutional Amendments Nos. 7 and 59; Assembly Constitutional Amendments Nos. 7, 43 and 44—being amendments further guaranteeing the natural rights of our citizens.

This council protests against the following amendments, as being altogether in favor of the "interests," and opposed to the rights of the working men and women of our State.

Senate Constitutional Amendments Nos. 10, 22 and 23; Assembly Constitutional Amendment No. 30; Senate Constitutional Amendments Nos. 26, 27 and 42.

Trusting that the earnest wishes of the thousands of mechanics and laborers will be some guide to you in your consideration of the various bills mentioned above, we remain,

Very respectfully yours,

[SEAL]

THE BUILDING TRADES COUNCIL
OF ALAMEDA COUNTY.

H. J. BANKER, President.

Attest: F. H. PRATT, Secretary.

Also:

To the Assembly of the State of California:

The undersigned hereby earnestly petition your honorable body that you refuse to pass Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds, and to the State University.

We favor Assembly Bill No. 615, introduced by Assemblyman Ellis, which has no exemptions as to territory.

The above was indorsed by vote by a meeting of the M. E. Church congregation in the city of San Leandro, State of California, on the 16th day of March, A. D. 1913, and the undersigned was authorized to so attest.

S. M. WOODWARD, pastor presiding.

Also:

To the Assembly of the State of California.

GENTLEMEN: Whereas there has been introduced in the Senate of the State of California by State Senator Geo. J. Hans, Senate Bill No. 746, providing that the state flag—the "Bear Flag"—shall be flown on all public buildings, schools, vessels, etc.; therefore, be it

Resolved by Presidio Parlor No. 194, N. S. G. W., in meeting assembled, That we heartily endorse this bill; and be it further

Resolved, That the Senators and Assemblymen representing the city and county of San Francisco in the Legislature be requested to vote in favor of the adoption of said bill.

I hereby certify that the above resolution was unanimously adopted by Presidio Parlor No. 194, N. S. G. W., at a meeting held Monday, March 3, 1913.

GEO. A. DUCKER, Secretary.

Also:

SAN FRANCISCO, CAL., March 25, 1913.

To the Honorable the Governor and the Legislature of the State of California:

Senate Bill No. 853, introduced by Senator Grant, being identical with the Assembly Bill No. 1240, introduced by Assemblyman Scott, to amend Section 531 of the Code of Civil Procedure, is intended to empower an individual or any number of individuals affected thereby to bring suit to prevent some of the oppressive practices of public service corporations. It is the history of nearly all large municipalities that the public service corporations not only bring suits to restrain enforcement of any rates fixed by ordinance for water, gas, and the like which do not suit their notions, but they also threaten the consumer that his service will be cut off if he refuses to pay rates largely in excess of the rate fixed, and there is not only a question whether the individual ratepayer could now obtain an injunction against these extortionate and oppressive practices, but the average ratepayer could not afford to do so. These companion bills are intended to permit any one or more ratepayers to join in a suit to restrain the enforcement of such rates by the company and the discontinuance of the service for refusal to pay such rates, provides for a moderate bond which will protect the company, makes the rate fixed by legal authority *prima facie* valid, and fixes the burden of proof upon the company, just as the law fixes the *onus probandi* upon the private citizen when he seeks to overcome official action.

Senate Bill No. 1408, identical with Assembly Bill No. 1655, introduced by the same Senator and Assemblyman, are intended to add a new section to the Code of Civil Procedure, to be numbered 534. In various municipalities of the State, and probably all over this country, the various holders of franchises tack on to their legal franchises the exercise of other privileges seriously affecting the public to which they have no right at all. This may occur through the neglect of subservient, careless or indifferent public officials, who will take no proceedings to protect the public in the matter. Under the present condition of the law there is a serious question whether the private citizen can protect himself by legal proceedings, and this simple Act is intended to enable him to do so. The invasion of a public right of this kind is an invasion of the right of every member of the public, and there never was any good reason why citizens with the manhood to resent the most

flagrant usurpation of power should not be permitted to do so if the public officials neglect to discharge their sworn duty. In San Francisco, certain corporations are exercising franchises in the public streets over large sections of the city without any legal authority at all, and this has been permitted for years, with the full knowledge of public officials, and in cases where a private citizen attempting to do such a thing would be thrown into jail. This law proposes to enable the people to protect themselves against such abuses of the public right.

These two bills, being in line with the modern tendency to permit direct action by the people upon the immediate question involved; therefore be it

Resolved, That Public Ownership Association, of San Francisco, hereby heartily indorses each of said bills and approves the intent and purpose thereof, and urges the Legislature of the State of California to pass said bills and the Governor of the State to approve the same when passed.

Adopted at a regular meeting held March 19, 1913.

C. W. EASTIN, President.

Attest: E. BACKUS, Secretary.

SAN FRANCISCO, CAL., March 25, 1913.

To the Members of the State Legislature.

DEAR SIRS: The Daughters of California Pioneers, at their last business meeting, passed the resolution; therefore, be it

Resolved, That we are unalterably opposed to all cemetery bills now pending, and do hereby petition the State Legislature to refuse to enact any of these bills.

LOUISE NOLAN (and others).

Also:

LOS ANGELES COUNTY GRAND JURY,

LOS ANGELES, March 24, 1913.

To the Honorable State Legislature of California.

HONORABLE SIRS: The rapid growth of moving picture exhibitions, and the character of influence they wield upon the public mind, is worthy of consideration when the social and educational development of the State is involved; and

WHEREAS, As a means of education the moving picture has gained in prominence, therefore we must admit of its possibilities as a means of impressing upon the mind enduring influences either for good or evil; and

WHEREAS, The preservation of a high standard of morals for the youth of this state is evidenced by the fact that laws are in force to safeguard the young and innocent from entering questionable places of amusement, gambling houses and saloons, because of the baneful influences exerted upon the minds of the innocent; and

WHEREAS, We are in sympathy and accord with the enforcement of these laws, and the maintenance of all legislation that promotes the moral and social advancement of the citizenship of this state; now, therefore, be it

Resolved, That we, the grand jury of Los Angeles County, do with the sole purpose of raising the educational value of moving pictures, condemn the showing of such moving pictures, for profit or otherwise, that contain any act wherein the use of firearms, expressly or otherwise, results in a death scene, except in the representation of war scenes, any act of duel fights with pistols, guns, daggers, dirks or knives, any act of the holding up of persons, stages, trains or any other manner of hold-up that actual or implied forfeiture of life is depicted, any act of violence by one person toward another, any act of bank burglary or any other form of burglary or theft or petty theft, any act of suicide by the taking of poison or the use of a pistol, gun, knife or any other means or implied means of self-destruction, any act that shows the use of a hypodermic needle by a dope fiend, any act that shows the creeping or crouching position of a person upon an intended human victim with a firearm, blade weapon or any other instrument, in such a position as to indicate its use, any act that shows the crime of arson, any act of choking or clubbing a human victim, any act which represents a low state of morals, and any other acts of lewd, licentious or evil suggestion or of personal violence.

That the showing of such moving pictures is a menace to the moral and social welfare of the inhabitants of our State, and are instructive in teaching the manner of accomplishment of evil and vicious crimes which the laws of the State are endeavoring to force into subjection.

That we indorse and approve of a bill now before the State Legislature entitled "An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California," and that we believe such a state censor commission is necessary and of vital importance for the proper control of film picture showing, as well as the material benefit derived in forcing a higher grade of subjects for display.

Our investigation has forced us to the conclusion that film pictures of the character mentioned in this resolution wield a demoralizing influence upon society and pollute the minds of the children of our State.

The State of California should put the seal of disapproval upon this menace to the moral and social advancement of the people, and we recommend that that part of this resolution appertaining to acts shown in moving pictures be incorporated in Section 3 and amended to Senate Bill No. 1126.

We respectfully urge the passage of this bill, and seek your approval of the proposed amendment.

Approved by the grand jury of Los Angeles County this 21st day of March, 1913.

WILLIAM MEEK, Foreman.

ADJOURNMENT.

At nine o'clock and forty-five minutes p.m., on motion of Mr. Schmitt, the Assembly was declared adjourned until Monday, March 31, 1913, at ten o'clock a.m.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, March 31, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—73.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Clarke, Mr. Kuck was granted leave of absence for the day.

On motion of Mr. Slater, Mr. Libby was granted leave of absence for the day.

On motion of Mr. Benedict, Messrs. Ellis, Farwell, Ryan, Johnston and McCarthy were granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Green, the further reading was dispensed with.

PETITION.

The following petition was received, and ordered printed in the Journal:

By Mr. Murray:

RESOLUTION No. 19 (New Series).

Be it resolved by the Board of Trustees of the city of Imperial, California, as follows:

First—That we are opposed to the amendment of the law known as the Wyllie local option law as embodied in Senate Bill No. 1647 and Assembly Bill No. 1865, and give as our reasons therefor the following:

(a) It tends to take away from municipalities the right to govern themselves in matters which require police regulation.

(b) It leaves incorporated cities having under 5,000 population at the mercy of the rural population and the inhabitants of other cities of like size, and might place them in a position where they would be compelled to submit to open saloons in their midst, regardless of the sentiment of their own population and against their will, and they would have no power to exact a license fee for the conduct of such saloons and would have no police regulation over them.

(c) It places an added burden on the taxpayers of the county, including those of the municipalities under 5,000 population, in that a constant warfare would have to be waged on the illicit sale of liquor within the confines of all municipalities under 5,000 population, and in case a county government should be in force which was opposed to the law there would be enforcement of the provisions of the Act.

(d) It usurps the right of the citizens of any incorporated city under 5,000 population to say what lines of business shall be conducted in their limits, and under what conditions, if any, the business shall be conducted.

(e) It takes away the power of a city to make necessary police regulations to safeguard its people from the illicit sale of liquor, or to surround the sale of liquor with proper safeguards.

Second—We desire to make a statement of the conditions existing in the city of Imperial prior to and subsequent to April 15, 1912, at which time an ordinance was passed or adopted by the qualified electors of the city of Imperial, regulating the sale of intoxicating liquors, and providing for the license of the sale of the same. In the six months beginning October 15, 1911, and ending April 15, 1912, the board of trustees of the city of Imperial expended the sum of \$2,333.70 in the prosecution of cases for the illicit sale of liquor, the city at that time being under an ordinance prohibiting the sale of liquor. Of this sum, \$1,988.70 was expended for the procuring of the evidence against fifteen different men, and involved twenty-one arrests, the sum of \$325 was spent for special attorneys to assist the city attorney in the prosecution, and \$15 was spent in securing the services of an outside officer to serve venire for jury. Of these twenty-one cases, seven pleaded guilty and were fined in the sum of \$750, and one was found guilty and paid \$50, making a total received of \$800; one was found guilty, appealed to the Superior Court, and the case was afterwards dismissed; six were dismissed by the city attorney on the grounds of insufficient evidence without trial. In three cases jury trials were had and jury disagreed, cases dismissed; two escaped from jail; and in one case nothing was done but to issue search warrant. The city was out the sum of \$1,533.70 over and above what it received from fines in six months. Similar anti-liquor fights had in previous years resulted in the same manner. During the past three years prior to April 15, 1912, the city was practically at a standstill, the inhabitants were fighting among themselves over the liquor question, and liquor prosecutions were almost continuous, but with little result. The illicit sale continued unabated, only harder to get evidence and prove.

Since May, 1912, in pursuance to the ordinance adopted by the people at a general municipal election, six retail liquor licenses, one wholesale license, and three restaurant liquor licenses were issued. The ordinance is strict in its terms, and the officers enforce the ordinance. The saloons and other places are run by responsible men. The city is deriving a revenue of \$825 per month therefrom, and the tax rate has been lowered from \$2 per \$100 to \$1.50 per \$100. The people have ceased their fighting and are a unit in working for the advancement of the city, and the city of Imperial is prospering. Ten new brick business blocks and more than forty new dwellings have been erected, or are now in progress of construction, and more are contemplated.

Third—That the law proposed is class legislation, and is especially aimed at the city of Imperial and fathered by rival cities in this county. This is borne out by a public letter which was written by Senator Anderson to the people of his district, in which he stated that the bill was aimed at Imperial, and was written by the Anti-Saloon League of California. That in support of the foregoing we desire to insert herein the following extract which appeared in the *Los Angeles Examiner* of March 18, 1913, at the bottom of the first column of page 14 of said issue, as follows, to wit:

"IMPERIAL CITY MAY GO 'DRY.'"

"Only 'damp spot' in arid region object of bill before Legislature.

"El Centro, March 18.—A general mass meeting of the citizens of Imperial County has been called for Sunday evening, at El Centro, to take action in support of the Moorhouse bill, designed to prohibit the sale of liquor in the county. The bill is at present pending in the Legislature at Sacramento; and Assemblyman Moorhouse has appealed to the people for an expression of support to help his endeavors to have it enacted into a law at this session. Imperial is the only town in the valley in which saloons are run."

Fourth—That it is currently reported, and, as a basis for support, urging the passage of the bills, that the city of Imperial is contaminating the entire county, by reason of the open saloon in its corporate limits. We desire to state that the members of the board of trustees of the city of Imperial have been residents of the county of Imperial since its organization, and that each and every one of said board is a property owner in the city of Imperial. That it is a matter of common knowl-

edge which cannot be disputed that the illicit sale of liquor has been flourishing in every incorporated city in Imperial County since the date of incorporation, and still is flourishing in every city, with the single exception of the city of Imperial, where liquor is sold under stringent regulations. The city of El Centro has within the past three weeks held under arrest and for trial more than a dozen of its citizens, charged with the illegal sale of intoxicating liquors. That in the city of Holtville, California, there has been recently a campaign waged against the illicit sale of liquor, and more than a score of the residents of Holtville have been prosecuted, and the said prosecutions were the cause of the indictment of three men in the Superior Court charged with criminal conspiracy. That ever since the formation of Imperial County, not only has every incorporated city in Imperial County, but the county itself has been constantly engaged in the warfare against the sale of liquor illegally. It is not something new since Imperial licensed the sale of liquor openly.

(Signed) D. H. CLARK,
President of Board of Trustees, City of Imperial, California.

STATE OF CALIFORNIA, {
COUNTY OF IMPERIAL, } ss.

I, Lelia Foster, city clerk of the city of Imperial, do hereby certify that the above and foregoing is a full, true and correct copy of a resolution passed and adopted by the board of trustees of the city of Imperial, at a regular meeting held on the 20th day of March, 1913.

In witness whereof, I have hereunto set my hand and affixed the seal of the city of Imperial, this 20th day of March, 1913.

[SEAL.]

(Signed) LELIA FOSTER,
City Clerk of the City of Imperial.

RESOLUTION.

The following resolution was offered:

By Committee on Attachés:

Resolved, That the name of Sam Knight, heretofore employed as Committee Clerk at a per diem of four dollars, be stricken from the roll, to date from and include Sunday, March 29, 1913; and further

Resolved, That W. R. Garner be employed for the position of Committee Clerk at a per diem of four dollars, to date from Monday, March 30, 1913, and the Controller is hereby authorized and directed to draw his warrant upon the appropriation for the pay of officers and attachés of the Assembly in favor of the above, and the Treasurer is directed to pay the same.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Peairs, Polsley, Roberts, Schmitt, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wyllie, and Mr. Speaker—49.

NOES—None.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof," approved May 1, 1911—and respectfully request your honorable body to recede from the same.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 232?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—Messrs. Beck and Palmer—2.

NOES—Messrs. Alexander, Bagby, Benedict, Bohnett, Bowman, Bradford, Byrnes, Cary, Chandler, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Mouser, Nelson, Polsley, Roberts, Schmitt, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Wyllie, and Mr. Speaker—44.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Judson, Shartel and Slater a committee on conference, to meet with a like committee from the Senate, to consider Assembly amendments to Senate Bill No. 232.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 353—An Act declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur, or which are used for such purposes, and providing for the abatement and prevention of such nuisances by injunction and otherwise—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 353?"

SENATE AMENDMENT No. 1.

On page 2, line 1, after the word "must", insert a comma.

SENATE AMENDMENT No. 2.

On page 3, line 37, after the word "bond", insert the following: "in full value of the property, to be ascertained by the court."

SENATE AMENDMENT No. 3.

On page 4, line 1, strike out the word "clerk", and insert in lieu thereof the words "court or judge."

SENATE AMENDMENT No. 4.

On page 4, line 6, after the word "premises", insert a comma.

SENATE AMENDMENT No. 5.

On page 4, line 22, after the word "lewdness", strike out the period and insert a comma.

The roll was called, and Senate amendments to Assembly Bill No. 353 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Richardson, Roberts, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:
By Mr. Johnstone:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State, as to which of said lands contain valuable resources or rights of way, or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist, and the State Forester to co-operate with the State Water Commission in said examination; re-appropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF JOINT RESOLUTION.

The following Assembly joint resolution was introduced, and referred as indicated:

By Mr. Sutherland: Assembly Joint Resolution No. 25—Relative to the protection of the raisin and dried fruit industry.

Read, and referred to Committee on Federal Relations.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An act to add two new sections to the Political Code of the State of California, to be known and designated as section two thousand six hundred and ninety-seven and section two thousand six hundred and ninety-eight, relating to the abandonment of highways.

Consideration of the above Assembly bill postponed until Tuesday, April 1, 1913.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 114—An act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 114 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Schmitt, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 115 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons,

Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 785 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 786 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 784 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer,

Peairs, Roberts, Schmitt, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, and Woodley—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Johnstone moved that the vote whereby Assembly Bill No. 783 was passed, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weldon, White, Wyllie, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 783 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 92—An Act to provide for prompt relief and medical attention in case of accidents to employees and travelers upon railroads by compelling common carriers by railroads to maintain hospital cars.

Mr. Cary asked for and was granted unanimous consent to withdraw Assembly Bill No. 92.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 9, strike out the “;” and insert in lieu thereof the following: “. of fair character and approved integrity, and of sound judgment.”

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 416, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 560—An Act to amend Sections 205 and 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing, and time of service of jurors.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, strike out the period and insert in lieu thereof the following: "who are in the possession of their natural faculties, and not infirm or decrepit, of fair character and approved integrity and of sound judgment."

Motion carried.

The Speaker appointed Mr. Clark as such select committee:

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 560, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California, by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties and cities and counties of over 200,000 population, and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

SPECIAL ORDER SET.

On motion of Mr. Schmitt, the consideration of Assembly Bill No. 1951 was made a special order for Thursday, April 3, 1913, at two o'clock p.m.

SPECIAL ORDERS.

The hour of eleven o'clock a.m. having arrived, the special orders heretofore set for this hour were taken up for consideration.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

Consideration of the above bill postponed until Tuesday, April 1, 1913, at eleven o'clock a.m.

Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits, and authorizing the State to accept the same.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 14, strike out all after the first word "fund", in line 14, down to and including the word "benefited", in line 15, and insert a period after the word "fund", in line 14.

Motion lost.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 4, strike out lines 4 and 5 and the words "Highway Commission", in line 6.

Also:

On page 2, line 3, strike out, after the comma after the word "may," all of lines 3 and 4, and the words "California Highway Commission", in line 5.

Motion lost.

HOUR OF RECESS EXTENDED.

On motion of Mr. Chandler, the hour of recess was extended until the above question be disposed of.

During third reading of the bill, Mr. Simpson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 1, strike out the words "four fifths", and insert in lieu thereof the word "unanimous"; also, in line 6, page 1, strike out the words "four fifths", and insert in lieu thereof the word "unanimous"; also, in line 19, page 1, strike out the words "four fifths", and insert in lieu thereof the word "unanimous"; also, on page 2, lines 5 and 6, strike out the words "four fifths", and insert in lieu thereof the word "unanimous".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 505 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Roberts, Scott, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, White, and Mr. Speaker—41.

NOES—Messrs. Alexander, Bagby, Bloodgood, Ford, Gelder, Guiberson, Guill, Polsley, Richardson, Schmitt, Shannon, Simpson, Smith, Stuckenbruck, Weldon, and Wyllie—16.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and thirty minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Inman:

WHEREAS, All Fools' Day fall this year on April first, as usual; and

WHEREAS, It is the declared maxim of this body that "a little nonsense now and then is relished by the wisest men"; and

WHEREAS, We know of no body of men better fitted to celebrate this day; and

WHEREAS, The said first day of April is further distinguished this year as being the day of all days in that it is the day upon which the Coast League baseball season opens; now, therefore, be it

Resolved, That the first day of April, 1913, from and after the hour of two-thirty p.m., be and it is declared to be a legal holiday; and be it further

Resolved, That J. M. Inman be and he is hereby required and directed to furnish complimentary tickets to the members of the Assembly and Senate to said baseball game on behalf of the management of the baseball club.

Resolution read, and on motion adopted.

THIRD READING OF SENATE BILL.

Senate Bill No. 211—An Act to amend an Act entitled "An Act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park." approved February 6, 1911, by adding a new section granting to the board of commissioners the power to acquire property by gift, bequest, donation, contribution, devise, purchase, condemnation, and otherwise.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 211 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Flinnegan, Fish, Fitzgerald, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Stuckenbruck, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 45—An Act granting to the city and county of San Francisco certain tide lands, marsh lands and submerged lands of the State of California, within the boundaries of said city and county, including the right to wharf out therefrom; regulating the management, use and control thereof, and providing for the deposit with the State of California of certain bonds to protect the State of California from any loss which might accrue to said State by reason of outstanding bonds for the use and purpose of the harbor front of San Francisco.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out the word "visible", and insert in lieu thereof the word "conspicuously".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 4 and 5, strike out the words "in red ink".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California, to be known as Section 2567*a*, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 6, following the word "after", insert the words "the policy has been in force for a period of two years and".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto, to be known as Section 653*c*, relating to wages of employees.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 675—An Act to add a new section to the Political Code, to be known as Section 4291*a*.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, Section 1, line 5, after the word "such" and before the word "expense," insert the following: "actual traveling".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 399—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, Section 1, line 18, strike out the period, and insert in lieu thereof a comma, and following said comma insert the following: "or to fill a vacancy caused by the removal of an official as provided for in Section 1 of Article XXIII of the Constitution of the State of California."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 2, strike out the word "incorporation", and insert in lieu thereof the word "corporation".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 21, 22, 23, 24, 25, 28, 31, 32, 34, 35, 37, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 95, 96, 97, 98, 99, 101, 102, 105, 121, 123, 124, 127, 128, 130, 133, 134, 136, 137, 138 and 145 thereof and by repealing Sections 13, 18, 33, 100, 103 and 104 thereof and by adding new sections thereto, to be numbered Sections 21a, 31a, 54, 55, 56, 61a, 135a, 136a and 136b and by repealing Section 135 thereof and adding a new section thereto, to be numbered Section 135, all relating to the definition and regulation of the business of banking.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend by striking out all of the title, beginning with the words "by amending" in line 4 of said title and all thereafter, and inserting in lieu thereof the following: "designated the 'Bank Act,' as amended February 6, 1911, April 21, 1911, December 18, 1911, and December 24, 1911, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 34, 35, 37, 41, 42, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 105, 106, 121, 123, 124, 127, 128, 130, 131, 133, 134, 136, 137, 138, 139 and 145 thereof, and by repealing Sections 13, 18, 33, 100 and 104 thereof, and by adding new sections thereto, to be numbered Sections 12b, 12c, 21a, 31a, 54, 55, 56, 61a, 107, 130a, 135a, 136a and 136b, and by repealing Section 135 thereof, and adding a new section thereto, to be numbered Section 135, all relating to the definition and regulation of the business of banking."

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert in lieu thereof the following: SECTION 1. Section one of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, is hereby amended to read as follows:

Section 1. This Act shall be known as the "Bank Act," and shall be applicable to all corporations specified in the next section.

SEC. 2. Section two of said Act is hereby amended to read as follows:

Section 2. The word "bank" as used in this Act shall be construed to mean any incorporated banking institution which shall have been incorporated to conduct the business of receiving money on deposit, or transacting a trust business as hereinafter defined. The soliciting, receiving or accepting of money or its equivalent on deposit as a regular business shall be deemed to be doing a commercial or savings bank business whether such deposit is made subject to check or is evidenced by a certificate of deposit, a pass book, a note, a receipt or other writing; *provided*, that nothing herein shall apply to or include money or its equivalent left in escrow or left with an agent, pending investment in real estate or securities for or on account of his principal. It shall be unlawful for any corporation, partnership, firm or individual to engage in or transact a banking business within this state except by means of a corporation duly organized for such purpose. Banks are divided into the following classes:

- (a) Savings bank;
- (b) Commercial banks; and
- (c) Trust companies.

SEC. 3. Section three of said Act is hereby amended to read as follows:

Section 3. Corporations may be formed by any number of natural persons, not less in any case than three, under the laws of this state to conduct, as provided in

this Act, and not otherwise, any one or more or all of the businesses mentioned in divisions (a), (b), and (c) of section two, of this Act.

Sec. 4. Section six of said Act is hereby amended to read as follows:

Section 6. The term "trust company," when used in this Act, means any corporation which is incorporated under the laws of this state for the purpose of conducting the business of acting as executor, administrator, guardian of estates, assignee, receiver, depository or trustee under appointment of any court or by authority of any law of this state, or as trustee for any purpose permitted by law.

Sec. 5. Section seven of said Act is hereby amended to read as follows:

Section 7. No foreign corporation shall transact a banking business in this state without first complying with all the requirements of the laws of this state relative to banks as defined in this Act, and without having assigned to its business in this state the amount of paid-up capital and surplus required by this Act for the transaction of such business within this state. No foreign banking corporation shall transact business in this state until such corporation has made the assignment of capital required by this section and has received a certificate from the state superintendent of banks. Any foreign banking corporation transacting business in this state shall become subject to the supervision of the state superintendent of banks. Every foreign banking corporation, including those which were on January second, nineteen hundred thirteen, transacting business in this state, which receives any deposits or transacts any other banking business or transacts its business in such a manner as might lead the public to believe that its business is that of a bank, shall conduct all its business in accordance with the statutes governing incorporated banking institutions organized under the laws of this state. The capital of any such foreign banking corporation assigned to its business in this state and all funds and deposits of money received by any such corporation in this state or for or in connection with its business in this state and all accounts and transactions of said business transacted by any such foreign corporation in this state shall be kept separate and apart from the general business, assets and accounts of such foreign corporation in the same manner as if the business of such foreign corporation conducted within this state was that of a separate and independent corporation organized under the laws of this state for the purpose of doing a banking business and all of the provisions of this Act affecting investments, loans of money, receiving deposits and conducting business in any respect shall be deemed to apply to such assigned capital, investments, loans, deposits, assets, funds and business in the same manner as if such assigned capital, investments, loans, deposits, assets, funds and business were that of such separate and independent corporation; *provided*, that loans may be made by any such foreign corporation based on its entire paid-up capital and surplus in case such foreign corporation shall have assigned to its business in this state a paid-up capital and surplus as above provided equal to twenty per centum of the deposit liability of such branch agency or office to residents of this state. Such funds and investments or loans thereof shall be appropriated solely to the security and payment of such deposits, and shall not be mingled with the investments of the capital stock or other money or property belonging to such corporation or be liable for the debts or obligations thereof. All income received from the investment of said funds over and above such funds as may be paid to depositors as interest or shall be carried to the surplus fund, as provided in section twenty-one of this Act, shall accrue as profits to the corporation and may be transferred to its general funds. No such foreign corporation shall transact any banking business in this state until it has executed and filed with the superintendent of banks a written instrument appointing such superintendent or his successor in office, its true and lawful attorney, upon whom all process issued by authority of or under any law of this state may be served, with the same effect as if such corporation was formed under the laws of this state and had been lawfully served with process therein. Such service upon such attorney shall be deemed personal service on such corporation. The superintendent of banks shall forthwith forward by mail, postage prepaid, a copy of every process served upon him under the provisions of this section, addressed to the manager or agent of such corporation, at its principal place of business in this state. For each copy of process, the superintendent of banks shall collect the sum of two dollars, which shall be paid by the plaintiff or moving party at the time of the service, to be recovered by him as a part of his taxable costs if he succeed in the suit or proceeding. No foreign corporation shall have or exercise in this state the power to receive deposits of trust moneys, securities or other personal property from any person or corporation or any of the powers specified in section six of this Act, nor have or maintain an office in this state for the transaction of, or transact, directly or indirectly, any such or similar business, except that a trust company incorporated in another state may be appointed and may accept appointment and may act in this state as executor or trustee under the last will and testament of any deceased person, upon giving the bond required in such cases of individuals unless waived by the last will and testament making such appointment and by taking and subscribing an oath for faithful performance of such trust by the president, vice-president, secretary, manager or trust officer of said corporation; *provided*, that similar corporations organized under the laws of this state are permitted by law to act as such executor or trustee in the state where such foreign corporation was organized; and *provided*,

further, that such superintendent of banks, for the time being, shall be the attorney of such foreign corporation qualifying or acting in this state as such executor or trustee, upon whom process against such foreign corporation may be served in any action or legal proceeding against such executor or trustee, affecting or relating to the estate or property represented or held by such executor or trustee, or any act or default of such foreign corporation in reference to such estate or property, and it shall be the duty of any such foreign corporation so qualifying or acting to file in the office of said superintendent of banks a copy of its articles of incorporation, or of the statute chartering such corporation, certified by its secretary under its corporate seal, together with the post office address of its home office, and a duly executed appointment of said superintendent of banks as its attorney to accept service of process as above provided, and said superintendent of banks, when any such process is served upon him, shall at once mail the papers so served to the home office of such corporation; and provided, further, that no foreign corporation having authority to act as executor of or trustee under the last will and testament of any deceased person shall establish or maintain, directly or indirectly, any branch office or agency in this state, or shall in any way solicit, directly or indirectly, any business as executor or trustee therein, and that for any violation of this proviso, the court having jurisdiction of such executor or trustee in said proceeding may in its discretion, revoke the right of such foreign corporation thereafter to act as executor or trustee therein; provided, that nothing in this Act shall limit or affect the right of any foreign corporation doing a banking business in this state, to lend within this state, moneys of such corporation which do not form a part of the moneys, deposits or assets of such corporation assigned or belonging to its business in this state.

SEC. 6. Section eight of said Act is hereby amended to read as follows:

Section 8. Every corporation, at the time it applies for a certificate of authority to do a banking business, must file with the superintendent of banks a certified copy of its articles of incorporation, or of the statute chartering such corporation, a certified copy of its by-laws, and also a certified copy of all instruments amending or altering such articles of incorporation or charter or by-laws. Thereafter a certified copy of each amendment or certificate shall likewise be so filed before such instrument takes effect. There must also be filed in the office of the superintendent of banks before he shall issue his certificate a certified copy of the affidavit required by section two hundred ninety *a* of the Civil Code. Each certification required by the provisions of this section other than that of by-laws must be by the secretary of state.

SEC. 7. Section nine of said Act is hereby amended to read as follows:

Section 9. No bank in this state, or any officer or director thereof, shall hereafter open or keep an office other than its principal place of business, without first having obtained the written approval of the superintendent of banks to the opening of such branch office, which written approval may be given or withheld in his discretion, and shall not be given by him until he has ascertained to his satisfaction that the public convenience and advantage will be promoted by the opening of such branch office; provided, that no bank or any officer or director thereof, shall open or maintain any such branch office unless the capital of such bank, actually paid in, in cash, shall exceed the amount required by this Act by the sum of twenty-five thousand dollars for each branch office opened and maintained. Every bank, before it opens a branch office, shall obtain the certificate of authority of the superintendent of banks for the opening of each of said branch offices. The applicant shall pay for such certificate a fee of fifty dollars; provided, however, that, in order to encourage saving among the children of the schools of this state, a bank may, with the written consent of and under regulations approved by the superintendent of banks and, in the case of public schools, by the board of education or board of school trustees of the city or district in which the school is situated, arrange for the collection of savings from the school children by the principal or teachers of such schools or by collectors. The principal, teacher or person authorized by the bank to make collections from the school children shall be deemed to be the agent of the bank, and the bank shall be liable to the pupil for all deposits made with such principal, teacher or other person, the same as if the deposits were made by the pupil directly with the bank. Every bank and every such officer or director violating the provisions of this section shall forfeit to the people of the state the sum of one hundred dollars for every day during which any branch office hereafter opened shall be maintained without such written approval.

SEC. 8. Section ten of said Act is hereby amended to read as follows:

Section 10. No person shall be eligible for election as director of a bank having a capital stock unless he is a stockholder of the bank, owning, in his own right, shares thereof of the par value of at least five hundred dollars; and every person elected to be director who, after such election, shall cease to be the owner in his own right of the amount of such stock aforesaid, or shall hypothecate or in any way pledge such stock as security for any loan or debt shall immediately notify the superintendent of banks in writing of such sale or hypothecation, and such director may be removed from the office of director by the superintendent of banks. If a bank be organized without capital stock, no person shall be eligible as a director thereof unless he is both a member and a depositor of such bank.

SEC. 9. Section eleven of said Act is hereby amended to read as follows:

Section 11. The board of directors of a bank must hold a meeting at least once a month. Each director, when appointed or elected, shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such bank, and will not knowingly violate or wilfully permit to be violated any of the provisions of the law applicable to such bank, and that he is the owner in good faith and in his own right of shares of stock of the par value required by section ten of this Act, subscribed by him or standing in his name on the books of the bank, and that the same to an amount equal to the par value of at least five hundred dollars, are not hypothecated or in any way pledged as security for any loan or debt. Such oath shall be subscribed by the director making it, certified by the officer before whom it is taken, and immediately transmitted to the superintendent of banks and filed and preserved in his office.

SEC. 10. Section twelve of said Act is hereby amended to read as follows:

Section 12. No person, firm, company, copartnership or corporation, either domestic or foreign, not subject to the supervision of the superintendent of banks, and not required, by the provisions of this Act, to report to him, and which has not received a certificate to do a banking business from the superintendent of banks, shall advertise that he or it is receiving or accepting money or savings, and issuing notes or certificates of deposit therefor, or shall make use of any office sign, at the place where such business is transacted, having thereon any artificial or corporate name, or other words indicating that such place or office is the place or office of a bank or trust company or that deposits are received there or payments made on check, or any other form of banking business transacted, nor shall any such person or persons, firm, company, copartnership or corporation, domestic or foreign, make use of or circulate any letterheads, billheads, blank notes, blank receipts, certificates or circulars, or any written or printed, or partly written and partly printed, paper, whatever, having thereon any artificial or corporate name or other word or words indicating that such business is the business of a bank, savings bank or trust company; nor shall any such person, firm, company, copartnership or corporation, or any agent of a foreign corporation not having an established place of business in this state, solicit or receive deposits or transact business in the way or manner of a bank, savings bank or trust company, or in such a way or manner as to lead the public to believe that its business is that of a bank, savings bank or trust company. Nor shall any person, firm, company, copartnership or corporation, domestic or foreign, not subject to the supervision of the superintendent of banks, and not required by the provisions of this Act to report to him, and which has not received from the superintendent of banks a certificate to do a banking business, hereafter transact business under any name or title which contains the word "bank," or "banker," or "banking," or "savings bank," or "savings" or "trust" or "trustee" or "trust company"; *provided*, that this section shall not apply to the corporate name of any building and loan association now or heretofore doing business in this state; *and provided, further*, that any such association having in its corporate name words not clearly indicating the nature of its business shall, on all signs, letterheads and advertising matter, state "This is a building and loan association" or words to that effect. Any person, firm, company, copartnership or corporation, domestic or foreign, violating any provision of this section shall forfeit to the state one hundred dollars a day for every day or part thereof during which such violation continues. Upon action brought by the superintendent of banks the court may issue an injunction restraining any such person, firm, company, copartnership or corporation from further using such words in violation of the provisions of this section or from further transacting business in such a way or manner as to lead the public to believe that its business is that of a bank, savings bank or trust company during the pendency of such action and for all time and may make such other order or decree as equity and justice may require.

SEC. 11. Section twelve a of said Act is hereby amended to read as follows:

Section 12a. Every person, firm, company, copartnership or corporation, domestic or foreign, advertising that he or it is receiving or accepting money or savings, and issuing notes or certificates of deposit therefor, or advertising that he or it is transacting the business of a bank, savings bank or trust company, or making use of any office sign at the place where such business is transacted, having thereon any artificial or corporate name, or other words indicating that such place or office is the place or office of a bank, or trust company, or that deposits are received there or payments made on check, or that interest is paid on deposits, or that certificates of deposit, either with or without interest are being issued, or that any other form of banking business is transacted, and every person, firm, company, copartnership or corporation, domestic or foreign, making use of or circulating any letterheads, billheads, blank notes, blank receipts, certificates or circulars, or any written or printed, or partly written and partly printed, paper, whatever, having thereon any artificial or corporate name, or advertising that such business is the business of a bank, savings bank or trust company, must have the proper capital stock paid in and set aside for the purpose of transacting such business, and must have received from the superintendent of banks, as provided for in this Act, a certificate to do a banking business. Any person, firm, company, copartnership or corporation, domestic or foreign, violating any provision of this section shall forfeit to the

state one hundred dollars a day for every day or part thereof during which such violation continues. Upon action brought by the superintendent of banks the court may issue an injunction restraining any such person, firm, company, copartnership or corporation from further violating any provision of this section, and may make such further order or decree as equity and justice may require. Every person, firm, company, copartnership or corporation doing any of the things or transacting any of the business defined in this section, must transact such business according to the provisions of the bank act, and the superintendent of banks or his deputy or examiners shall have authority to examine the accounts, books and papers of every such person, firm, company, copartnership or corporation, domestic or foreign, in order to ascertain whether such person, firm, company, copartnership or corporation has violated or is violating any provisions of this section; *provided*, that this section shall not apply to the corporate name of any building and loan association now or heretofore doing business in this state; *and provided, further*, that any such association having in its corporate name words not clearly indicating the nature of its business shall, on all signs, letterheads and advertising matter, state: "This is a building and loan association" or words to that effect.

SEC. 12. A new section is hereby added to said Act, to be numbered twelve b, and to read as follows:

Section 12b. Nothing in this Act shall be construed or held to apply to any corporation organized under the laws of any other state which is authorized by its charter or articles of incorporation to transact the business of life insurance and also to be known as and to transact business as a trust company and which shall have complied with the laws of this state affecting the transaction in this state of the business of life insurance by a foreign corporation and which shall have heretofore engaged in such business of life insurance, in this state, in such manner as to forbid or prevent its making use of its corporate title in its life insurance business in this state in any such way and to any such extent as it might have made use of the same if this Act had not been passed.

SEC. 13. A new section is hereby added to said Act, to be numbered twelve c, and to read as follows:

Section 12c. Any corporation organized under the laws of any country or state other than this state which has complied with all of the laws of this state pertaining to foreign corporations and is not engaged in the business of banking or receiving money on deposit in this state may lend money in this state and, for that purpose, may maintain offices in this state, and sue and be sued in this state under its proper corporate name, notwithstanding any prohibitions contained in this Act as to the use of any words in the name, signs or advertising matter of corporations not under the supervision of the superintendent of banks.

SEC. 14. Section thirteen of said Act is hereby repealed.

SEC. 15. Section fourteen of said Act is hereby amended to read as follows:

Section 14. No bank, or officer thereof, shall advertise in any manner, or publish any statement of the capital authorized or subscribed, unless it or he advertise and publish in connection therewith, the amount of capital actually paid up. No bank shall publish a statement of its resources or liabilities in connection with those of any other bank, unless such statement shall show the resources and liabilities of each bank separately; nor shall surplus and undivided profits be advertised as an aggregate.

SEC. 16. Section fifteen of said Act is hereby amended to read as follows:

Section 15. All amounts of money heretofore or hereafter deposited with any bank to the credit of depositors who have not made a deposit on said account or withdrawn any part thereof or the interest, and which shall have remained unclaimed for more than twenty years after the date of such deposit, or withdrawal of any part of principal or interest, and for which no claimant is known or the depositor cannot be found, shall, with the increase and proceeds thereof, be deposited with the state treasurer in the same manner and subject to the same distribution as provided for in section one thousand two hundred thirty-four of the Code of Civil Procedure. The president or managing officer of every bank must, within fifteen days after the first day of January of every year, return to the superintendent of banks a sworn statement showing the names of depositors known to be dead, or who have not made further deposits, or withdrawn any moneys during the preceding twenty years and at the same time it shall be the duty of the president or managing officer of every bank to furnish to the state controller a list of the names of all depositors to whom said moneys belong or to whom said bank owes the same. Such statement shall show in detail the following matters, viz:

First—The name and last known place of residence or post office address of the person making such deposit:

Second—The amount and date of such deposit and whether the same are in moneys or securities, and if the latter, the nature of the same;

Third—The interest due on such deposit, if any, and the amount thereof:

Fourth—The sum total of such deposit, together with the interest added thereto due from such bank on account of such deposit or deposits and interest thereon to such depositor, but nothing contained herein shall require any corporation or person renting lock boxes or safes in vaults for storage purposes to open or report

concerning property stored therein. Such report itemized as aforesaid shall be signed by the person making the same and shall be sworn to before a person competent to administer oaths as a full, complete and truthful statement of each of the items therein contained. The president or managing officer of every bank must, within fifteen days after the first day of January of every odd numbered year, return to the superintendent of banks a sworn statement showing the names of depositors known to be dead, or who have not made further deposits, or withdrawn any moneys during the preceding ten years. Such statements shall show the amount of the account, the depositor's last known place of residence or postoffice address, and the fact of death, if known to such president or managing officer. Such president or managing officer must give notice of these deposits in one or more newspapers published in or nearest to the town or city where such bank has its principal place of business, at least once a week for four consecutive weeks, the cost of such publication to be paid pro rata out of such unclaimed deposits. This section does not apply to any deposit made by or in the name of a person known to the president or managing officer to be living, or which, with the accumulation thereon, is less than fifty dollars. The superintendent of banks must incorporate in his subsequent report such returns made to him as provided in this section. If any president or managing officer of any bank neglects or refuses to make the sworn statement required by this section such bank shall forfeit to the State of California the sum of one hundred dollars a day for each day such default shall continue. Any president or managing officer of any bank who violates any of the provisions of this section shall forfeit to the State of California the sum of one hundred dollars a day for each and every day such violation shall continue. For the purposes of this section all deposits received by any bank under the provisions of section thirty-one or section thirty-one *a* of this Act shall be deemed to have been deposited with such bank at the time the deposit was made with the bank from which the deposit was transferred; *provided*, that any bank which shall make any deposit with the state treasurer in conformity with the provisions of this section shall not thereafter be liable to any person for the same and any action which may be brought by any person against any bank for moneys so deposited with the state treasurer shall be defended by the attorney general without cost to such bank.

SEC. 17. Section eighteen of said Act is hereby repealed.

SEC. 18. Section nineteen of said Act is hereby amended to read as follows:

Section 19. The aggregate of paid-up capital together with the surplus, of every commercial bank, must equal ten per centum of its deposit liabilities; such deposit liabilities shall not be increased when such proportion of paid-up capital and surplus is wanting, and in no event shall said paid-up capital be less than the minimum paid-up capital provided by this Act; *provided, however*, that the aggregate of paid-up capital and surplus of every savings bank having a capital stock, and the reserve fund of every savings bank having a capital stock, must equal the following percentages of its deposit liabilities;

(a) Ten per centum of any amount up to and including two million dollars.

(b) Seven and one half per centum of any amount in excess of two million dollars up to and including five million dollars.

(c) Five per centum of any amount in excess of five million dollars up to and including fifteen million dollars.

(d) Two and one half per centum of any amount in excess of fifteen million dollars up to and including forty million dollars.

(e) One per centum of any amount in excess of forty million dollars.

The deposits shall not be increased if such proportion of paid-up capital and surplus or reserve fund to deposit liabilities is not maintained.

SEC. 19. Section twenty of said Act is hereby amended to read as follows:

Section 20. Every commercial bank receiving deposits as a depository bank of other banks shall have at all times as its lawful money reserve an amount equal to twenty per centum of the aggregate amount of its deposits. Two fifths of such reserve shall be in its own keeping in lawful money of the United States, or gold certificates or silver certificates of the United States. The remaining three fifths thereof may consist of moneys on deposit subject to call with any bank or banks in this state other than a savings bank; or one half of such three fifths or any less portion thereof may consist of moneys on deposit subject to call with any bank or banks in the cities of New York, Chicago or St. Louis, other than a savings bank, and the balance of such three fifths, of moneys on deposit subject to call with any bank or banks in this state other than a savings bank. Every commercial bank not receiving deposits as a depository bank of other banks shall have at all times as its lawful money reserve, an amount equal to fifteen per centum of the aggregate amount of its deposits. Two fifths of such reserve shall be in its own keeping in lawful money of the United States, or gold certificates or silver certificates of the United States. The remaining three fifths thereof may consist of moneys on deposit subject to call with any bank or banks in this state other than a savings bank; or one half of such three fifths or any less portion thereof may consist of moneys on deposit subject to call with any bank or banks in the cities of New York, Chicago or St. Louis, other than a savings bank, and the balance of such three fifths, of moneys on deposit subject to

call with any bank or banks in this state other than a savings bank. If the lawful money reserve of any bank shall be less than the amount required by this section, such bank shall not increase its liabilities by making any new loans or discounts, otherwise than by discounting bills of exchange on sight, or by paying any dividends from profits until the full amount of its lawful money reserve has been restored. The superintendent of banks may notify any bank whose lawful money reserve shall be below the amount herein required, to restore such reserve; and, if it shall fail for thirty days thereafter to restore such lawful money reserve, such bank shall be deemed insolvent and may be proceeded against under the provisions of this Act; *provided*, that all deposits of money herein permitted or required shall comply with the provisions of section forty-three of this Act.

SEC. 20. Section twenty-one of said Act is hereby amended to read as follows:

Section 21. The directors of any bank having a capital stock may, at certain times, and in such manner as its by-laws prescribe, declare and pay dividends to depositors and stockholders of so much of the profits of the bank, and of the interest arising from the capital, surplus and deposits, as may be appropriated for that purpose under its by-laws or under its agreements with depositors, but every such bank shall, before the declaration of any such dividend, carry at least one tenth part of the net profits of the stockholders for the preceding half year, or for such period as is covered by the dividend, to its surplus, until such surplus shall amount to twenty-five per centum of its paid-up capital stock. The whole or any part of such surplus, if held as the exclusive property of the stockholders, may at any time be converted into paid-in capital in which even such surplus shall be restored in the manner above provided until it amounts to twenty-five per centum of the aggregate paid-up capital stock. Subject to the provisions of section nineteen of this Act, any losses sustained by any such bank in excess of its undivided profits may be charged to and paid from its surplus, in which event such surplus shall be restored in the manner above provided, to the amount required by law; *provided, however*, that any bank which has invested any portion of its surplus in its bank premises, furniture and fixtures, vaults, or safe deposit vaults and boxes necessary or proper to carry on its banking business shall not be permitted to charge any loss to that portion of its surplus so invested. A larger surplus may be created and nothing herein contained shall be construed as prohibitory thereof. The capital and assets of any such bank are a security to depositors and stockholders, depositors having the priority of security over stockholders.

SEC. 21. A new section is hereby added to said Act, to be numbered twenty-one *a*, and to read as follows:

Section 21a. No bank, banker, or bank officer, shall give preference to any depositor or creditor by pledging the assets of the bank as collateral security, except as otherwise authorized by law; *provided*, that any commercial bank, or commercial department of a departmental bank, may borrow money for temporary purposes, and may pledge assets of said commercial bank, or commercial department of said departmental bank, not exceeding fifty per centum in excess of the amount borrowed, as collateral security therefor; *provided*, that any public moneys, or postal savings moneys, deposited with any such bank under any provision of law, shall not be construed as "borrowed money" within the meaning of this section. No bank shall at any time, without permission of the superintendent of banks, borrow an amount exceeding the amount of its paid-up capital stock and surplus at such time actually paid in and remaining undiminished by losses or otherwise. No bank shall make partial payments upon any certificate of deposit. In no case shall an overdraft of more than ninety days standing be allowed as an asset of any bank. Any debt due to any commercial bank, on which interest is past due and unpaid for the period of one year, unless the same is well secured, and is in process of collection, shall be considered a bad debt and shall be charged off to the profit and loss account at the expiration of that time.

SEC. 22. Section twenty-two of said Act is hereby amended to read as follows:

Section 22. Any corporation authorized by its articles of incorporation so to do, may combine the business of a commercial bank and savings bank and trust company, or any one or more or all of them; *provided*, that no corporation authorized to transact a trust business and which is also organized to engage in the business of title insurance, shall engage in or combine the business of a commercial bank or savings bank.

SEC. 23. Section twenty-three of said Act is hereby amended to read as follows:

Section 23. When a bank desires to do a departmental business, it shall first obtain the consent of the superintendent of banks, and in its application therefor, file a statement making a segregation of its capital and surplus for each department. Such capital and surplus, when so apportioned and approved by the superintendent of banks, shall be considered and treated as the separate capital and surplus of such department as if each department was a separate bank. Thereafter a bank may, from time to time, with the previous consent and approval of the superintendent of banks and subject to the provisions of section nineteen of this Act, change any segregation and apportionment of capital and surplus previously made and make a new segregation and apportionment of its capital and surplus. Every bank

hereafter organized doing a departmental business shall have paid up, in cash, capital stock as follows:

(a) In any locality in which the population does not exceed five thousand persons, not less than twenty-five thousand dollars if it transacts both a commercial and savings business, or not less than one hundred twenty-five thousand dollars, if it transacts both a commercial and trust business, or not less than one hundred twenty-five thousand dollars if it transacts both a savings and trust business and not less than one hundred twenty-five thousand dollars if it transacts a commercial, savings and trust business.

(b) In any city in which the population is more than five thousand persons, but does not exceed twenty-five thousand persons, not less than fifty thousand dollars if it transacts both a commercial and savings business, or not less than one hundred fifty thousand dollars if it transacts both a commercial and trust business, or not less than one hundred fifty thousand dollars if it transacts both a savings and trust business, and not less than one hundred fifty thousand dollars if it transacts a commercial, savings and trust business.

(c) In any city in which the population is more than twenty-five thousand persons but does not exceed one hundred thousand persons, not less than one hundred thousand dollars, if it transacts both a commercial and savings business, or not less than two hundred thousand dollars if it transacts both a commercial and trust business, or not less than two hundred thousand dollars if it transacts both a savings and trust business, and not less than two hundred thousand dollars if it transacts a commercial, savings and trust business.

(d) In any city in which the population is more than one hundred thousand persons but does not exceed two hundred thousand persons, not less than two hundred thousand dollars, if it transacts both a commercial and savings business, or not less than four hundred thousand dollars if it transacts both a commercial and trust business, or not less than four hundred thousand dollars if it transacts both a savings and trust business, and not less than four hundred thousand dollars if it transacts a commercial, savings and trust business.

(e) In any city in which the population exceeds two hundred thousand persons, not less than three hundred thousand dollars if it transacts both a commercial and savings business, or not less than five hundred thousand dollars if it transacts both a commercial and trust business, or not less than five hundred thousand dollars if it transacts both a savings and trust business, and not less than five hundred thousand dollars if it transacts a commercial, savings and trust business.

The foregoing classification shall not apply to any bank already in existence which has received from the superintendent of banks a certificate to do a banking business; nor to any bank the location of which shall have been included by annexation or consolidation within the limits of a city of a class requiring a larger capitalization, but no bank thus excepted shall be permitted to establish any new branch office as provided in section nine of this Act or to remove its place of business from the original limits of the city or township wherein it was located prior to such annexation or consolidation until it shall have the capital required of banks in such city not within said exception. Such excepted banks may not in any case decrease their capital stock but may increase the same in the manner provided by law to an amount either greater or less than that required of banks in such city not within said exception. The capital stock referred to herein shall be increased from time to time and to the same extent as provided for in section nineteen of this Act. For the purposes of this Act, the population shown and determined by the last preceding federal census, or any subsequent census compiled and certified under any law of this state, shall be deemed to be the population of any city in which any such bank is to be organized. If the principal place of business of any bank so organized is located outside of the corporate limits of any city, then the population of that portion of the judicial township in which said bank is to have its principal place of business, which is not included within the boundaries of any municipal corporation, as such population is shown and determined by such federal or subsequent official census, shall be the basis for classification under the provisions of this Act.

SEC. 24. Section twenty-four of said Act is hereby amended to read as follows:

Section 24. Every bank, before it commences to do business or before it opens a new department and commences to transact business in or under such new department, shall obtain the certificate of the superintendent of banks for the opening of each of the departments specified. Each certificate herein provided for shall be given when the superintendent shall, by the examination required by this Act, have satisfied himself that the proper amount of cash has been paid in as capital and the provisions of this Act complied with. The applicant shall pay for the certificate for each department a fee of fifty dollars.

SEC. 25. Section twenty-five of said Act is hereby amended to read as follows:

Section 25. Every bank shall maintain for each department a lawful money reserve equal in amount to that required by this Act for the respective business conducted, and shall keep separate and distinct the lawful money reserve of any department from that of any other department; and all deposits made with other banks, whether temporary or otherwise, shall be assets of the respective departments by which they were made, and shall be so carried on the books of such other banks.

and shall be repaid only upon the order of the department to whose credit they stand. No department shall receive deposits of any other department of the same corporation; except that a trust department may make deposits of trust or any other funds under its control with the commercial or savings department of the same corporation; *provided, however*, that any bank having departments shall have the right to sell and transfer any bonds, securities or loans from one department to another upon receipt of the actual value thereof, if such bonds, securities or loans are, under the provisions of this Act, a legal investment for the department purchasing the same.

SEC. 26. Section twenty-seven of said Act is hereby amended to read as follows:

Section 27. All money and assets belonging to each department, whether on hand or with other banks, and the investments made, shall be held solely for the repayment of the depositors and other claimants of each such department, as herein provided, until all depositors and other claimants of each such department shall have been paid, and the overplus then remaining shall be applied to any other liabilities of such bank.

SEC. 27. Section twenty-eight of said Act is hereby amended to read as follows:

Section 28. Every bank in this state must, on all its window signs and in advertising, and on letterheads and other stationery on which its business is transacted, use the word "savings" if it conducts a savings business, or the word "trust" if it conducts a trust business, and the word "commercial" if it conducts a commercial business.

SEC. 28. Section thirty-one of said Act is hereby amended to read as follows:

Section 31. Any bank may sell the whole of its business or the whole of the business of any of its departments to any other bank which may purchase such business after obtaining the consent of the stockholders of the selling and of the purchasing banks holding of record at least two thirds of the issued capital stock of each of such corporations; such consent to be expressed either in writing executed and acknowledged by such stockholders and attached to the instrument of sale, or to a copy thereof, or by vote at a stockholders' meeting of each of such banks called for that purpose. The selling and purchasing banks must for such purposes enter into an agreement of sale and purchase, which agreement shall contain all the terms and conditions connected with such sale and purchase. Such agreement shall contain proper provision for the payment of liabilities of the selling bank or of the department sold, and in this particular shall be subject to the approval of the superintendent of banks; and shall not be valid until such approval is obtained. Such agreement may contain provisions for the transfer of all deposits to the purchasing bank, subject, however, to the right of every depositor of the selling bank to withdraw his deposit in full on demand after such transfer, irrespective of the terms under which it was deposited with the selling bank. The rights of creditors of the selling bank shall not in any manner be impaired by any such sale, nor shall any liability or obligation for the payment of any money due or to become due, or any claim or demand, in any manner, or for any cause existing against such selling bank or against any stockholder thereof, be in any manner released or impaired, and all the rights, obligations and relations of all the parties, creditors, depositors, trustees and beneficiaries of trusts shall remain unimpaired by the sale, but such bank to which the other shall sell all its business or all the business of any of its departments, shall succeed to all such relations, obligations, trusts and liabilities and be held liable to pay and discharge all such debts and liabilities and to perform all such trusts of the selling bank in the same manner as if such bank to which the other had sold had itself incurred the obligation or liability or assumed the relation of trust, and the stockholders of the respective corporations so entering into such agreement shall continue subject to all the liabilities, claims and demands existing against them as such at or before such sale. Immediately after the execution of such agreement of sale and purchase notice thereof shall be published for at least four successive weeks in a newspaper in each of the counties of the State in which either of such banks shall have its principal place of business; *provided, however*, that no action can be brought against such selling bank or any of its stockholders on account of any deposits so transferred after the expiration of one year from the last day of publication herein required. An affidavit showing such publication shall be filed in the office of the superintendent of banks within ten days after the last publication thereof. The affairs of such selling bank, or selling department of a bank, shall remain subject to the provisions of this Act.

SEC. 29. A new section is hereby added to said Act, to be numbered thirty-one a, and to read as follows:

Section 31a. Any bank incorporated under the laws of this state may consolidate with one or more banks incorporated under the laws of this state, its capital stock, properties, trusts, claims, demands, contracts, agreements, obligations, debts, liabilities and assets of every kind and description, upon such terms and in such manner as may be agreed upon by their respective boards of directors, a copy of which agreement must be filed in the office of the superintendent of banks; *provided*, that such agreement shall be subject to the approval of the superintendent of banks and shall not be valid until such approval be obtained: *provided, further*, that no such consolidation shall take effect until such agreement shall have been ratified and confirmed in writing by the stockholders of the respective banks holding of

record at least two thirds of the issued capital stock of their respective banks, or such agreement may be submitted to the stockholders of each of such corporations at a meeting thereof to be called upon notice specifying the time, place and object thereof, addressed to each stockholder at his last known post office address and deposited in the post office, postage prepaid, at least two weeks prior to the date fixed for said meeting, and published for at least two successive weeks, prior to the date of said meeting, in a newspaper in each of the counties of the state in which any of such banks shall have its principal place of business, and if such agreement shall be approved at each of such meetings of the respective stockholders separately by the vote or ballot of the stockholders owning at least two thirds of the stock of each such bank, the same shall be the agreement of such banks. In case of such consolidation "articles of incorporation and consolidation" must be prepared, setting forth:

First—The name of the new corporation;

Second—The purpose for which it is formed;

Third—The place where its principal business is to be transacted;

Fourth—The term for which it is to exist, which shall not exceed fifty years;

Fifth—The number of its directors (which shall not be less than three) and the names and residences of the persons appointed to act as such until their successors are elected and qualified;

Sixth—The amount of its capital stock and the number of shares into which it is divided;

Seventh—The amount of stock actually subscribed, and by whom;

Eighth—The names of the constituent corporations.

Said articles of incorporation and consolidation must be signed and countersigned by the president and secretary of each constituent corporation and sealed with their corporate seals. There must be annexed thereto the approval of the superintendent of banks and memoranda of the ratification and confirmation thereof by the stockholders of each constituent corporation, which must be respectively signed and acknowledged by stockholders representing at least two thirds of the capital stock of their respective corporations. When completed as aforesaid said articles must be filed in the office of the county clerk of the county in which is located the principal place of business of the new corporation, and a copy of the articles of incorporation and consolidation certified by such county clerk must be filed in the office of the secretary of state, and a copy of the articles of incorporation and consolidation certified by said secretary of state must be filed in the office of the superintendent of banks, and also in the office of the county clerk of any county in which were filed the original articles of incorporation of either of the constituent corporations, and thereupon each constituent corporation named therein must be deemed and held to have become extinct in all courts and places, and said new corporation must be deemed and held in all courts and places to have succeeded to all their several capital stocks, properties, trusts, claims, demands, contracts, agreements, assets, choses and rights in action of every kind and description, both at law and in equity, and to be entitled to possess, enjoy, and enforce the same and every thereof, as fully and completely as either and every of its constituents might have done had no consolidation taken place. Said consolidated or new corporation must also, in all courts and places, be deemed and held to have become subrogated to its several constituents and each thereof, in respect to all their contracts and agreements with other parties, and all their debts, obligations, and liabilities, of every kind and nature, to any persons, corporations, or bodies politic, whomsoever, or whatsoever, and said new corporation must sue and be sued in its own name in any and every case in which any or either of its constituents might have sued or might have been sued at law or in equity had no such consolidation been made. Nothing in this section contained shall be construed to impair the obligation of any contract to which any of such constituents were parties at the date of such consolidation. All such contracts may be enforced by action or suit, as the case may be, against the consolidated corporation, and satisfaction obtained out of the property which, at the date of the consolidation, belonged to the constituent which was a party to the contract in action or suit, as well as out of any other property belonging to the consolidated corporation, and the stockholders of each constituent corporation so entering into such agreement shall continue subject to all the liabilities, claims and demands existing against them at or before such consolidation to the same extent as if the same had not been made. The right of said new corporation to increase or decrease its capital stock, to change the number of its directors, to amend its articles of incorporation, to change its principal place of business, or its name, or to effect any other organic change shall be governed by the general corporation laws of this state and by the Bank Act, and the procedure to effect any such change shall be that defined by the general corporation laws and the bank Act.

SEC. 30. Section thirty-two of said Act is hereby amended to read as follows:

Section 32. Any bank receiving trust funds in accordance with the provisions of this Act relating to trust companies must not mingle such trust funds with the other assets of the corporation, except as otherwise provided in section twenty-five of this Act, and such funds shall not be carried or counted as any part of the lawful money reserve provided for in this Act. The officers of any bank who

knowingly violate or consent to the violation of this provision shall be guilty of a felony.

SEC. 31. Section thirty-three of said Act is hereby repealed.

SEC. 32. Section thirty-four of said Act is hereby amended to read as follows:

Section 34. No bank shall purchase or invest its capital or surplus or money of its depositors, or any part of either, in shares of its own capital stock; nor loan its capital or surplus or the money of its depositors, or any part of either, on shares of its own capital stock, unless such purchase or loan shall be necessary to prevent loss to such bank on debts previously contracted in good faith. Every person or corporation violating any provision of this section shall forfeit to the people of the state twice the nominal amount of such stock.

SEC. 33. Section thirty-five of said Act is hereby amended to read as follows:

Section 35. No director, or officer, or employee, or controlling stockholder of any bank shall, directly or indirectly, for his own account, for himself, or as the partner or agent of others, sell or transfer, or cause to be sold or transferred to the bank of which he is a director, officer, employee, or controlling stockholder, any note or bond secured by any mortgage or trust deed on real estate or any contract arising from the sale of real estate in which such director, or officer, or employee, or controlling stockholder is personally or financially interested, without the consent in writing of the superintendent of banks. Any director, or officer, or employee, or controlling stockholder of any bank who knowingly violates or consents to the violation of this provision shall be guilty of a felony.

SEC. 34. Section thirty-seven of said Act is hereby amended to read as follows:

Section 37. No bank shall purchase or invest its capital or surplus or money of its depositors, or any part of either, in the capital stock of any corporation unless the purchase or acquisition of such capital stock shall be necessary to prevent loss to the bank on a debt previously contracted in good faith. Any capital stock so purchased or acquired shall be sold by such bank within six months thereafter if it can be sold for the amount of the claim of such bank against it; and all capital stock thus purchased or acquired must be sold for the best price obtainable by said bank within one year after such purchase or acquisition. Every person or corporation violating any provision of this section shall forfeit to the people of the state twice the nominal amount of such stock.

SEC. 35. Section forty-one of said Act is hereby amended to read as follows:

Section 41. No officer, director, agent, or other employee of any bank shall directly or indirectly, for his own personal benefit, purchase, or be interested in the purchase of any obligation of said bank for a less sum than shall appear upon the face of such obligation to be the value thereof. Every person violating any provision of this section, shall for each offense forfeit to the people of the state, three times the face value of any such obligation so purchased.

SEC. 36. Section forty-two of said Act is hereby amended to read as follows:

Section 42. No officer, director, or agent or other employee of any bank, shall directly or indirectly, for his own personal benefit, purchase, or be interested in the purchase of any of the assets of said bank for a less sum than the current market value thereof. Every person violating any provision of this section, shall for each offense, forfeit to the people of this state, twice the nominal amount of any such assets so purchased.

SEC. 37. Section forty-three of said Act is hereby amended to read as follows:

Section 43. No bank shall deposit any of its funds in any other bank unless such other bank has been designated as a depository for its funds by the vote of a majority of the directors or trustees of the bank making the deposit, exclusive of the vote of any director who is an officer, director, or trustee of the depository so designated; *provided, however*, that any bank may designate any other bank its depository by vote of a majority of its directors, including the vote of any director or trustee who is an officer, director or trustee of the depository so designated, if such bank has secured the previous approval of the superintendent of banks, which approval he may at any time revoke for proper cause.

SEC. 38. Section forty-four of said Act is hereby amended to read as follows:

Section 44. No bank shall hereafter make a loan secured by the stock of another bank, if by making such loan the total stock of such other bank held by such loaning bank as collateral will exceed in the aggregate twenty-five per centum of the capital stock of such other bank; *provided*, that no loan upon the capital stock of any bank shall be made unless such bank has been in existence at least two years and has earned and paid a dividend upon its capital stock; and *provided*, *further*, that no bank may loan more than five per centum of its assets upon the capital stock of any corporation whatsoever as collateral security.

SEC. 39. Section forty-seven of said Act is hereby amended to read as follows:

Section 47. No commercial bank shall, except for the purpose of facilitating the sale of property owned by the bank, make any loan on the security of real estate, unless it is a first lien and is either

(1) Made for a period of time not exceeding six months and upon security

worth fifteen per centum more than the market value of the real estate taken as security; or

(2) Made for a period of time exceeding six months and not exceeding ten years and does not exceed sixty per centum of the market value of the real estate taken as security.

No commercial bank shall loan in the aggregate more than thirty-five per centum of its assets on real estate loans of the character specified in subdivision two of this section. These provisions, however, shall not prevent any bank from taking another and immediately subsequent mortgage or deed of trust thereon when it already holds a first mortgage or deed of trust on such real estate, nor from accepting a second lien on real estate to secure the repayment of a debt previously contracted in good faith; nor shall it prevent subsequent liens of any kind from being taken to secure the payment of a debt previously contracted in good faith when, in the judgment of the directors of such bank, such subsequent liens are necessary further to secure the payment of any debts and save such bank from loss.

SEC. 40. Section forty-eight of said Act is hereby amended to read as follows:

Section 48. Any national bank in this state receiving the deposits of any bank organized and conducting business under this Act, must, at the request of the superintendent of banks, submit to an examination by him, or his duly appointed examiners, should the superintendent of banks in his discretion deem it necessary or desirable that such examination be made; and the expense of such examination shall be paid by such national bank; and if any such national bank shall refuse to permit such examination to be made by, or under the direction of the superintendent of banks, then the superintendent of banks shall notify in writing every bank depositing its funds with such national bank, to withdraw its deposits therefrom, and all such banks shall comply with such order.

SEC. 41. Section forty-nine of said Act is hereby amended to read as follows:

Section 49. It shall not be lawful for any commercial bank, individual, trust company, association, firm, stock company, copartnership or corporation, to advertise or put forth a sign as a savings bank, either directly or indirectly or in any way to solicit or receive deposits or to transact business in the way or manner of a savings bank, or advertise that he or it is receiving or accepting savings, or in any way which might lead the public to believe that such deposits are received or invested under the same conditions or in the same manner as deposits in savings banks, except in the case of savings banks or banks having savings departments, subject to the provisions of this Act. Any commercial bank, individual, trust company, association, firm, stock company, copartnership or corporation, violating any provision of this section shall forfeit to this state one hundred dollars a day for every day during which such violation continues.

SEC. 42. Section fifty of said Act is hereby amended to read as follows:

Section 50. Every bank shall post in a conspicuous place in its banking room of branch office the last certificate obtained from the superintendent of banks under the provisions of either section nine or one hundred twenty-seven of this Act.

SEC. 43. A new section is hereby added to said Act, to be numbered fifty-four and to read as follows:

Section 54. All real estate purchased by any bank at sales under pledges, mortgages or deeds of trust for its benefit for money loaned and such as may be conveyed to it by borrowers in satisfaction and discharge of loans made thereon and all other real estate owned or held by it, which is not necessary for carrying on its business, must be sold by such bank within five years after title thereto shall have vested in it by purchase or otherwise. Parcels of such real estate not sold within said time may be purchased by any person wanting the same upon the conditions and proceedings following: The intending purchaser may file a petition in the superior court in and for the county wherein said real estate or any portion thereof is situated; upon the filing of such petition a citation shall be issued out of said court directed to the bank owning such real estate requiring such bank to show cause on a day certain which shall be not earlier than ten days after the service of such citation, why commissioners should not be appointed by said court for the purpose of appraising the value of the real estate described in the petition and of selling the same at public auction under the provisions of this section. If there shall be any liens or encumbrances of record against such real estate the person or persons holding such liens or encumbrances shall likewise be cited and the court shall in its final decree distribute the proceeds of such sale, if a sale thereof shall be made, according to the equities of the parties. If it shall appear at the hearing of such petition that the real estate therein sought to be purchased is held by such bank in violation of the provisions of this section or of the constitution of this State, the court shall appoint three commissioners to appraise the value thereof and sell the same at public auction at the county seat of the county wherein said real estate or any part thereof is located. Notice of which said sale shall be given to the bank owning said real estate and to any other persons interested therein as shown by the records of such county at least ten days before the date of such sale and shall be published once a week for three successive weeks in some newspaper published in the county where such real estate or any part thereof may be located

or if no newspaper shall be published in such county then in a newspaper published in some neighboring county. Such notice shall state the time and place of such sale and shall describe the real estate to be sold with common certainty and state the value thereof as fixed by the appraisement of such commissioners and state that no bid less than such appraised value will be received therefor. No sale shall be made for an amount less than the appraised value of such real estate fixed by said commissioners and in the event that no bid is received at such sale at least equal to said appraised value of said real estate no intending purchaser can institute the proceedings provided for in this section within one year thereafter. In case of any sale made under the provisions of this section and of the refusal of any bank owning such real estate or of any lienholder or encumbrancer to execute the conveyances or releases necessary or proper to vest the title of such bank, lienholder or encumbrancer in the purchaser thereof the court shall have power in such proceedings to direct said commissioners to execute such deeds, conveyances or releases upon the payment to them of the purchase price therefor. The fees of such commissioners and cost of sale shall be fixed by the court, upon making such appointment but the entire expense thereof shall not exceed \$100. The cost of any such proceedings shall be borne by the intending purchaser if no sale shall be made but if a sale shall be made the costs of such proceedings shall be borne by the purchaser of the property and the person who filed the petition and advanced the costs of such proceedings shall be reimbursed in case he shall not become such purchaser. All sales hereunder shall be returned to the court having jurisdiction of the matter in the same manner as in the case of sales, by commissioners, of real estate on foreclosure of mortgages. Nothing in this section contained shall be deemed to affect the power of the superintendent of banks to require the writing down of the value of real estate held by any bank, at any time, when such writing down shall be proper.

SEC. 44. A new section is hereby added to said Act, to be numbered fifty-five and to read as follows:

Section 55. Receiving deposits, issuing certificates of deposit, checks and bills of exchange, and the like, in the transaction of the ordinary business of a bank, must not be construed to be the creation of debt within the meaning of the phrase "create debt" in section three hundred nine of the Civil Code, nor of indebtedness within the meaning of the phrase "the capital stock can not be diminished to an amount less than the indebtedness of the corporation" in section three hundred fifty-nine of the Civil Code, except that no bank shall reduce its capital stock to an amount less than is required by this Act to be maintained by such bank, or less than any indebtedness of such bank other than such deposits.

The terms "real estate," or "real property," or "personal property," when used in this Act shall have the meaning defined in, and shall be construed in accordance with the provisions of Title I of Part I of Division Second of the Civil Code.

SEC. 45. A new section is hereby added to said Act, to be numbered fifty-six, and to read as follows:

Section 56. Any bank organized and existing under the laws of this state is hereby authorized and empowered to join or associate itself with any "National Reserve Association of the United States" or branch thereof, or any plan now or hereafter created or established by Act of Congress whether such banking or currency association or plan be created by Congress under the above or any other name. Nothing in this Act shall prohibit any such bank from joining or associating itself with any such association or plan or branch thereof nor from investing any part of its capital or surplus in the stock of such association, plan or branch thereof in accordance with the terms and provisions of such Act of Congress; *provided, however*, that such investment shall in no case exceed the minimum amount required to join or associate itself with such association, plan or branch thereof. Any bank joining or associating itself with such association, plan or branch thereof, shall be permitted to conform to and transact its business in accordance with the terms and provisions of such Act of Congress creating the same and the rules and regulations of such association, plan or branch thereof, anything in this Act to the contrary notwithstanding.

SEC. 46. Section sixty of said Act is hereby amended to read as follows:

Section 60. Every savings bank hereafter organized must have paid up in cash a capital stock of not less than

(a) twenty-five thousand dollars if its principal place of business is located in any locality the population of which does not exceed five thousand persons;

(b) fifty thousand dollars if its principal place of business is located in any city the population of which is more than five thousand persons, but does not exceed twenty-five thousand persons;

(c) one hundred thousand dollars if its principal place of business is located in any city the population of which is more than twenty-five thousand persons but does not exceed one hundred thousand persons;

(d) two hundred thousand dollars if its principal place of business is located in any city the population of which is more than one hundred thousand persons but does not exceed two hundred thousand persons;

(e) three hundred thousand dollars if its principal place of business is located in any city the population of which is more than two hundred thousand persons.

Excepting that any savings bank organized without capital stock must have a reserve fund of at least one million dollars. Until the capital stock or reserve fund hereinbefore required shall be actually paid in, the superintendent of banks shall refuse to issue the certificate required by this Act. The foregoing classification shall not apply to any savings bank already in existence which has received its certificate to do a banking business from the superintendent of banks; nor to any bank the location of which shall have been included by annexation or consolidation within the limits of a city of a class requiring a larger capitalization, but no bank thus excepted shall be permitted to establish any new branch office as provided in section nine of this Act or to remove its place of business from the original limits of the city or township wherein it was located prior to such annexation or consolidation until it shall have the capital required of banks in such city not within said exception. Such excepted banks may not in any case decrease their capital stock but may increase the same in the manner provided by law to an amount either greater or less than that required of banks in such city not within said exception; *provided*, that nothing herein shall be construed to affect the provisions of section nineteen of this Act relative to the proportion of capital and surplus to deposits or of section twenty-three of this Act relative to the capital stock required of banks doing a departmental business. The provisions of section twenty-three of this Act, as to population, shall apply to any bank organized under the provisions of this section.

Sec. 47. Section sixty-one of said Act is hereby amended to read as follows:

Section 61. Any savings bank may purchase, hold and convey real or personal property as follows:

1. The lot and building in which the business of the bank is carried on; furniture and fixtures, vaults and safe deposit vaults and boxes necessary or proper to carry on its banking business; such lot and building, furniture and fixtures, vaults and safe deposit vaults and boxes shall not, in the aggregate, be carried on the books of such bank as an asset to an amount exceeding its paid-up capital and surplus; and hereafter, the authority of a two thirds vote of all of the directors shall be necessary to authorize the purchase of such lot and building, or the construction of such building.

2. Such as may have been mortgaged, pledged or conveyed to it in trust for its benefit in good faith, for money loaned in pursuance of the regular business of the corporation.

3. Such as may have been purchased at any sales under pledge, mortgage or deed of trust made for its benefit for money so loaned and such as may be conveyed to it by borrowers in satisfaction and discharge of loans made thereon. No savings bank shall purchase, own, or sell personal property, except such as may be requisite for its immediate accommodation for the convenient transaction of its business, notes or bonds secured by trust deeds or mortgages on real estate, bonds, securities or evidences of indebtedness, public or private, gold or silver bullion and United States mint certificates of ascertained value, and evidences of debt issued by the United States. No savings bank shall purchase, own, hold or convey bonds, securities or evidences of indebtedness, public or private, except as follows:

(a) Bonds or interest-bearing notes or obligations of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and interest;

(b) Bonds of this state, or those for which the faith and credit of the State of California are pledged for the payment of principal and interest;

(c) Bonds of any state in the United States that have not, within five years previous to making such investment by such bank, defaulted in the payment of any part of either principal or interest;

(d) Bonds of any county, city and county, city or school district of this state; bonds of any permanent road division in any county issued in pursuance of the provisions of Article IX, Chapter II, Title VI, Part III of the Political Code; bonds of any sewer district, drainage district, reclamation district, protection district, or sanitary district organized under the laws of this state; and any irrigation district bonds which the law may now or hereafter authorize to be used as security for the deposit of public moneys; *provided*, that the total amount of bonds so issued by any sewer district, drainage district, protection district, or sanitary district, does not exceed fifteen per centum of the value of the taxable property in said district as shown by the last equalized assessment roll of the county in which said district is located.

(e) Bonds of any county, city and county, city or town, in any state of the United States other than the State of California, issued under authority of any law of such state, which county, city and county, city or town, had, as shown by the federal or state census next preceding such investment, a population of more than twenty thousand inhabitants; *provided, however*, that the entire bonded indebtedness of such county, city and county, city or town, including such issue of bonds does not exceed fifteen per centum of the value of the taxable property therein as shown by its last equalized assessment roll, *and provided, further*, that such county, city and county, city or town, or the state in which it is located has not defaulted in payment of either principal or interest due upon any legally authorized bond issue within five years next preceding such investment.

(f) (1) Bonds of any railroad corporation incorporated under the laws of the

State of California and operating exclusively therein; *provided*, said corporation has had, for its fiscal year next preceding such investment, net earnings, after payment of all maintenance charges, operating expenses and taxes sufficient to pay the interest on all of its outstanding mortgage indebtedness; or

(2) Bonds of any railroad corporation incorporated under the laws of any other state in the United States, operating at least five hundred miles of standard gauge track exclusive of sidings; *provided*, said corporation has had, for each of its three fiscal years next preceding such investment, net earnings, after the payment of all maintenance charges, operating expenses and taxes, amounting to at least one and one half times the interest on all its outstanding mortgage indebtedness; or

(3) Bonds of any railroad corporation, the payment of which has been guaranteed, both as to principal and interest, by a railroad corporation meeting the requirements of either subdivision (1) or (2) of paragraph (f) of this section; the income of which latter corporation, together with the income of any corporation whose bonds it has guaranteed, shall have been sufficient to pay all its maintenance charges, operating expenses, taxes and interest on all its outstanding mortgage indebtedness and, in addition thereto, interest on the total outstanding mortgage indebtedness of any other corporation the payment of which it has guaranteed, for the periods specified in the respective subdivisions of this paragraph relating thereto; *provided*, that the excess of income of any corporation whose bonds have been so guaranteed, over its maintenance charges, operating expenses, taxes and interest on its outstanding mortgage indebtedness, shall not apply to or be included in determining the income so required. In determining the income of any corporation specified in paragraph (f) of subdivision three of this section, there shall be included the income of any corporation or corporations out of which it shall have been formed through consolidation or merger, and of any corporation or corporations, the entire business and income producing property of which the corporation issuing such bonds has wholly acquired. All bonds authorized for investment by paragraph (f) of subdivision three of this section must be secured by a mortgage or trust deed which is at the time of making such investment either a first mortgage or deed of trust, a refunding mortgage or deed of trust providing for the retirement of all prior lien mortgage debts of said corporation, or an underlying or divisional closed mortgage or trust deed of property which forms a part of the operating system of the corporation then owning said property. No savings bank shall purchase the bonds of any railroad corporation deriving less than twenty per centum of its gross receipts from passenger revenues. The term "railroad corporation," when used in paragraph (f) of subdivision three of this section, shall have the meaning defined in the "Public Utilities Act," approved December 23, 1911.

(g) Bonds of any street railroad corporation; or of any gas; water; pipe line; light; power; light and power; gas, light and power; electrical; telephone; telegraph; or telephone and telegraph corporation or of any other "public utility" incorporated under the laws of the State of California; and

(1) Operating exclusively in the State of California; *provided*, said corporation has had, for its fiscal year next preceding such investment, net earnings, after the payment of all maintenance charges, operating expenses and taxes, amounting to one and one half times the interest on all its outstanding mortgage indebtedness; or

(2) Operating its property in part within the State of California; *provided*, said corporation has had, for each of its two fiscal years next preceding such investment, net earnings, after the payment of all maintenance charges, operating expenses and taxes, amounting to one and one half times the interest on all of its outstanding mortgage indebtedness; or

(3) The payment of which is guaranteed, both as to principal and interest, by a public utility corporation meeting the requirements of either subdivision (1) or (2) of paragraph (g) of this section; the income of which latter corporation, together with the income of any corporation whose bonds it has guaranteed, shall have been sufficient to pay all its maintenance charges, operating expenses, taxes and interest on all its total outstanding mortgage indebtedness, and in addition thereto, interest on the total outstanding mortgage indebtedness of any other corporation the payment of which it has guaranteed, for the period specified in the respective subdivisions of this paragraph relating thereto; *provided*, that the excess of income of any corporation whose bonds have been so guaranteed, over its maintenance charges, operating expenses, taxes and interest on its outstanding mortgage indebtedness shall not apply to or be included in determining the income so required. In determining the income of any corporation specified in paragraph (g) of subdivision three of this section, there shall be included the income of any corporation or corporations out of which it shall have been formed through consolidation or merger, and of any corporation the entire business and income producing property of which the corporation issuing such bonds has wholly acquired. All bonds authorized for investment by paragraph (g) of subdivision three of this section must be secured by a mortgage or trust deed which is at the time of making such investment; either

I. A closed first mortgage or deed of trust; or

II. A first mortgage or deed of trust containing provisions restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to pay all maintenance charges, operating expenses, taxes

and one and one half times the interest on all its mortgage indebtedness then outstanding and on the additional bonds then proposed to be issued; or

III. A refunding mortgage or deed of trust providing for the retirement of all prior lien mortgage debts of said corporation, and restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to pay all maintenance charges, operating expenses, taxes and one and one half times the interest on all its mortgage indebtedness then outstanding, and on the additional bonds then proposed to be issued; or

IV. An underlying or divisional closed mortgage or trust deed of property which forms a part of the operating system of the corporation then owning said property. In the case of bonds secured by an underlying or divisional closed mortgage or trust deed, the net income required by this section shall be based exclusively upon the income, maintenance charges, operating expenses, taxes and mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or trust deed, or on the proper proportionate share of such property in the general income, maintenance charges, operating expenses, taxes and mortgage indebtedness of the corporation then owning such property; *provided, however*, that if the payment of the bonds secured by such underlying or divisional closed mortgage or trust deed shall be guaranteed or assumed by the corporation then owning the property securing the same, such bonds shall be legal investments for savings banks, if the net income of such corporation from all sources after paying all of its maintenance charges, operating expenses, taxes and mortgage indebtedness shall equal the amount herein required, notwithstanding any insufficiency of the income derived from the property carried by such underlying or divisional closed mortgage or trust deed to meet the requirements of this section. The term "street railroad corporation," "pipe line corporation," "gas corporation," "electrical corporation," "telephone corporation," "telegraph corporation," "water corporation," and "public utility," when used in paragraph (g) of subdivision three of this section, shall each have the meaning defined in the "Public Utilities Act," approved December 23, 1911.

(h) Notes or bonds secured by first mortgage or deed of trust upon real estate, improved or unimproved; *provided*, that the entire note or bond issue shall not exceed sixty per centum of the market value of such real estate, or such real estate with improvements, taken as security; *and provided, further*, in case the said note or bond issue is created for a building loan on real estate, that at no time shall the entire outstanding note or bond issue exceed sixty per centum of the market value of the real estate and the actual cost of the improvements thereon taken as security.

(i) Collateral trust bonds or notes when secured by either:

(1) Deposit of bonds authorized for investment by this section, of a market value at least fifteen per centum in excess of the par value of the collateral trust bonds or notes issued; or

(2) Deposit of bonds authorized for investment by this section, and other securities, of a combined market value at least twenty per centum in excess of the par value of the collateral trust bonds or notes issued; *provided*, that the par value of said collateral trust bonds or notes shall in no case exceed the market value of that portion of the security represented by bonds authorized for investment by this section.

(j) Bonds legal for investment by savings banks in the states of New York or Massachusetts; *provided, however*, that as to bonds of the character specified in paragraph (c) or (e) of subdivision three of this section, such bonds shall also conform to the requirements of either of such paragraphs.

(k) Certificates issued by a corporation organized under the laws of this state with a paid-up capital stock of not less than one hundred thousand dollars, evidencing and conferring participation to an indicated amount in a first mortgage on real estate and the debt secured thereby, and guaranteeing the payment of the principal of the mortgage debt at its maturity or within some specified time thereafter and agreeing to pay interest on the amount of the participation at some specified rate, the mortgage, however, and debt thereby secured to be assigned to a trust company and held by it as security for the payment of said mortgage certificates and for the performance of all conditions imposed thereby upon the corporation issuing the same; *provided*, the said first mortgage indebtedness shall not exceed sixty per centum of the market value of the real estate taken as security; *and provided, further*, that the trust company shall certify on each certificate that the aggregate amount of the certificate issued evidencing and conferring participation in any one such mortgage and mortgage debt does not exceed the principal of the said mortgage debt; *but provided, nevertheless*, that, unless such certificates are made legal investment for savings banks by other law of this state, no savings bank shall purchase any such certificates until the corporation issuing the same has first obtained the written approval of the superintendent of banks to such certificates as an investment for savings banks. The actual expense of investigating any issue of such certificates presented to the superintendent of banks for approval shall be paid by the corporation presenting the same, and the superintendent of banks, before making such investigation may

require a cash deposit of such amount as he may deem necessary to cover such expense. The superintendent of banks may accept and act upon the opinions and appraisements of any title insurance or abstract company, attorneys or appraisers which may be presented by such corporation so applying, and the reports of any of the executive officers of the corporation issuing such certificates, on any question of fact concerning or affecting such certificates, the security thereof, or the financial condition of the corporation issuing the same. In lieu of or in addition to such opinions, appraisements and reports, the superintendent of banks may, if he deems proper, have any or all such matters passed upon and certified to him by attorneys, appraisers or accountants of his own selection at the expense of the applicant. The superintendent of banks shall keep an official list of all issues of such certificates approved by him. No notes, bonds, or other securities, the payment of which is secured by any mortgage or deed of trust executed after September 1, 1913, shall be deemed to come within or conform to the requirements of either of paragraphs (f), (g) or (i) of subdivision three of this section, unless such notes, bonds or other securities shall, in the manner provided in this Act, have been certified by the superintendent of banks, to come within and fully conform to the requirements of one or the other of said paragraphs. The legality of investments heretofore lawfully made pursuant to the provisions of this section, as it existed on and subsequent to July 1, 1909, shall not be affected by any amendments to this section or this Act; nor shall any such amendments require the changing of investments once lawfully made under this Act. Any bonds authorized by this section as a legal investment for savings banks may be carried on the books of said bank at their investment value based on their market value at the time they were originally bought, unless the superintendent of banks shall require any or all of the bonds which may thereafter have a market value less than the original investment value to be written down to such new market value which shall be done gradually if practicable and in such manner as he may determine; or he may, by a plan of amortization to be determined by him, require such gradual extinction of premium as will bring such bonds to par at maturity. No savings bank shall hereafter purchase or loan money upon any bond, note or other evidence of indebtedness, issued by any "public utility," subject to the jurisdiction, regulation or control of the railroad commission of this state under the provisions of the "Public Utilities Act," approved December 23, 1911, unless each such bond, note or other evidence of indebtedness was either:

- (a) Issued prior to the taking effect of the "Public Utilities Act"; or
- (b) Issued under authority of the railroad commission, in accordance with the provisions of said Act; or
- (c) A note issued for a period not exceeding twelve months, in accordance with the provisions of subdivision (b) of section fifty-two of said Act.

No provision of this Act, and no act, or deed, done or performed under or in connection therewith, and no finding made or certificate issued under any provision thereof, shall be held or construed to obligate the State of California to pay, or be liable for the payment of, or to guarantee in any manner whatsoever, the regularity or validity of the issuance of any stock or bond certificate, or bond, note, or other evidence of indebtedness certified under any provision of this Act, by the superintendent of banks, as being in conformity with the requirements of any paragraph of subdivision three of this section.

SEC. 48. A new section is hereby added to said Act, to be numbered sixty-one *a*, and to read as follows:

Section 61*a*. The superintendent of banks shall have power, when any issue of bonds or securities is presented to him for that purpose, to investigate and ascertain whether such bonds or securities come within and fully conform to all the requirements of paragraphs (f), (g), (h) or (i) of subdivision three of section sixty-one of this Act, or of either of said paragraphs. He may also investigate and ascertain for what period of time, and upon what conditions, any franchise granted to or held by any corporation issuing any such bonds or securities will remain in force. The actual expense of investigating any issue of bonds or securities so presented shall be paid by the person or corporation presenting the same for investigation, and the superintendent of banks, before making such investigation may require a cash deposit of such amount as he may deem necessary to cover such expense. The superintendent of banks may accept and act upon the opinions and appraisements of any attorneys or appraisers which may be presented by such person or corporation so applying, and the reports of any of the executive officers of the corporation issuing such bonds or securities, on any question of fact concerning or affecting such bonds or securities, the security thereof, the franchise conditions herein mentioned, or the financial condition of the corporation issuing the same. In lieu of or in addition to such opinions, appraisements and reports, the superintendent of banks may, if he deems proper, have any or all such matters passed upon and certified to him by attorneys, appraisers or accountants of his own selection at the expense of the applicant. If the superintendent of banks shall find from such investigation that the bonds or securities so presented come within and fully conform to all the requirements of any of said paragraphs of subdivision three of section sixty-one of this Act, and is satisfied from such investigation as to such franchise

conditions, he shall so certify, otherwise a certificate shall be refused. The superintendent of banks shall keep an official list of all bonds and securities certified by him.

Sec. 49. Section sixty-four of said Act is hereby amended to read as follows:

Section 64. Each savings bank must prescribe by its by-laws, or by contract with its depositors, the time and conditions on which repayment is to be made to depositors, except as in this Act otherwise provided. In all cases the by-laws or contracts shall provide that notice of at least thirty days may, at the option of any such bank, be required to be given of intention to withdraw any deposit or part thereof, but whenever there is any call by depositors for repayment of a greater amount than the bank may have disposable for that purpose, the directors or officers thereof must not make any new loan or investment of the funds of the depositors or of earnings thereof until such excess of call has ceased. The directors of any such bank having no capital stock shall, before the declaration of any dividend, carry at least one tenth part of the net profits of such bank, for the preceding half year, or for the period covered by said dividend, to its reserve fund. Subject to the provisions of section nineteen of this Act, any losses sustained by any such bank may be charged to and paid out of its reserve fund. A larger reserve fund may be created and nothing herein contained shall be construed as prohibitory thereof. The assets of any such bank are a security to its depositors. Any such bank organized without capital stock, may provide by its by-laws for the disposal of any amount in its reserve fund in excess of the amount required by section nineteen of this Act and may also provide for final disposal upon the dissolution of the bank of its reserve fund or the balance thereof remaining after payment of any losses of such bank.

Sec. 50. Section sixty-five of said Act is hereby amended to read as follows:

Section 65. No loan shall be made, directly or indirectly, to any director or officer of any savings bank by such bank or on the endorsement, surety or guaranty of any such officer or director, except that loans may be made to any corporation in which any director or officer of such savings bank may own or hold a minority number of shares of stock, upon authorization of a majority of all the directors of such savings bank and the affirmative vote of all directors of such savings bank present at the meeting authorizing such loan; *provided, however*, that such loan shall in all other respects conform to and comply with all other provisions of this Act. Such interested director or officer shall not vote or participate in any manner in the action of the board on such loan. Such authorization shall be entered upon the records or minutes of such savings bank. The fact of making such loan, the names of the directors authorizing such loan, the corporate name of the borrower, the name of each director or officer of such bank who is a member, stockholder, or director of the corporation to which such loan is made, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of security given therefor and the fact of payment, when made, shall be forthwith reported in writing by the cashier or secretary of such savings bank to the superintendent of banks. A loan may be made to any agent or employee, other than an officer or director, of any savings bank by such bank upon authorization of a majority of all the directors of such savings bank and an affirmative vote of all directors of such savings bank present at the meeting authorizing such loan; *provided, however*, that such loan shall in all respects conform to and comply with all other provisions of this Act. Such authorization shall be entered upon the records or minutes of such savings bank. The fact of making such loan, the names of the directors authorizing such loan, the name of the borrower, the nature of his employment, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of the security given therefor, and the fact of payment, when made, shall be forthwith reported in writing by the cashier or secretary of such savings bank to the superintendent of banks. Any officer or director of any savings bank, who knowingly procures a loan from such savings bank, contrary to the provisions of this section, shall be guilty of a felony. In case of the neglect or failure of the secretary or cashier of any such bank, to report to the superintendent of banks, as herein provided, any of the facts so required to be reported, the bank shall be liable therefor and shall forfeit to the people of the State of California twenty-five dollars per day for each day, or part thereof, during which such neglect or failure continues.

Sec. 51. Section sixty-six of said Act is hereby amended to read as follows:

Section 66. No savings bank shall hereafter make any loans to any person, firm, copartnership or corporation to an amount exceeding fifty per centum of the actual paid-up capital stock and surplus of such bank, or in the case of a bank organized without capital stock, to an amount exceeding fifty per centum of the reserve fund of such bank; *provided, however*, that any savings bank having a paid-up capital and surplus of less than fifty thousand dollars, but not less than twenty-five thousand dollars, may make any such loan on real estate security to an amount not exceeding twenty-five thousand dollars; *and provided, further*, that any savings bank having a paid-up capital and surplus of less than twenty-five thousand dollars may make any such loan on real estate security to an amount not exceeding its paid-up capital and surplus, if each such loan in all other respects conforms to the pro-

visions of this Act. The renewal or extension of any loan heretofore legally made by any savings bank shall not be construed to be a "loan hereafter made" within the meaning of the provisions of this section. The legality of investments heretofore lawfully made pursuant to the provisions of this Act as it existed on and subsequent to July 1, 1909, shall not be affected by the provisions of this section. For the purposes of this section an endorser or guarantor shall be deemed to be a borrower.

SEC. 52. Section sixty-seven of said Act is hereby amended to read as follows:

Section 67. 1. No savings bank shall loan money except on adequate security of real or personal property, and no such loan shall be made for a period longer than ten years; *provided*, that no such loan shall be made on unsecured notes.

2. No savings bank shall invest or loan more than five per centum of its assets on any one bond issue, except bonds of the United States, of the State of California, bonds for which the faith and credit of the United States or of the State of California are pledged, or bonds of any county, city and county, city or school district in this state, or bonds of any irrigation district which the law may now or hereafter authorize to be used as security for the deposit of public moneys of this state.

3. No savings bank shall loan money:

(a) On bonds of the character specified in paragraphs (a), (b), (c) and (d) of subdivision three of section sixty-one of this Act, unless such bonds shall have a market value at least ten per centum in excess of the amount loaned thereon; or

(b) On bonds of the character specified in paragraphs (e), (f) and (g) or on bonds or notes of the character specified in paragraph (i) of subdivision three of section sixty-one of this Act, unless such bonds or notes shall have a market value at least fifteen per centum in excess of the amount loaned thereon; or

(c) On bonds legal for investment by savings banks in the states of New York or Massachusetts, unless such bonds shall have a market value at least fifteen per centum in excess of the amount loaned thereon; or

(d) On personal property unless such personal property shall have a market value at least fifty per centum in excess of the amount loaned thereon; or

(e) On other bonds, or on the capital stock of any corporation, unless such bonds or stock shall have a market value at least fifty per centum in excess of the amount loaned thereon; *provided, however*, that no loan shall be made upon the capital stock of any bank unless such bank has been in existence at least two years and has earned and paid a dividend on its capital stock.

4. No savings bank shall make any loan on the security of real estate, except it be a first lien, and in no event to exceed sixty per centum of the market value of any real estate taken as security except for the purpose of facilitating the sale of property owned by such savings bank: *provided*, that a second lien may be accepted to secure the repayment of a debt previously contracted in good faith; *and provided, also*, that any savings bank holding a first mortgage or deed of trust on real estate may take or purchase and hold another and immediately subsequent mortgage or deed of trust thereon, but all such loans shall not exceed in the aggregate sixty per centum of the market value of the real estate securing the same; *provided, further*, that a savings bank may loan not to exceed ninety per centum of the face value of a note or bond secured by a first mortgage or deed of trust on real estate, but in no event shall any such loan exceed ninety per centum of sixty per centum of the market value of the real estate covered by said mortgage or deed of trust.

5. No savings bank shall purchase, invest or loan its capital, surplus or the money of its depositors, or any part of either, in mining shares or stock. Any president or managing officer who knowingly consents to a violation of any provision of this section shall be guilty of a felony.

SEC. 53. Section sixty-eight of said Act is hereby amended to read as follows:

Section 68. Every savings bank or savings department of a bank, shall at all times maintain a lawful money reserve equivalent to four per centum of the aggregate amount of its deposits; one half of such lawful money reserve shall be kept on hand in lawful money of the United States or gold certificates or silver certificates of the United States, and one half may consist of bonds of the United States or of lawful money of the United States or gold certificates or silver certificates of the United States, on hand or on deposit subject to call with any reserve bank provided for in section twenty of this Act; *provided, however*, that no savings bank or savings department shall be required to maintain in its own keeping a lawful money reserve in excess of four hundred thousand dollars, and when such lawful money reserve in its own keeping reaches that amount, the balance of cash necessary to make up the four per centum may be kept on deposit subject to call with any reserve bank provided for in section twenty of this Act. No new loan shall be made during any deficiency in the lawful money reserve. Deposits with any commercial bank, or commercial department of a bank, on open account, to facilitate business transactions, as provided in this section, shall be permitted and shall not be construed as loans. Not more than five per centum of the deposits of any savings bank shall be deposited with any one bank, except with the consent of the superintendent of banks. Not more than fifteen per centum of the deposits of any savings bank shall be deposited with all other banks, except with the consent of the superintendent of banks. No savings bank or savings department shall receive deposits of other banks other than savings deposits and such deposits shall not be treated or considered as a part of the

lawful money reserve of such depositing bank; *provided*, that the sum so deposited shall not exceed ten thousand dollars.

SEC. 54. Section eighty of said Act is hereby amended to read as follows:

Section 80. No commercial bank shall make any loans to any person, firm, copartnership or corporation, to an amount exceeding the following percentages of its capital stock actually paid in and surplus:

1. Ten per centum without security, except where such capital stock and surplus is less than twenty-five thousand dollars, in which event an amount not to exceed twenty per centum of such capital stock and surplus may be loaned without security, and where such capital stock and surplus is greater than twenty-five thousand dollars and does not exceed fifty thousand dollars, a sum not exceeding five thousand dollars may be loaned without security. Nothing herein shall prohibit any commercial bank from taking or receiving any kind, character or amount of security whatsoever, either real or personal, for the protection of any loan made under the provisions of this subdivision, but no such loan or any part thereof shall be considered or construed as a secured loan unless the whole thereof is loaned upon security worth at least fifteen per centum more than the amount of such loan; or,

2. Fifteen per centum, in addition to the amount that may be loaned under the provisions of subdivision one of this section, upon security worth at least fifteen per centum more than the amount of such loan so secured; *provided, however*, that a separate note or notes shall be taken for the unsecured loans and a separate note or notes shall be taken for the secured loans, and the secured and unsecured loans shall not be combined in any way within one note or notes; or,

3. Twenty-five per centum upon security worth at least fifteen per centum more than the amount of its loans so secured; *provided, however*, that when secured loans to this amount or any amount in excess of fifteen per centum are made, then no unsecured loans shall be permitted in addition to such secured loans.

A commercial bank may buy from, or discount for, any person, firm, copartnership or corporation, or loan upon bills of lading or bills of exchange drawn in good faith against actual existing value an amount not exceeding seventy-five per centum of the paid-up capital and surplus of such bank; and may also buy from or discount for any person, firm, copartnership or corporation, commercial or business paper actually owned by the person, firm, copartnership or corporation negotiating the same, an amount not exceeding twenty-five per centum of the paid-up capital and surplus of such bank; but the discount of bills of lading or bills of exchange drawn in good faith against actual existing value, and the discount of commercial or business paper actually owned by the person, firm, copartnership or corporation negotiating the same shall not be considered as money borrowed by the person, firm, copartnership or corporation selling or discounting the same.

SEC. 55. Section eighty-two of said Act is hereby amended to read as follows:

Section 82. Every commercial bank hereafter organized must have paid up in cash a capital stock of not less than,

(a) Twenty-five thousand dollars if its principal place of business is located in any locality the population of which does not exceed five thousand persons;

(b) Fifty thousand dollars if its principal place of business is located in any city the population of which is more than five thousand persons but does not exceed twenty-five thousand persons;

(c) One hundred thousand dollars if its principal place of business is located in any city the population of which is more than twenty-five thousand persons but does not exceed one hundred thousand persons;

(d) Two hundred thousand dollars if its principal place of business is located in any city the population of which is more than one hundred thousand persons but does not exceed two hundred thousand persons;

(e) Three hundred thousand dollars if its principal place of business is located in any city the population of which is more than two hundred thousand persons.

The foregoing classification shall not apply to any commercial bank already in existence which has received its certificate to do a banking business from the superintendent of banks; nor to any bank the location of which shall have been included by annexation or consolidation within the limits of a city of a class requiring a larger capitalization, but no bank thus excepted shall be permitted to establish any new branch office as provided in section nine of this act or to remove its place of business from the original limits of the city or township wherein it was located prior to such annexation or consolidation until it shall have the capital required of banks in such city not within said exception. Such excepted banks may not in any case decrease their capital stock but may increase the same in the manner provided by law to an amount either greater or less than that required of banks in such city not within said exception; *provided*, that nothing herein shall be construed to affect the provisions of section nineteen of this Act relative to the proportion of capital and surplus to deposits or of section twenty-three of this Act relative to the capital stock required of banks doing a departmental business. The provisions of section twenty-three of this Act, as to population, shall apply to any bank organized under the provisions of this section.

SEC. 56. Section eighty-three of said Act is hereby amended to read as follows:

Section 83. No loan shall be made, directly or indirectly, to any officer of any commercial bank by such bank, or on the endorsement, surety, or guaranty of any

such officer, except as hereinafter provided in this section. Loans to any director, agent, or other employee, or to any firm, co-partnership, or corporation of which any director, officer, agent or other employee is a member, stockholder, director, agent or other employee, or to any person, firm, co-partnership or corporation on the endorsement, surety, or guaranty of any such director other than an officer, agent or other employee, can be made by any commercial bank only on authorization of, or confirmation within thirty days after making such loan, by a majority of all the directors of such bank and the affirmative vote of all directors of such bank present at the meeting authorizing or confirming such loan. Such interested director shall not vote or participate in any manner in the action of the board on such loan. The board of directors of any such bank may fix the total amount of credit that may at any one time during the twelve months next succeeding be given to any director, agent, or other employee, or to any firm, co-partnership or corporation in which any director, officer, agent, or other employee is a member, stockholder, director, agent or other employee, and any or all loans made within or up to the total amount of such authorized credit may at any time during said twelve months, be renewed from time to time, in whole or in part, by the officers of the bank without any further vote or action on the part of the board of directors. Each such authorization shall be entered upon the records or minutes of said bank. No director shall vote or participate in any manner in such action of the board fixing the total amount of credit that may at any one time be given to himself or to any firm, co-partnership or corporation in which he is a member, stockholder, director, agent or other employee. The fact of making such loan, the names of the directors authorizing such loan, the name of the director, agent, or employee, obtaining such loan, or the name of the firm, co-partnership or corporation in which such director, officer, agent, or employee is interested, obtaining such loan, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of security given therefor, if any, and the fact of payment when made, shall be forthwith reported in writing by the cashier or secretary of such bank to the superintendent of banks. In case of a loan so made without the previous authorization of the directors, the action of the board of directors, in confirming or refusing to confirm such loan within thirty days thereafter, shall be reported in the same manner. Any officer, director, agent, or employee of a commercial bank, who knowingly procures a loan from such commercial bank contrary to the provisions of this section, shall be guilty of a felony. In case of the neglect or failure of the secretary or cashier of any such bank, to report to the superintendent of banks, as herein provided, any of the facts so required to be reported, the bank shall be liable therefor and shall forfeit to the people of the State of California twenty-five dollars per day for each day, or part thereof, during which such neglect or failure continues.

SEC. 57. Section eighty-four of said Act is hereby amended to read as follows:

Section 84. No commercial bank shall invest an amount exceeding its paid-up capital and surplus in the lot and building in which the business of the bank is carried on, furniture and fixtures, vaults and safe deposit vaults and boxes necessary or proper to carry on its banking business; and hereafter the authority of a two-thirds vote of all the directors shall be necessary to authorize the purchase of such lot and building or the construction of such building.

SEC. 58. Section ninety of said Act is hereby amended to read as follows:

Section 90. Any corporation which has been or shall be incorporated under the general corporation laws of this state which is authorized by its articles of incorporation to act as executor, administrator, guardian of estates, assignee, receiver, depository or trustee, under appointment of any court or by authority of any law of this state, or as trustee for any purpose permitted by law, which has its principal place of business in a city in which the population does not exceed one hundred thousand persons and which has a capital of not less than one hundred thousand dollars actually paid in, in cash, assigned to or available for the purpose of conducting business in any such capacity, or trust business of any character permitted by law, and which has made with the state treasurer the deposit of money or securities of the character and in the amount required by the terms of section ninety-six of this Act, and which has received from the superintendent of banks the certificate of authority required by the terms of section one hundred and twenty-seven of this Act, to transact such business, and any corporation which has been or shall be incorporated under the general corporation laws of this state, which is authorized by its articles of incorporation to act as executor, administrator, guardian of estates, assignee, receiver, depository or trustee, under appointment of any court or by authority of any law of this state, or as trustee for any purpose permitted by law, which has its principal place of business in a city in which the population exceeds one hundred thousand persons and which has a capital of at least two hundred thousand dollars actually paid in, in cash, assigned to or available for the purpose of conducting business in any such capacity, or trust business of any character permitted by law, and which has made with the state treasurer the deposit of money or securities of the character and in the amount required by the terms of section ninety-six of this Act, and which has received from the superintendent of banks the certificate of authority required by the terms of section one hundred twenty-seven of this Act, to transact such business, may act, or may be appointed by any court to act, in any such capacity in like manner as an individual and when so qualified

shall be known as a trust company. Any such trust company may, as provided in this Act, accept or receive any deposit of money or personal property authorized, directed or permitted to be made with any such corporation by any court or law of this state, and may accept and execute any trust provided for in this Act, or permitted by any law of this state, to be taken, accepted or executed by an individual. Any such trust company, if located in a city the population of which does not exceed one hundred thousand persons must segregate that portion of its capital and surplus assigned to or available for its trust business and must apportion and set aside at least fifty thousand dollars of such paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside at least fifty thousand dollars of such paid-up capital as security for the faithful performance and execution of all court trusts accepted by it and whenever such trust company shall, under the provisions of Sections 96 and 98 of this Act, be required to make the first additional deposit of securities with the state treasurer, such trust company must also apportion and set aside an additional fifty thousand dollars of paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside an additional fifty thousand dollars of paid-up capital as security for the faithful performance and execution of all court trusts accepted by it, and any trust company, if located in a city, the population of which exceeds one hundred thousand persons, must segregate that portion of its capital and surplus assigned to or available for its trust business and must apportion and set aside at least one hundred thousand dollars of such paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside at least one hundred thousand dollars of such paid-up capital as security for the faithful performance and execution of all court trusts accepted by it; *provided*, that no such trust company shall at any time be required to apportion and set aside any portion of its surplus as security for the faithful performance of such private trusts, nor shall it be prohibited from so doing; *and provided, further*, that the respective amounts of capital or capital and surplus so apportioned and set aside shall be treated in all respects as the separate capital or capital and surplus of each respective kind or class of business, as though the same were conducted by separate and distinct corporations, and each shall be kept, held, used and disposed of wholly for the exclusive benefit, protection and security of the respective classes of trust business to which the same were respectively so apportioned and set aside. In all cases in which it is required that an executor, administrator, guardian of estates, assignee, receiver, depository or trustee, shall qualify by taking and subscribing an oath, or in which an affidavit is required, it shall be a sufficient qualification by such corporation if such oath be taken and subscribed or such affidavit made by the president, vice-president, secretary, manager, trust officer, assistant trust officer or regularly employed attorney thereof, and such officer or employee shall be liable for the failure of such trust company to perform any of the duties required by law to be performed by an individual acting in like capacity and subject to like penalties; *provided*, any such appointment as guardian shall apply to the estate only, and not to the person. No foreign corporation shall have or exercise in this state the power to act as trustee under any mortgage, deed of trust, or other instrument securing notes or bonds issued by any corporation, excepting that a foreign corporation may be authorized to act, outside of the State of California, as co-trustee with any qualified trust company organized and doing business under the laws of this state, for the following purposes with reference to bonds secured by mortgage or deed of trust of property in this state, and none other:

- (1) To deliver bonds, and receive payment therefor.
- (2) To deliver permanent bonds in exchange for temporary bonds of the same issue.
- (3) To deliver refunding bonds in exchange for those of a prior issue or issues.
- (4) To register bonds, or to exchange registered bonds for coupon bonds, or coupon bonds for registered bonds.
- (5) To pay interest on such bonds, and to take up and cancel coupons representing such interest payments.
- (6) To redeem and cancel bonds when called for redemption, or to pay and cancel bonds when due.
- (7) The certification of registered bonds for the purpose of exchanging registered bonds for coupon bonds.

SEC. 59. Section ninety-one of said Act is hereby amended to read as follows:

Section 91. Any court having jurisdiction of any executor, administrator, guardian, assignee, receiver, depository or trustee, upon the application of any such officer or trustee, or upon the application of any person having an interest in the estate or property administered by such officer or trustee, after such notice to the other parties in interest as the court may direct, and after a hearing upon such application, may authorize such officer or trustee to deposit any moneys then in his hands, or which may come into his hands thereafter, until the further order of said court, with any such trust company, and upon deposit of such money, and its receipt and acceptance by such trust company, the said officer or trustee shall be discharged from further care or responsibility therefor. Such deposit shall be paid out only upon the order of said court.

SEC. 60. Section ninety-two of said Act is hereby amended to read as follows:

Section 92. Any public administrator may deposit any or all moneys of any estate upon which he is administering, not required for the current expenses of such administration, with any such trust company having its principal place of business in the county, or city and county in which he is acting as such administrator. Any court having jurisdiction of an estate being administered by a public administrator, may direct such administrator to deposit all or any part of the moneys of said estate with any such trust company. Such deposit shall relieve the public administrator from depositing with the county treasurer the moneys so deposited with such trust company. Moneys so deposited by a public administrator may be drawn, upon the order of such administrator, countersigned by a judge of the superior court, when required for the purpose of administration, or otherwise.

SEC. 61. Section ninety-three of said Act is hereby amended to read as follows:

Section 93. Any court having jurisdiction of any estate in process of administration may, on application of any person interested therein, after such notice to the parties in interest as the court shall direct, and a hearing on such application, order any executor, administrator, guardian, assignee, receiver, depository or trustee, to deposit with any such trust company, for safe-keeping, such portion or all of the personal assets of said estate as the court shall deem proper, and upon such deposit being made, the court shall by an order of record reduce the bond to be given or theretofore given by such officer or trustee, so as to cover only the estate remaining in the hands of said officer or trustee, and the property so deposited shall thereupon be held by such trust company, under the order and direction of said court.

SEC. 62. Section ninety-four of said Act is hereby amended to read as follows:

Section 94. Such trust company shall not be required to give any bond or security in case of any appointment or deposit of moneys or other personal assets hereinbefore provided for, except as provided in this Act, but shall be made by it of the funds which may be entrusted to it for investment by such court, and shall be liable to the same extent as an individual, and as hereinafter provided.

SEC. 63. Section ninety-five of said Act is hereby amended to read as follows:

Section 95. Such trust company shall pay interest upon all moneys so deposited with it at such rate as may be agreed upon at the time of its acceptance of any such deposit, or as shall be provided by the order of court and agreed to by such trust company.

SEC. 64. Section ninety-six of said Act is hereby amended to read as follows:

Section 96. Any such trust company, if its principal place of business is situated in a city, the population of which does not exceed one hundred thousand persons, before accepting any such appointment or deposit, shall deposit with the state treasurer, as herein provided, at least fifty thousand dollars as security for the faithful performance and execution of all court trusts accepted by it, and shall also deposit with the state treasurer at least fifty thousand dollars as security for the faithful performance and execution of all private trusts accepted by it; and whenever any such trust company shall under the provisions of Section 98 of this Act be required to make the first additional deposit of securities with the state treasurer such trust company must also deposit with the state treasurer an additional fifty thousand dollars as security for the faithful performance and execution of all private trusts accepted by it; and any trust company if its principal place of business is situated in a city the population of which exceeds one hundred thousand persons, before accepting any such appointment or deposit, shall deposit with the state treasurer, as herein provided at least one hundred thousand dollars, as security for the faithful performance and execution of all court trusts accepted by it, and shall also deposit with the state treasurer at least one hundred thousand dollars as security for the faithful performance and execution of all private trusts accepted by it. Any such deposit may be made either in lawful money of the United States, or in securities of either or any of the following classes:

(a) Bonds issued by the United States or by this state or by any county, city and county, city or school district therein;

(b) Bonds for the payment of which the faith and credit of the United States or of this state are pledged;

(c) Notes or bonds secured by mortgage or deed of trust constituting a first lien on improved and productive real estate in the State of California: such improved real estate being worth at least double the amount of such lien. Such money or securities shall be first approved by the superintendent of banks and, upon his written order, deposited with the state treasurer for the respective purposes herein specified, and said treasurer shall give his receipt therefor, and thereafter, subject to the provisions of this Act, shall hold such deposits of money or securities separately, each for the sole benefit of the beneficiaries of the class of trust business, for the security and protection of which the same was deposited, and said treasurer shall give his receipt therefor and the state shall be responsible for the custody and safe return of any money or securities so deposited. Said securities or money so deposited may, with the approval of the superintendent of banks, be withdrawn or exchanged from time to time for other like securities, or lawful money, receivable as aforesaid, and so long as the trust company so depositing said money or securities shall continue

solvent, it shall have the right and shall be permitted by the state treasurer to receive the interest and dividends on any securities so deposited. Said securities and money shall be subject to sale and transfer, and to the disposal of the proceeds by said state treasurer, only on the order of a court of competent jurisdiction and for the benefit respectively of the beneficiaries of that class of trust business for the security and protection of which the same were deposited.

SEC. 65. Section ninety-seven of said Act is hereby amended to read as follows:

Section 97. Any such trust company, having a capital and surplus of two hundred thousand dollars or more apportioned and set aside as security for the faithful performance and execution of all court trusts accepted by it, as provided in this Act, and which is wholly or in part invested in the lot and building in which its business is carried on, may be permitted by the superintendent of banks to mortgage such lot and building to the state treasurer for such sum, up to its full market value, as the superintendent of banks may determine, and such mortgage may be deposited with said treasurer, and when so deposited it shall be included in the amount of securities herein required to be deposited with said treasurer as security for the faithful performance of all such court trusts.

SEC. 66. Section ninety-eight of said Act is hereby amended to read as follows:

Section 98. Whenever any trust company, the principal place of business of which is located in a city the population of which does not exceed one hundred thousand persons, receives from court trusts accepted by it, trust funds, as herein defined, to the amount of five hundred thousand dollars, it shall forthwith notify in writing the superintendent of banks of such fact, and within thirty days thereafter shall deposit with the state treasurer additional money or securities of the character mentioned and defined in section ninety-six of this Act, approved as therein provided, in the amount of fifty thousand dollars; and whenever any trust company receives from court trusts such funds to the amount of one million dollars it shall further notify in writing the superintendent of banks of such fact and within thirty days thereafter shall deposit with the state treasurer additional money or securities of the character mentioned and defined in section ninety-six of this Act, approved as therein provided, in the amount of fifty thousand dollars; and for each additional five hundred thousand dollars of such trust funds thereafter received by any trust company from court trusts a similar notification in writing shall forthwith be given to the superintendent of banks, and a further deposit in the amount of twenty-five thousand dollars of such money or securities, or of securities provided for in section ninety-seven of this Act likewise approved, shall be made, within thirty days thereafter, by such trust company with said state treasurer. The treasurer shall give his receipt for any money or securities so deposited and each and all of said deposits of money or securities, shall be held by said state treasurer for the sole benefit of the beneficiaries of the class of business for the security and protection of which same were deposited. The state shall be responsible for the custody and safe return of any money or securities so deposited with said state treasurer. The term "trust funds" when used in this section shall be deemed to mean and shall mean personal property and cash, whether received with the original trust property or as rent, income or proceeds thereof, or otherwise, in connection with the trust, and shall not be deemed to include and shall not include real property. Any trust company failing to comply with the provisions of this section shall forfeit to the State of California one hundred dollars a day for each day during which such failure or default shall continue. Upon making a request in writing to the superintendent of banks, any such trust company shall be entitled to withdraw from the state treasurer, from time to time, a sufficient amount of such securities so that at all times the amount of such securities so deposited shall conform to the requirements of this Act, and so that at no time shall such trust company be required to have on deposit with the state treasurer an amount of securities in excess of the requirements of this Act. Upon receiving such request in writing, and satisfactory proof of the facts warranting such withdrawal, it shall be the duty of the superintendent of banks to forthwith deliver to the state treasurer a written order directing the withdrawal of said securities so as to conform with the provisions of this section, and it shall be the duty of the state treasurer to comply with such written order. The validity or legality of any act or proceeding done or taken by any such trust company, relating to or in connection with the administration of any such trusts, shall not be affected or impaired by the neglect or failure of such trust company, or of any officer or employee thereof, to comply with any of the provisions of this Act, but all such acts and proceedings done or taken prior to the revocation of its certificate of authority to do such business by the superintendent of banks, under the provisions of this Act, or the revocation by any court or judge thereof of the appointment, order or decree theretofore entered in such trust matter shall be as valid and effective for all purposes as if any such neglect or failure had not occurred.

SEC. 67. Section ninety-nine of said Act is hereby amended to read as follows:

Section 99. When any part of the securities so deposited with the state treasurer consists of notes or bonds secured by mortgage or deed of trust, it shall be accompanied by a complete abstract of title or an unlimited certificate of title or a policy of title insurance prepared or issued by a person, company or corporation designated or approved by the superintendent of banks and authorized by law or otherwise found by the superintendent of banks to be competent to issue such evidence of title,

which shall be examined and approved by or under the direction of said superintendent of banks. The fees for an examination of such evidence of title by counsel to be paid by the trust company making the deposit shall not exceed twenty dollars for each title examined, and the fee for each appraiser, not exceeding two, shall not exceed five dollars for each mortgage or deed of trust.

SEC. 68. Section one hundred of said Act is hereby repealed.

SEC. 69. Section one hundred one of said Act is hereby amended to read as follows:

Section 101. For the purpose of this Act, all trusts permitted to be accepted or executed by any such trust company, under any provision of this Act are hereby classified and defined as either:

(a) Court trusts; or

(b) Private trusts. A court trust is one in which any such trust company acts under appointment, order or decree of any court, as executor, administrator, guardian, assignee, receiver, depository or trustee, or in which it receives on deposit from a public administrator, under any provision of this Act, or from any executor, administrator, guardian, assignee, receiver, depository or trustee, under any order or decree of any court, money or property. Any other trust is a private trust. The inspection and supervision of the superintendent of banks shall extend only to court trusts as herein defined. Private trusts shall not be subject to the inspection or supervision of the superintendent of banks, his attorneys, examiners or other assistants. In making the reports to the superintendent of banks required by this Act, every trust company shall, in addition to the other facts to be reported by it, furnish only a list and brief description of the court trusts held by it, the source of appointment thereto, the authority by which the appointment or deposit was made, and the amount of real or personal property held by such trust company by virtue thereof.

SEC. 70. Section one hundred two of said Act is hereby amended to read as follows:

Section 102. Any corporation which desires to withdraw from and discontinue doing a trust business shall furnish to the superintendent of banks satisfactory evidence of its release and discharge from all the obligations and trusts hereinbefore provided for, and thereupon the superintendent of banks shall revoke his certificate of authority to do a trust business theretofore issued to such corporation, and the state treasurer shall return to said corporation all the securities deposited by such corporation and shall cancel any mortgage made by such corporation to said state treasurer as a part of such securities, and thereafter such corporation shall not be permitted to use and shall not use the word "trust" in its corporate name or in connection with its business.

SEC. 71. Section one hundred three of said Act is hereby amended to read as follows:

Section 103. Any trust company exercising the powers and performing the duties provided for in this Act, shall, except as herein otherwise provided, keep inviolate all communications and writings made to or by said trustee touching the existence, condition, management and administration of any private trust confided to it; and no creditor or stockholder of any such trust company shall be entitled to disclosure or knowledge of any such communication or writing; *provided, however,* that the president, vice-president, manager, trust officer, secretary or regularly employed attorney of any such trust company shall be entitled to knowledge of any such communication or writing; *and provided, further,* that in any suit or proceeding touching the existence, condition, management or administration of any such trust, the court wherein the same is pending may require disclosure of any such communication or writing.

SEC. 72. Section one hundred four of said Act is hereby repealed.

SEC. 73. Section one hundred five of said Act is hereby amended to read as follows:

Section 105. Every trust company shall, except as otherwise provided by law, invest its capital and surplus and any trust funds received by it in connection with its trust business, in accordance with the laws relative to the investment or loan of funds deposited with savings banks, unless a specific agreement to the contrary is made between the trust company and the party creating the trust, or unless it is otherwise ordered by the court, in connection with any court trust.

SEC. 74. Section one hundred six of said Act is hereby amended to read as follows:

Section 106. Any such trust company desiring to do, or doing, a commercial banking business or a savings bank business, or both, in addition to its trust business shall have actually paid up, in cash, the amount of capital provided in section twenty-three of this Act. Any title insurance company authorized by its articles of incorporation to do, or doing a trust business, in addition to its title insurance business, shall comply with all the requirements of any law governing trust companies, and shall have a capital stock actually paid in, in cash, of not less than two hundred thousand dollars, and in addition thereto, the capital stock required by law for doing a title insurance business. Such capital for each such department or class of business shall be increased from time to time in the same manner and to the same extent as though each such department or class of business was conducted by a separate bank, trust company or title insurance company, instead of

as separate departments or classes of business. Any trust company and any title insurance company doing a departmental business as above provided shall comply with the provisions of this Act governing each of such departments and with the provisions of any law governing each such class of business as to its deposits, reserve, surplus, investments and loans.

Sec. 75. A new section is hereby added to said Act, to be numbered one hundred seven, and to read as follows:

Section 107. Any corporation doing a departmental business as a title insurance company and as a trust company, shall, as to its trust department, be subject to the supervision and inspection of the superintendent of banks, and as to its trust department must make all reports to the superintendent of banks required to be made by trust companies by the provisions of this Act, and as to its trust department such corporation shall also be subject to, and shall have the benefit of all other provisions and requirements of this Act applicable to trust companies, and shall also be subject to and shall have the benefit of all of the banking laws and rules and regulations of the banking department of this state applicable to trust companies. The proportionate part of the state banking fund provided for by section one hundred twenty-three of this Act, that shall be payable by such corporation, shall be based on the amount of capital and surplus of such corporation apportioned to its trust department.

Sec. 76. Section one hundred twenty-one of said Act is hereby amended to read as follows:

Section 121. The superintendent of banks shall employ a chief deputy, attorney and such examiners and other assistants as he may need to discharge in a proper manner the duties imposed upon him by law, none of which examiners or assistants or attorney shall be interested in any bank in this state as director, stockholder, officer or employee, and they shall perform such duties as he shall assign to them. He shall fix the compensation of the chief deputy, attorney, examiners and other assistants, which compensation shall be paid monthly on his certificate and on the warrant of the controller out of the state treasury. The chief deputy shall within fifteen days from the time of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state. No person shall be appointed a chief deputy who has not had at least three years' active banking experience, either as an executive officer or employee of some bank in this state. In case of the absence or inability to act, or vacancy in the office of the superintendent of banks for thirty consecutive days, the chief deputy shall execute to the people of the state a bond in the penal sum of fifty thousand dollars, with corporate surety or two sureties to be approved by the controller and treasurer of the state, conditioned for the faithful discharge of the duties of the superintendent while such deputy acts as superintendent, and upon filing such bond such deputy shall have all the power and duties of superintendent of banks, until the inability of the superintendent shall be removed, or until a new superintendent of banks shall have been appointed by the governor. No superintendent of banks, chief deputy, or bank examiner, shall be or shall become indebted, directly or indirectly, either as borrower, endorser, surety, or guarantor, to any bank under his supervision or subject to his examination.

Sec. 77. Section one hundred twenty-three of said Act is hereby amended to read as follows:

Section 123. A fund is hereby created to be known as the state banking fund, and out of said fund shall be paid all the expenses incurred in and about the conduct of the business of the banking department, including the salary of the superintendent, chief deputy, attorney, examiners and other assistants, traveling expenses, furnishing of rooms and rent. Each bank shall pay annually its share of eighty-seven thousand five hundred dollars, to be determined by the proportion which the capital and surplus which shall include all reserve and contingent funds, of any incorporated bank or the surplus, reserve and contingent funds of any bank organized without a capital stock bear to the capital, surplus, reserve and contingent funds in the aggregate of all such banks receiving certificates of authorization from the superintendent of banks, as shown by the last report of such bank to the superintendent of banks. All moneys collected or received by the superintendent of banks, under and by virtue of the provisions of this Act, shall be by him delivered to the treasurer of the state, who shall deposit the same to the credit of said banking fund, and the unexpended balances of all moneys heretofore paid into the state treasury by any of the bank commissioners or the superintendent of banks, shall be retained and become a part of said fund; *provided, however*, that the superintendent shall have authority to retain in his possession and under his control the sum of five hundred dollars to be used by him as a revolving fund for the benefit of the state banking department until the end of the fiscal year at which time he shall make full settlement with the treasurer of the state. If any such bank shall fail to pay such charges as are herein required, the superintendent shall forthwith cancel the certificate of said bank.

Sec. 78. Section one hundred twenty-four of said Act is hereby amended to read as follows:

Section 124. Every bank and the trust department of every title insurance company doing a trust business, shall be subject to the inspection of the superin-

tendent of banks. The superintendent of banks, the chief deputy, or some competent person or persons to be appointed by the superintendent of banks, to be known as examiners, shall visit and examine every bank at least once each fiscal year. On every such examination inquiries shall be made by him as to the condition and resources of the bank, the mode of conducting and managing its affairs, the action of its directors, the investment and disposition of its funds, the safety and prudence of its management, the security afforded to those by whom its engagements are held and whether the requirements of its articles of incorporation and the law have been complied with in the administration of its affairs, and as to such other matters as the superintendent may prescribe. Whenever, in the judgment of the superintendent of banks, the condition of any bank renders it necessary or expedient to make an extra examination or to devote any extraordinary attention to its affairs, the superintendent of banks shall have authority to make any and all necessary extra examinations and to devote any necessary extra attention to the conduct of its affairs; and such bank shall pay for all such extra services rendered by the superintendent of banks at a price to be fixed by the superintendent of banks but not to exceed twenty dollars per day. The superintendent of banks shall also have power to examine, or cause to be examined, every agency located in this state of any foreign bank or banking corporation, for the purpose of ascertaining whether it has complied with the laws of this state, and for such other purposes and as to such other matters as the superintendent may prescribe. The superintendent, chief deputy, and every such examiner shall have the power to administer an oath to any person whose testimony he may require on the examination of any bank, or on the examination of any agency of any foreign bank or banking corporation, and to compel appearance and attendance of any such person for the purpose of any such examination. When a bank shall have been examined by any examiner, and he finds securities therein which are, in his judgment, of doubtful value, he shall report the same to the superintendent of banks, who thereupon shall be authorized to employ appraisers at the expense of such bank to appraise said securities, at a compensation to be fixed by the superintendent of banks. The superintendent of banks shall, whenever requested to do so by any bank, provide an auditor to make an audit of the affairs of such bank. The compensation for making such audit shall be paid by the bank direct to the person making the audit. Nothing herein shall be deemed to authorize or require the superintendent of banks to inspect or supervise the private trust business or title insurance or abstracting of title business of any corporation doing a trust business.

SEC. 79. Section one hundred twenty-seven of said Act is hereby amended to read as follows:

Section 127. No bank shall transact any business in this state without the written approval of the superintendent of banks, and without his written certificate stating that it has complied with the provisions of this Act, and all the requirements of law and that it is authorized to transact within this state, the business specified therein; which certificate may be withheld by the superintendent of banks whenever he has reason to believe that the bank is being formed for any other than the legitimate objects contemplated by this Act or whenever he has reason to believe that the public convenience and advantage will not be promoted by the opening of such bank, or whenever he has reason to believe that the corporate name assumed by such bank, by reason of the use by it of any one or more of the words "commercial," "trust," or "savings," in conjunction with any other word or words, resembles so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this state. Before issuing such certificate the superintendent of banks shall examine, or cause an examination to be made in order to ascertain whether the requisite capital of such bank has been paid up in cash or the requisite reserve or surplus fund has been accumulated. The superintendent of banks shall not authorize such banks to commence business until it appears from such examination, or other evidence satisfactory to him, that the requisite capital has been, in good faith, subscribed and paid in, in cash, or that the requisite surplus or reserve fund has been accumulated or paid in, in cash, and until said bank shall have paid a fee of fifty dollars for each department to be operated by said bank.

SEC. 80. Section one hundred twenty-eight of said Act is hereby amended to read as follows:

Section 128. When the certified copy of articles of incorporation of any bank shall have been filed with the secretary of state, and application made for the issuance of a certificate to do business as a bank, the superintendent of banks, provided he has not withheld granting his certificate for any of the reasons set forth in section one hundred twenty-seven hereof, shall ascertain, from the best sources of information at his command, whether the character and general fitness of the persons named as stockholders are such as to command the confidence of the community in which such bank is proposed to be located, and, if so satisfied, he shall, within sixty days after such application has been made to him, issue, under his hand and official seal, the certificate of authorization required by this Act. The superintendent of banks shall transmit a duplicate of such certificate of authorization to the county clerk of the county in which the principal place of business of such bank is located, and he shall file the same in his office. The superintendent of banks shall also file a duplicate of such certificate in his own office.

Sec. 81. Section one hundred thirty of said Act is hereby amended to read as follows:

Section 130. Every bank, organized under the laws of this state, shall, whenever required by the superintendent of banks, make a report in writing to him, verified by the oath of its president and its secretary or cashier, or two principal officers. Such reports shall show the actual financial condition of the bank making the report, at the close of any past day designated by the superintendent, and shall specify the following:

1. The amount of its capital stock and the number of shares into which it is divided.

2. The names of the directors and the number of shares of stock held by each.

3. The total amount of capital actually paid in, in cash, and the total amount of surplus, reserve and any other funds.

4. The total amount due the depositors.

5. The total amount and character of any other liabilities it may have.

6. The amount at which the lot and building occupied by the bank for the transaction of its regular business stands debited on its books; also the market value of all other real estate held, whether acquired in settlement of loans or otherwise, the original cost to the bank, the date when acquired, the amount at which it stands debited on the bank books, in what counties situated, and in what name the title is vested, if not in the name of the bank itself.

7. The amount loaned on real estate, specifying the amount secured on real estate in each county separately; also specifying the name of the person in whose name the property is held in trust or as security, in case it is held in any name other than that of the bank and the instrument creating the security does not itself disclose the name of the bank.

8. The amount invested in bonds, designating the name and amount of each particular kind.

9. The amount loaned on stocks and bonds, designating each particular class and the amount thereof.

10. The amount of money loaned on other securities, with a particular designation of each class and the amount loaned on each.

11. The amount and kind of money on hand or deposited in any other bank or place, with the name of the place where deposited and the amount in each place.

12. Any other property held, or any amount of money loaned, deposited, invested or placed, not otherwise herein enumerated, and the place where situate and the value of said property, and the amount so loaned, deposited or placed.

13. The date on which examination of the bank was last made by its board of directors and the date on which report of such examination was filed, as required by section one hundred thirty-nine of this Act.

14. The outstanding and unpaid amounts of any loans made by the bank, which under the provisions of either section sixty-five or eighty-three of this Act are required to be reported to the superintendent of banks.

15. Any overdrafts and any loans, investments, acts or omissions violative of or not in conformity with any provision of this Act which may be specifically called for.

Every foreign corporation transacting the business of banking in this state shall make the report herein required as far as such report may relate to the affairs of such corporation in this state, and every foreign corporation must particularly render the report required by subdivisions three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen and fifteen of this section. Such report shall be made in writing and verified by the oath of one of its duly authorized officers or managers residing in this state. The oaths of the officers and the statements above required shall state that they and each of them have a personal knowledge of the matters therein contained, and that they believe every allegation, statement, matter, and thing therein contained is true. Any wilful false statement in the premises shall be perjury and shall be punished as such.

Sec. 82. A new section is hereby added to said Act to be numbered one hundred thirty a, and to read as follows:

Section 130a. In addition to the information obtained from the report required by the provisions of section one hundred thirty of this Act, the superintendent of banks shall also have the power to require any bank to furnish a special report in writing verified as required by section one hundred thirty of this Act, whenever in his judgment such special report is necessary to inform him fully of the actual financial condition and affairs of such bank. Any wilful false statement in the premises shall be perjury and shall be punished as such.

Sec. 83. Section one hundred thirty-one of said Act is hereby amended to read as follows:

Section 131. The superintendent of banks shall call for the reports specified by section one hundred thirty of this Act at least three times each year. The "past day designated by the superintendent" of banks under the provisions of section one hundred thirty of this Act shall be as nearly as possible the day designated by the comptroller of currency of the United States for reports of national banking associations.

SEC. 84. Section one hundred thirty-three of said Act is hereby amended to read as follows:

Section 133. Whenever it shall appear from the report of any bank, or the superintendent of banks shall have reason to believe that the capital of any bank is impaired or reduced below the amount required by law, it shall be the duty of the superintendent of banks and he shall have the power to examine said bank and ascertain the facts, and in case he finds such impairment or reduction of capital, he shall require such bank to make good the deficiency so appearing within sixty days after the date of such requisition. The directors of every such bank, upon which such requisition shall have been made, shall levy an assessment upon the stock thereof to repair such deficiency, and shall cause notice of such requisition to be given to each stockholder of the bank and of the amount of the assessment which he must pay for the purpose of making good such deficiency, by a written or printed notice mailed to such stockholder at his last known address or served personally upon him. If any stockholder shall refuse or neglect to pay the assessment specified in such notice within thirty days from the date of mailing or serving such notice as aforesaid, the directors of such bank shall have the right to sell to the highest bidder at public auction the stock of such stockholder, after giving a previous notice of such sale for ten days in a newspaper of general circulation published in the county where the principal place of business of such bank is located, and a copy of such notice of sale shall also be served on the owner of such stock by being served personally on him or by mailing to his last known address ten days before the day fixed for such sale; or such stock may be sold at private sale and without such public notice; *provided, however*, that before making such private sale thereof an offer in writing shall first be obtained and a copy thereof served upon the owner of record of the stock sought to be sold, either personally or by mailing a copy of such offer to his last known address; and if, after service of such offer, such owner shall still refuse or neglect to pay such assessment within two weeks from the time of the service of such offer, the said directors may accept such offer and sell such stock to the person making such offer, or to any other person or persons making a larger offer than the amount named in the offer submitted to the stockholder; but such stock shall in no event be sold for a smaller sum than the valuation put on it by the superintendent of banks in his determination and requisition as to said assessment, nor for less than the amount of said assessment so called for and the expense of sale. Out of the avails of the stock so sold, the directors shall pay the amount of assessment levied thereon, and the necessary costs of sale, and the balance, if any, shall be paid to the person or persons whose stock has thus been sold. A sale of stock as herein provided shall effect an absolute cancellation of the outstanding certificate or certificates evidencing the stock so sold, and shall make the same null and void, and a new certificate shall be issued by the bank to the purchaser thereof.

SEC. 85. Section one hundred thirty-four of said Act is hereby amended to read as follows:

Section 134. If it shall appear to the superintendent of banks that any bank has violated or failed to comply with the provisions of its articles of incorporation, or any law of this state, he may, by an order under his hand and official seal, which seal must be adopted by him, addressed to such bank, direct such bank to discontinue such violation and to comply with the law; or, if it shall appear to the superintendent of banks that such bank is conducting business in an unsafe or injurious manner, he may, in like manner direct the discontinuance of any such unsafe or injurious practices. Such order shall require such bank to show cause, before the superintendent of banks, at a time and place to be fixed by him, why said order should not be observed. If upon such hearing it shall appear to the superintendent of banks that such bank is conducting business in an unsafe or injurious manner, or is violating or failing to comply with the provisions of its articles of incorporation, or any law of this state, then the superintendent of banks shall make such order final, and such bank shall immediately comply with such order made by the superintendent of banks. Such bank shall have ten days after any such order is made final in which suit may be commenced to restrain enforcement of such order, and unless such action be so commenced and enforcement of said order be enjoined within ten days, by the court in which such suit is brought, then such bank shall comply with such order.

SEC. 86. Section one hundred thirty-five of said Act is hereby repealed and a new section is hereby added to said Act to be numbered 135 and to read as follows:

Section 135. Whenever the superintendent of banks shall deem it expedient he may call a meeting of the stockholders of any bank organized under the laws of this state, by a personal notice of such meeting for fifteen days previous thereto. All necessary expense incurred in the serving of such notice shall be borne by the bank whose stockholders are required to convene.

SEC. 87. A new section is hereby added to said Act, to be numbered one hundred thirty-five *a* and to read as follows:

Section 135a. If the capital of any bank shall be impaired, or if any bank shall refuse to submit its books, papers and concerns to the inspection of any examiner, or if any officer thereof shall refuse to be examined upon oath touching the concerns of such bank, or if such bank shall violate the provisions of its articles of incorporation, or any law of this state, or if such bank shall suspend payment of its obliga-

tions, or if such bank shall conduct its business in an unsafe or unauthorized manner, or if from any examination or report provided for by this Act the superintendent of banks shall conclude that such bank is in an unsound or unsafe condition to transact the business for which it is organized, or that it is unsafe and inexpedient for it to continue business, an action to procure a judgment dissolving such corporation may be maintained by the superintendent of banks.

SEC. 88. Section one hundred thirty-six of said Act is hereby amended to read as follows:

Section 136. Whenever it shall appear to the superintendent of banks that any bank has violated the provisions of its articles of incorporation or any law of this state, or is conducting its business in an unsafe or unauthorized manner, or if the capital of any bank is impaired, or if any bank shall refuse to submit its books, papers and concerns to the inspection of any examiner, or if any officer thereof shall refuse to be examined upon oath touching the concerns of any such bank, or if any bank shall suspend payment of its obligations, or if from any examination or report provided for by this Act the superintendent of banks shall have reason to conclude that such bank is in an unsound or unsafe condition to transact the business for which it is organized, or that it is unsafe and inexpedient for it to continue business, or if any bank shall neglect or refuse to observe any order of the superintendent of banks specified in sections one hundred thirty-three or one hundred thirty-four of this Act, the superintendent of banks may forthwith take possession of the property and business of such bank and retain such possession until such bank shall resume business, or its affairs be finally liquidated as herein provided. On taking possession of the property and business of any such bank the superintendent of banks shall forthwith give notice of such fact to any and all banks, trust companies, associations and individuals, holding or in possession of any assets of such bank. No bank, trust company, association or individual knowing of such taking possession by the superintendent of banks, or notified as aforesaid, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred against any of the assets of the bank of whose property and business the superintendent of banks shall have taken possession as aforesaid. Such bank may, with the consent of the superintendent of banks, resume business upon such conditions as may be approved by him. Upon taking possession of the property and business of any such bank the superintendent of banks shall have authority to collect moneys due to such bank and do such other acts as are necessary to conserve its assets and business, and shall proceed to liquidate the affairs thereof as hereinafter provided. The superintendent of banks shall collect all debts due and claims belonging to it, and upon the order of the superior court may sell or compound any bad or doubtful debts. If a purchaser for any bad or doubtful debts cannot be obtained and it appears improbable that recovery thereon can be had and that the costs of actions to enforce collection of the same would probably be lost, the court may direct that suits thereon need not be brought. On like order he may sell any real or personal property of such bank on such terms as the court shall direct; and may, if necessary to pay the debts of such bank, enforce the constitutional individual liability of stockholders by action to be brought within three years after the date of his taking possession of the affairs of such bank. The superintendent of banks shall determine the necessity of such action and the amount necessary to recover from the stockholders to fully pay all liabilities of such bank. Such action may be in equity and against all stockholders upon whom service of process in the State of California can be had, and the court may therein determine and provide for any equities as between the stockholders including the proportions of each stockholder to any surplus of money or assets that may remain after the payment of all liabilities and the expenses of liquidation. The superintendent of banks may also maintain an action against any stockholder residing out of the state or upon whom service of process cannot be had within the state, in any court of the United States or of any state or country. Any judgment so obtained by the superintendent of banks against such or any of such stockholders which is of doubtful value may be compromised and compounded by the superintendent of banks on such terms and conditions as the superior court may direct or authorize. The superintendent of banks shall file a notice of pendency of action in the county recorder's office of the county where such action is brought. At any time prior to the trial of any such action, any creditor may serve upon the superintendent of banks and file with the court wherein such action is pending, notice that he elects to maintain an action against the stockholders or any of them, in his individual capacity and thereupon the amount sued for in such action shall be reduced accordingly and such creditor shall not be entitled to share in the proceeds resulting from such action brought by the superintendent of banks. For the purpose of executing and performing any of the powers and duties hereby conferred upon him, the superintendent of banks may, in the name of the delinquent bank or in his own name, prosecute and defend any and all suits and other legal proceedings and may, in the name of the delinquent bank or in his own name as trustee execute, acknowledge and deliver any and all deeds, assignments, releases and other instruments necessary and proper to effectuate any sale of real or personal property or sale or com-

promise or compound authorized by order of the court as herein provided; and any deed or other instrument, executed pursuant to the authority hereby given, shall be valid and effectual for all purposes, as though the same had been executed by the officers of the delinquent bank by authority of its board of directors. In case any of the real property so sold is located in a county other than the county in which the application to the court for leave to sell the same is made, the superintendent of banks shall cause a certified copy of the order authorizing or ratifying such sale to be filed in the office of the recorder of the county in which the said real property is located. The superintendent of banks may, under his hand and official seal, appoint one or more special deputy superintendents of banks, as agent or agents, with the powers specified in the certificate of appointment hereinafter mentioned, to assist him in the duty of liquidation and distribution, the certificate of appointment to be filed in the office of the superintendent of banks, and a certified copy in the office of the clerk of the county in which the principal office of such bank is located.

The superintendent of banks may from time to time, by a certificate of appointment under his hand and official seal, specifying the powers conferred, authorize a special deputy superintendent to perform such duties connected with such liquidation and distribution as the superintendent of banks may deem proper. Such certificate of appointment shall be filed in the office of the superintendent of banks and a certified copy in the office of the clerk of the county in which the principal office of such bank is located. The superintendent of banks may employ such counsel and procure such expert assistance and advice as may be necessary in the liquidation and distribution of the assets of such bank, and for that purpose may retain such of the officers or employees of such bank as he may deem necessary. The superintendent of banks shall require from a special deputy superintendent and from such assistants such security for the faithful discharge of their duties as he may deem proper. The superintendent of banks shall cause notice to be given by advertisement, in such newspapers as he may direct, weekly for three consecutive months, calling on all persons who may have claims against such bank to present the same to the superintendent of banks, and make legal proof thereof at a place and within a time, not earlier than the last day of publication, to be therein specified. The superintendent of banks shall mail a similar notice to all persons whose names appear as creditors upon the books of the bank. If the superintendent of banks doubts the justice and validity of any claim, he may reject the same, and serve notice of such rejection upon the claimant, either by mail or personally. An affidavit of the service of such notice, which shall be prima facie evidence thereof shall be filed with the superintendent of banks. Any action upon a claim so rejected must be brought within six months after such service. Claims presented after the expiration of the time fixed in the notice to creditors shall be entitled to share in the distribution only to the extent of the assets in the hands of the superintendent of banks equitably applicable thereto. Upon taking possession of the property and assets of any bank, the superintendent of banks shall make an inventory of the assets of such bank in duplicate, one to be filed in the office of the superintendent of banks, and one with the papers in said proceeding in the office of the clerk of the county in which the principal office of such bank is located; upon the expiration of the time fixed for the presentation of claims the superintendent of banks shall make in duplicate a full and complete list of the claims presented, including and specifying such claims as have been rejected by him, one to be filed in the office of the superintendent of banks, and one with the papers in said proceeding in the office of the clerk of the county in which the principal office of such bank is located. Thereafter he shall make and file in said offices as above provided at least fifteen days before each application to the court for leave to declare a dividend a supplemental list of the claims presented since the last preceding list was filed, including and specifying such claims as have been rejected by him, and in any event he shall make and file as above provided such a list at least once every six months after the filing of the original list, as long as he shall remain in possession of the property and business of any such bank. Such inventory and list of claims shall be open at all reasonable times to inspection. The compensation of the special deputy superintendents, counsel and other employees and assistants, and all expenses of supervision and liquidation, shall be fixed by the superintendent of banks and shall upon the certificate of the superintendent of banks be paid out of the funds of such bank in the hands of the superintendent of banks. All such expenses must be reported by the superintendent of banks to the superior court of the county where the principal place of business of such bank is located and settled by such court upon notice to such bank. The moneys collected by the superintendent of banks shall be from time to time deposited in one or more state banks of deposit, savings banks or trust companies, and, in case of the suspension or insolvency of the depository, such deposits shall be preferred before all other deposits. At any time after the expiration of the date fixed for the presentation of claims the superior court may by order authorize the superintendent of banks to declare out of the funds remaining in his hands after the payment of expenses one or more dividends, and after the expiration of one year from the first publication of notice to creditors he may declare a final dividend, such dividends to be paid to such persons, and in such amounts, and upon such notice, as may be directed by the superior court of the county in which the principal office of such bank is located. Objections to any claim not rejected by the superintendent of banks may be made

by any party interested by filing a copy of such objections with the superintendent of banks, who shall present the same to the superior court at the time of the next application to declare a dividend. The court to which such application is made shall thereupon dispose of said objections or may order a reference for that purpose, and should the objections to any claim be sustained by the court or by the referee, such claim shall not be allowed by the superintendent of banks until the claimant shall have established his claim by the judgment of a court of competent jurisdiction. The court must make proper provision for unproved or unclaimed deposits.

Should any bank at the time the superintendent of banks takes possession of its property and business, have in its possession, as bailee for safekeeping and storage, any jewelry, plate, money, specie, bullion, stocks, bonds, securities, valuable papers or other valuable personal property or should it have rented any vaults, safes or safe deposit boxes or any portion thereof for the storage of property of any kind, the superintendent of banks may at any time thereafter cause to be mailed to the person claiming to be or appearing upon its books to be the owner of such property, or the person in whose name the safe, vault or box stands, a notice in writing in a securely closed, postpaid registered letter, directed to such person at his post office address as recorded upon its books, notifying such person to remove, within a period fixed by said notice and not less than sixty days from the date thereof, all such personal property and upon the date fixed by said notice, the contract, if any, between such person and bank for the storage of said property or for the use of the said safe, vault or box shall cease and determine, and the amount of the unearned rent or charges, if any, paid by such person shall become a debt of the bank to said person. If the property be not removed within the time fixed by the notice, the superintendent of banks may make such disposition of said property as the superior court, upon application thereto, shall direct. And the superintendent of banks may cause any safe, vault or box to be opened in his presence or in the presence of one of the special deputy superintendents of banks, and of a notary public not an officer or in the employ of the bank or of the superintendent of banks, and the contents thereof, if any, to be sealed up by such notary public in a package upon which such notary public shall distinctly mark the name and address of the person in whose name such safe, vault or box stands upon the books of the bank and shall attach thereto a list and description of the property therein; and the package so sealed and addressed, together with the list and description, may be kept by the superintendent of banks in one of the general safes or boxes of the bank until delivered to the person whose name it bears, or until otherwise disposed of as directed by the court. Whenever any such bank of whose property and business the superintendent of banks has taken possession as aforesaid, deems itself aggrieved thereby, it may, at any time within ten days after such taking possession, apply to the superior court in the county in which the principal office of such bank is located to enjoin further proceedings; and said court, after citing the superintendent of banks to show cause why further proceedings should not be enjoined, and hearing the allegations and proofs of the parties and determining the facts may, upon the merits, dismiss such application or enjoin the superintendent of banks from further proceedings, and direct him to surrender such business and property to such bank. An appeal as above provided shall operate as a stay of the judgment of the superior court, and no bond need be given if the appeal be taken by the superintendent of banks; but if the appeal be taken by such bank, a bond shall be given, as required by section nine hundred forty-three of the Code of Civil Procedure. Whenever the superintendent of banks shall have paid to each and every depositor and creditor of such bank whose claim or claims as such creditor or depositor shall have been duly proved and allowed, the full amount of such claims, and shall have made proper provision for unclaimed and unpaid deposits or dividends, and shall have paid all the expenses of the liquidation, the superintendent of banks shall call a meeting of the stockholders of such bank giving notice thereof for thirty days in one or more newspapers published in the county where the principal office of such bank is located. At such meeting the stockholders shall determine whether the superintendent of banks shall be continued as liquidator and shall wind up the affairs of such bank, or whether an agent or agents shall be elected for that purpose, and in so determining the said stockholders shall vote by ballot, in person or by proxy, each share of stock entitling the holder to one vote, and the majority of the stock shall be necessary to a determination. In case it is determined to continue the liquidation under the superintendent of banks, he shall complete the liquidation of the affairs of such bank, and after paying the expenses thereof, shall distribute the proceeds among the stockholders in proportion to the several holdings of stock in such manner and upon such notice as may be directed by the superior court. In case it is determined to appoint an agent or agents to liquidate, the stockholders shall thereupon select such agent or agents by ballot, a majority of the stock present and voting, in person or by proxy, being necessary to a choice. Such agent or agents shall execute and file with the superintendent of banks a bond to the people of the state in such amount, with such sureties and in such form as shall be approved by the superintendent of banks, conditioned for the faithful performance of all the duties of his or their trust, and thereupon the superintendent of banks shall transfer and deliver to such agent or agents all the undivided and uncollected or other assets of such bank then remaining in his hands; and upon such transfer and delivery, the said

superintendent of banks shall be discharged from any and all further liability to such bank and its creditors. Such agent or agents shall convert the assets coming into his or their possession into cash, and shall account for and make distribution of the property of said bank as is herein provided in the case of distribution by the superintendent of banks, except that the expenses thereof shall be subject to the direction and control of a court of record of competent jurisdiction. In case of the death, removal or refusal to act of any such agent or agents, the stockholders, on the same notice, to be given by the superintendent of banks upon proof of such death, removal or refusal to act being filed with him, and by the same vote hereinbefore provided, may elect a successor, who shall have the same powers and be subject to the same liabilities and duties as the agent originally elected. Dividends and unclaimed deposits remaining unpaid in the hands of the superintendent of banks for six months after the order for final distribution shall be by him deposited with the state treasurer in the same manner and subject to the same disposition as provided for in section one thousand two hundred thirty-four of the Code of Civil Procedure. The superintendent of banks may pay over the moneys so held by him to the persons respectively entitled thereto upon being furnished satisfactory evidence of their right to the same. In cases of doubt or conflicting claims he may require an order of the superior court authorizing and directing the payment thereof.

Sec. 89. A new section is hereby added to said Act, to be numbered 136*a* and to read as follows:

Section 136*a*. Any bank which has ceased to do a banking business whether through voluntary action on its part or through expiration of its corporate existence, shall immediately liquidate its affairs and any unclaimed deposits or dividends shall be paid into the state treasury in the manner and for the purposes provided in section one hundred thirty-six of this Act within six months after the date such bank ceased to conduct a banking business, and in case the superintendent of banks shall have reason to conclude that the liquidation of such bank is not being safely or expeditiously conducted, he may take possession of the property of such bank and liquidate its affairs in the same manner as provided in section one hundred thirty-six of this Act. Whenever any bank of whose property the superintendent of banks has taken possession as aforesaid, deems itself aggrieved thereby, it may within the time and in like manner and effect as provided in section one hundred thirty-six of this Act apply to the superior court to enjoin further proceedings.

Sec. 90. A new section is hereby added to said Act to be numbered one hundred thirty-six *b* and to read as follows:

Section 136*b*. In any action or proceeding brought under any provision of this Act, exclusive original jurisdiction shall be vested in the superior court of the county in which is located the principal place of business of the bank affected thereby, and all proceedings relating to the same matter, under any provision of this Act, including proceedings for liquidation of the affairs of any such bank, shall be filed with and treated as a part of the record in such original proceedings, and all papers relating to any such action or proceeding, including the copy of certificate of appointment of any special deputy and the inventories required to be filed in the matter of any such liquidation, shall be filed with and made a part of the record of such original proceeding, without the payment of any additional fees therefor, and in any such action no damage may be awarded, but the action otherwise shall be tried and determined according to the provisions of the Code of Civil Procedure.

Sec. 91. Section one hundred thirty-seven of said Act is hereby amended to read as follows:

Section 137. 1. Any bank shall have the right, on application of the stockholders or members to apply to the superior court of the county wherein its principal place of business is situated, to dissolve said bank in the manner provided for in title six, part three of the Code of Civil Procedure.

2. At the expiration of four months after the settlement of the final account of the receiver of any bank appointed prior to July 1, 1909, any dividends due depositors, or other creditors, or stockholders of such bank and remaining unpaid or uncalled for and in the hands of such receiver may be paid by him into the treasury of the county in which such bank is situated which money shall be held in the treasury of said county, and at the same time it shall be the duty of such receiver to furnish to the county treasurer of said county a list of names of all depositors or other persons to whom such money belongs or who are entitled thereto and thereupon such receiver shall be entitled to his discharge.

3. The moneys referred to in subdivision two of this section shall be paid out on the order of the court appointing such receiver.

4. All moneys paid under subdivision two of this section, uncalled for within five years after being paid in, shall by operation of law, and without action had, escheat to the state. All moneys held by any county treasurer under subdivision two of this section, when such moneys have escheated to the state as hereinbefore provided, shall be paid by the county treasurer into the state treasury, and thereafter only be drawn out in such manner as may be provided for by law for the estates of deceased persons escheated to this state.

5. The state board of control must invest such moneys in the same manner that the state school land fund is invested as provided by law. But any claimant shall

be entitled to recover as herein provided only the principal so paid into the state treasury.

SEC. 92. Section one hundred thirty-eight of said Act is hereby amended to read as follows:

Section 138. If any bank shall fail to make any report required by the provisions of section one hundred thirty or one hundred thirty *a* of this Act, within ten days from the day designated for the making thereof by the superintendent of banks, or to include therein any matter required by the provisions of either of said sections, it shall forfeit to the people of the state the sum of one hundred dollars for each day that any such report shall be so delayed or withheld by the failure or neglect of such bank. In the event of the failure of any such bank to make any such report required from it, the superintendent of banks may, in his discretion, immediately cause the books, papers and affairs of such bank to be examined at the expense of such bank.

SEC. 93. Section one hundred thirty-nine of said Act is hereby amended to read as follows:

Section 139. It shall be the duty of the board of directors of every bank to examine fully into the books, papers and affairs of the bank of which they are directors, and particularly into the loans and discounts thereof, with a special view to ascertaining the value and security thereof, and of the collateral security, if any given, in connection therewith, and into such other matters as the superintendent of banks may require; such examination to be made at least once a year, but no such subsequent yearly examinations shall be made within three months of the next preceding examination. Such directors shall have power to employ such assistance in making such examinations as they may deem necessary. Within ten days after the completion of such examination, a report in writing thereof, sworn to by the directors making the same, shall be made by the board of directors of such bank, and placed on file with the records of said bank, and shall be subject to examination by the superintendent of banks. Such report shall particularly contain a statement of the assets and liabilities of the bank examined, as shown by its books, together with any deductions from the assets, or additions to liabilities, which such directors or committee, after such examination, may determine to make. It shall also contain a statement, in detail, of loans, if any, which in their opinion are worthless or doubtful, together with their reasons for so regarding them; also a statement of loans made on collateral security, which in their opinion are insufficiently secured, giving in each case the amount of the loan, the name and market value of the collateral, if it has any market value, and, if not, a statement of that fact, and its actual value as nearly as possible. Such report shall also contain a statement of overdrafts, of the names and amounts of such as they consider worthless or doubtful, and a full statement of such other matters as affect the solvency and soundness of the bank. If the directors of such bank shall fail to make such examination or fail to cause it to be made, or shall fail to file such report of such examination in the manner and within the time specified, the superintendent of banks shall have authority to make or cause to be made an extra examination of such bank at the expense of such bank.

SEC. 94. Section one hundred forty-five of said Act is hereby amended to read as follows:

Section 145. The powers, privileges, duties and restrictions conferred and imposed upon any corporation or individual existing and doing business under the laws of this state are hereby abridged, enlarged or modified as each particular case may require to conform to the provisions of this Act, notwithstanding anything to the contrary in their respective articles of incorporation or charters. All the provisions of this Act shall apply with equal force and effect to all corporations which are now doing or which may hereafter do a banking business in this state, except where express exception or exemption may be made herein. The legality of investments heretofore made, or title to property heretofore acquired or conveyed through transactions heretofore had by any bank pursuant to any provision of law in force when such investments were made or transactions had, shall not be affected by the provisions of this Act, except that any such investments made prior to July 1, 1909, when not complying with the provisions hereof, shall be changed to conform hereto; but such change shall be made gradually and in such manner as to prevent loss or embarrassment in the business of such bank, or unnecessary loss or injury to the borrowers on such security; *provided, further*, that in any event, all investments and securities and excess in investments made prior to July 1, 1909, which are not in conformity with the provisions and spirit of this Act and which have been acquired and are now held by any bank, must be written off as assets of such bank prior to July 1, 1918; and no bank holding any such investments or securities acquired prior to July 1, 1909, shall after July 1, 1918, be permitted to pay any dividends to its stockholders until it shall have written off all such non-conforming investments or securities; *and provided, further*, that the legality of any investments heretofore lawfully made, pursuant to the provisions of this Act as it existed

on and subsequent to July 1, 1909, shall not be affected by the provisions of this section.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

An Act to repeal section four of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources of rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict therewith.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Johnstone: Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Bill read first time, and referred to Committee on Conservation.

By Mr. Strine—Assembly Bill No. 2057—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Weldon—Assembly Bill No. 2058—An Act to repeal section four of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred a resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an Amendment to the Constitution of the State of California by amending Section 14 of Article XIII (13), relating to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

CLARK, Chairman.

The above ordered on file.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like, or greater sum for the same purpose—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

JUDSON, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 85—An Act defining commission merchants, providing for a license for the conduct of the business of commission merchants and the procedure for obtaining the same, also providing regulations for the conduct of the said business and for penalties for violations of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JUDSON, Chairman.

The above reported bill ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 3756, relating to the receptacles for gasoline and

kerosene—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BUSH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with the name and address of the original manufacturer thereof, providing for the enforcement of, and providing for penalties for, the violation of the provisions of this Act—have had the same under consideration, and respectfully report the same back, without recommendation.

BUSH, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 803—An Act to authorize and encourage the establishment of kindergartens in connection with the public schools of California, and providing the manner in which funds for the support of public kindergartens shall be raised—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WYLLIE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 600—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

WYLLIE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Also: Assembly Bill No. 1712—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WYLLIE, Chairman.

The above reported bills ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Assembly Joint Resolution No. 22—Relative to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CARY, Chairman.

The above ordered on file.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Banking, to whom was referred Assembly Bill No. 1611—An Act to amend Section 141 of an Act entitled "An Act to define

and regulate the business of banking," approved March 1, 1909; amended, approved April 21, 1911; relating to the posting outside his office of certain information by the Superintendent of Banks.

Also: Assembly Bill No. 1163—An Act to amend section one of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ROBERTS, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 396a, relating to the driving of vehicles propelled by motor power or by animal power—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 834—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, of the Civil Code of the State of California, and repealing Section 648a, of the Civil Code of the State of California, all relating to land and building corporations.

Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of San Luis Obispo, in the county of San Luis Obispo, State of California, which was voted for and ratified by the qualified electors of said city at a special municipal election held therein for that purpose on the 18th day of March, 1913—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 281—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered Section 2a, relating to the dissolution of such districts where they have no assets and have no indebtedness not barred by the statute of limitations and have ceased to be going concerns.

Assembly Bill No. 809—An Act to amend the Penal Code of the State of California by adding a new section, to be known as 626a, relating to the protection and preservation of game birds.

Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Assembly Bill No. 1326—An Act to provide for the improvement of the public roads and highways of the State, and to provide the means of defraying the cost of the same.

Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near Summit Station.

Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Assembly Bill No. 1601—An Act to amend Section 702 of the Code of Civil Procedure of the State of California.

Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901, and 1902, of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

Assembly Bill No. 2025—An Act to amend Sections 2761 and 2764 of the Political Code of the State of California, relating to permanent road divisions.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 282—An Act to amend section seven hundred and eighteen of the Political Code of the State of California, relating to employees of the Superintendent of Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 282 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Hayes, Hinkle, Inman, Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Schmitt, Scott, Shannon, Shariel, Shearer, Slater, Smith, Strine, Tulloch, Wall, White, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 779 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guiberson, Hayes, Hinkle, Inman, Judson, Killingsworth, Kingsley, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shariel, Shearer, Slater, Smith, Strine, Tulloch, Wall, Weisel, White, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 780 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Hayes, Hinkle, Inman, Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Slater, Smith, Strine, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 781—An Act appropriating money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 781 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Hayes, Inman, Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Slater, Smith, Strine, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 782 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Inman, Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, White, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1642 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts,

Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, White, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 778 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 963—An Act to amend sections eleven and eighteen of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 963 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Weisel, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 883 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Cram, Emmens, Ferguson, Finnegan, Fish, Fitzgerald, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Scott, Shannon, Shearer, Simpson, Slater, Smith, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies in their own homes, and for their free transportation and support while undergoing treatment under the direction and treatment by the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1995 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Brown, Canepa, Clarke, Geo. A., Collins, Cram, Emmens, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—46.

NOES—Messrs. Byrnes and Gelder—2.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Finnegan:

Add after the word "treatment" the words "in their own homes", and strike out the same words from line 2.

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 911—An Act to amend Section 4300c of the Political Code, relating to the fees of recorders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 911 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmens, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Shartel, Simpson, Slater, Tulloch, Wall, Weisel, White, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 912—An Act to amend Section 4142a of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 912 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Roberts, Scott, Shartel, Shearer, Simpson, Slater, Tulloch, Wall, Weisel, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer, and defining its use and the liability therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 776 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Strine, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 777 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Schmitt, Scott, Simpson, Slater, Strine, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 787 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower,

Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Richardson, Schmitt, Scott, Shartel, Simpson, Slater, Strine, Tulloch, Wall, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes 1907, for searching for beneficial insects.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 788 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1576—An Act to provide for the formation and establishment of road districts; the construction, acquisition, maintenance, control and use of roads; defining the term "road"; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commissioner to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1576 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polesley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2043—An Act to amend Section 269 of the Political Code, relating to compensation for services after close of session.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2043 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram,

Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

During third reading of the bill, Mr. Chandler moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 33, add a comma after the word "shall", and insert the following: "within ten days after the date of the public opening of said bids".

Motion carried.

The Speaker appointed Mr. Chandler as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 507, with instructions, do now report that the instructions of the Assembly have been carried out.

CHANDLER, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, March 24; Tuesday, March 25; Wednesday, March 26; Thursday, March 27, and Friday, March 28, 1913, were approved as corrected by the Minute Clerk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Assembly Bill No. 508—An Act to create the California highway commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor.

Assembly Bill No. 658—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station, in El Dorado County, to McKinney's, in Placer County.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 671—An Act to provide for supplying the county auditor with a report of commitments to and discharges from public institutions.

Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 18, 19, 20, and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

ADJOURNMENT.

At three o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, April 1, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—73.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Palmer, the further reading was dispensed with.

PETITIONS.

The following petitions were received, and ordered printed in the Journal:

By Mr. Bohnett:

SAN JOSE, CAL., March 20, 1913.

To the members of the California Legislature, in session assembled:

We, the undersigned grocers of San Jose and vicinity, are heartily in sympathy and endorse Senate Bill No. 375 and Assembly Bill No. 477 (name on the label),

requiring the name and address of the manufacturer, and the grade or quality contained therein, to appear on every label, package, carton, container, etc. We further believe it should be passed for the protection of the public health.

WEMPLER GROCERY COMPANY (and others).

By Mr. Polsley:

WHEREAS, Mr. Leon Speier appeared before this board this 28th day of March, 1913, and requested this board to appropriate from the funds of the county of Glenn the sum of \$500, to be used by the Red Cross Society, to aid the refugees in the stricken districts in the states of Indiana and Ohio; and

WHEREAS, This board has taken the matter of said appropriation up with the District Attorney, and are advised by that officer that such appropriation cannot legally be made; and

WHEREAS, This board appreciates the condition of the people in the said stricken district, and think this is a matter that should be taken up by the California State Legislature by an appropriation direct from that body; and

WHEREAS, It is the desire of this board that the representatives of this district in the California Legislature take up the matter of said appropriation, and, if possible, make a reasonable appropriation to the treasurer of the Red Cross Committee for the aid of those people in the said stricken district; now, therefore, be it

Resolved, That while this board cannot legally appropriate from the funds of the county of Glenn any moneys for the aid of the suffering humanity in the flood district within the states of Indiana and Ohio, this board does respectfully request the Hon. Harry Polsley and the Hon. J. B. Sanford, representatives in the State Legislature from this district, to take any such immediate steps as they may be advised for a proper appropriation by the State of California to aid the people in need thereof in the stricken district within the states of Indiana and Ohio.

[SEAL]

BOARD OF SUPERVISORS OF GLENN COUNTY.

Attest: A true copy. W. H. SALE, Clerk.

By Mr. Dower:

WHEREAS, It appearing that bills have been introduced in the Senate and Assembly of the fortieth Legislature of the State of California asking for an appropriation of \$5,000 for the construction of a "scenic bridge trail" connecting Lake Tahoe and Yosemite; and

WHEREAS, It further appearing that said trail is to be constructed under the management and direction of our State Engineering Department, and in many instances, and wherever practical, will be located along the very crest of the Sierra Nevada Mountains, thereby presenting to view some of nature's grandest and most beautiful scenery in our State and unequaled on earth; therefore, be it

Resolved, That Piedmont Parlor No. 120, N. S. G. W., does hereby most heartily endorse said project in its entirety, and earnestly request our representatives in the Legislature to use all honorable means to secure the passage of said bills and the ultimate construction of said scenic bridge trail.

F. BARNET,
W. H. L. HYNES,
J. J. McELROY,
R. M. HAMB,
Committee.

[SEAL]

The foregoing resolution was adopted unanimously by Piedmont Parlor No. 120, N. S. G. W., on the 3d day of March, 1913.

J. J. HIGNAN, Secretary.

LOUIS A. PIEROTTI, President.

Also:

WHEREAS, There has been introduced and is now pending before the Legislature of the State of California a certain bill entitled "Senate Bill No. 713," as follows: "An Act to protect the soil within the State of California, and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredging process," etc.; and

WHEREAS, The dredge mining industry has been prosecuted in the county of Calaveras for over ten years last past, in the bed and on the banks of the Calaveras and Mokelumne rivers; and

WHEREAS, Such industry has resulted in the production of hundreds of thousands of dollars of gold, and has furnished, and is now furnishing, employment for a large body of skilled and unskilled employees at liberal wages, and has resulted in contributing to the material prosperity of the county of Calaveras; and

WHEREAS, Such industry has resulted in accumulations of large deposits of gravel accessible for road-building purposes at small cost, and has resulted in interesting

railroad companies to survey and build into this county for the purpose of obtaining said gravel deposits; and

WHEREAS, Said dredge mining has not been detrimental to the lands of Calaveras County, but, on the contrary, has increased the assessed valuation of said lands; and

WHEREAS, By the passage of the said Senate bill dredge mining would be severely crippled, if not entirely destroyed; now, therefore, it is hereby

Resolved, That said bill be not passed by the Legislature of the State of California; and be it further

Resolved, That we hereby earnestly urge our representatives in the Legislature, the Hon. John B. Curtin, the Hon. A. Caminetti, and the Hon. Will A. Dower, to use every fair and legitimate means to defeat the passage of said bill, and respectfully petition the members of the Legislature to oppose such legislation as detrimental to the best interests of the county of Calaveras, and to the mining counties of the State of California; and it is further

Resolved, That a certified copy of this resolution, under the seal of this board, be sent to our said representatives in the Legislature.

Dated March 15, 1913.

R. V. MARCH, Chairman,
JAMES B. LUDDY,
EDMUND STOCKER,
J. E. HOLLAND,
W. N. GARLAND,

Members of the Board of Supervisors of Calaveras County.

STATE OF CALIFORNIA,
COUNTY OF CALAVERAS,) ss.

I, A. W. Poe, county clerk of the county of Calaveras, and ex officio clerk of the board of supervisors of said county, hereby, certify that the foregoing resolutions were unanimously adopted by the board of supervisors of Calaveras County, at a special meeting of said board, held on Saturday, the 15th day of March, 1913.

A. W. ROE,
County Clerk of Calaveras County, Cal., and
ex officio Clerk of the Board of Supervisors.

By J. A. SMITH, Deputy Clerk.

Also:

Minutes of the called meeting of the executive committee of Calaveras County Chamber of Commerce, held at Angels Camp, Saturday, March 15, 1913.

Meeting called to order by H. C. Turner, vice-president. Upon roll call, the following members of the executive committee were found to be present: H. C. Turner, P. F. Pache, J. B. Tryon, Edward Maher and Geo. H. Treat. There were also present the following members of the Calaveras County Chamber of Commerce: J. B. Luddy, J. E. Holland, R. V. March, W. N. Garland, Edward Stocker, John Hancock, J. A. Smith, W. Dennis, F. Estep, G. H. Sharrer, W. M. Nuner, Mr. Jones, F. Sinclair, Sam Hoffman, Henry Wesson, H. F. Barden, D. Fricot and J. Jordan.

The object of the meeting was stated by the chair, the purpose being to discuss Senate Bill No. 713, and recommend action to our representatives at Sacramento, the Hon. J. B. Curtin and Hon. Will A. Dower.

After discussion, the following resolution was adopted and signed by the executive committee of said Calaveras County Chamber of Commerce. A copy is hereto annexed and marked "Exhibit A."

No further business appearing before the chamber, the meeting was adjourned until further call of the president.

GEO. H. TREAT, Secretary.

Also:

WHEREAS, There has been introduced, and is now pending, before the Legislature of the State of California, a certain bill, entitled "Senate Bill No. 713," as follows: "An Act to protect the soil within the State of California, and to prevent its destruction or its deterioration: to regulate the dredging of soil by means of the dredging process," etc.; and

WHEREAS, The dredger mining industry has been prosecuted in the county of Calaveras for over ten years last past, in the bed and on the banks of the Calaveras and Mokelumne rivers; and

WHEREAS, Such industry has constituted, and does now constitute one of the principal industries of Calaveras County, and has been and is a source of large revenue to this county; and

WHEREAS, It gives employment to a large number of laboring men, who support a large number of families, and the discontinuance of which would cause to them the loss of employment, and compel them to seek other means of employment and livelihood; and

WHEREAS, Dredging in this county has not been destructive of the soil, but, on the contrary, has caused the extraction of gold from lands and river bottoms that

were incapable of cultivation, and many acres of which were unfit for anything except mining; and

WHEREAS, Said dredging industry has created great values on non-productive land in Calaveras County, far in excess of any valuation which has heretofore been placed on said lands as used for agricultural or grazing purposes, said values so created by said dredging industry being greater than could be produced at any time in the future by agricultural pursuits; and

WHEREAS, Such industry has resulted in the accumulation of large bodies of gravel, easily accessible for road building; and

WHEREAS, We believe that the passage of said Senate Bill No. 713 would severely cripple, if not entirely destroy, dredge mining; and

WHEREAS, We believe that said legislation, if enacted, would be unwarranted interference with this industry; now, therefore, be it

Resolved, That it is the sense of the Calaveras County Chamber of Commerce that the bill be voted down by the Legislature, and that our representatives, the Hon. John B. Curtin and the Hon. Will A. Dower, should use every effort and endeavor to defeat the passage of said bill; be it further

Resolved, That a copy of these resolutions be sent by the secretary of this committee to each of our representatives in the State Legislature.

Dated, March 15, 1913.

CALAVERAS COUNTY CHAMBER OF COMMERCE,

By H. C. TURNER, President pro tem.,

GEORGE H. TREAT, Secretary,

P. F. PACHE, Treasurer,

JOHN B. TRYON,

EDWARD MAHER,

Executive Committee.

STATE OF CALIFORNIA. }
COUNTY OF CALAVERAS. } ss.

I, George H. Treat, secretary of the executive committee of the Calaveras County Chamber of Commerce, hereby certify that the foregoing resolutions were unanimously adopted by the executive board of the Calaveras County Chamber of Commerce, at a meeting of said board, held in the city of Angels, county of Calaveras, State of California, on the 15th day of March, 1913.

GEO. H. TREAT,

Secretary of the Executive Board of the
Calaveras County Chamber of Commerce.

Also:

WHEREAS, It appearing that a bill has been introduced in the Senate and Assembly of the fortieth Legislature of the State of California asking for an appropriation from the state for \$5,000 to erect a monument commemorating the raising of the Bear Flag on the fourteenth day of June, 1846, on the plaza of the historic town of Sonoma; therefore, be it

Resolved, That Placerville Parlor, No. 9, N. S. G. W., does hereby most heartily indorse said project, and earnestly requests our representatives in the Legislature to use all possible means to secure the passage of said bill and the ultimate erection of said monument.

[SEAL]

FRED A. TIFFT, President.

DON H. GOODRICH, Recording Secretary.

The foregoing resolution was adopted unanimously by Placerville Parlor, No. 9, N. S. G. W., at a regular meeting, February 25, 1913.

Also:

WHEREAS, Senator Caminetti has introduced in the Senate of California three bills—Senate Bills Nos. 789, 790 and 791—which propose to add to the holidays of California the ninth day of September and the twenty-fourth day of January, the last to be known as "Gold Discovery Day"; and

WHEREAS, These are significant dates in the history of our beloved State, and we believe should be appropriately commemorated; therefore, be it

Resolved, That we indorse the above bills, and ask our representative, Hon. Will A. Dower, to assist Senator Caminetti in passing these bills through the Legislature.

D. Z. RAMAZZOTTI,

GEO. TOLMAN,

JOHN G. CURTS,

CLARENCE E. JARVIS,

Committee.

The foregoing resolution was adopted by Amador Parlor, No. 17, N. S. G. W., on the 21st day of March, 1913.

D. Z. RAMAZZOTTI, President.

JOHN G. CURTS, Recording Secretary.

Also:

WHEREAS, A bill—Senate Bill No. 1705—providing for the purchase and the proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California, and creating the "Gold Discovery Landmark Commission," has been introduced into the Senate of the fortieth Legislature of California; and

WHEREAS, It appears that the bill has for its object one of the objects for which our noble order was founded, namely, the perpetuation of the memory of our pioneer fathers; therefore, be it

Resolved, That we indorse Senate Bill No. 1705 and ask our representatives in the Legislature to use every effort to secure the passage of the same.

D. Z. RAMAZZOTTI,
GEO. TOLMAN,
JOHN G. CURTS,
CLARENCE E. JARVIS,
Committee.

The foregoing resolution was adopted by Amador Parlor, No. 17, N. S. G. W., on the 21st day of March, 1913.

D. Z. RAMAZZOTTI, President.

JOHN G. CURTS, Recording Secretary.

Also:

Be it resolved, That Amador Parlor, No. 17, N. S. G. W., indorse Senate Bill No. 745, and instruct its representatives in the Legislature to give the same their hearty support.

D. Z. RAMAZZOTTI,
GEO. TOLMAN,
JOHN G. CURTS,
CLARENCE E. JARVIS,
Committee.

Adopted unanimously on the 21st day of March, 1913.

D. Z. RAMAZZOTTI, President.

JOHN CURTS, Recording Secretary.

Also:

Be it resolved, That Amador Parlor, No. 17, N. S. G. W., indorse the bill requiring California history to be taught in the grammar schools of this State, and that we ask our representatives, Hon. Will A. Dower and Hon. A. Caminetti, to use every effort to secure the passage of the same through the California Legislature.

D. Z. RAMAZZOTTI,
GEO. TOLMAN,
JOHN G. CURTS,
CLARENCE E. JARVIS,
Committee.

Adopted unanimously the 21st day of March, 1913.

D. Z. RAMAZZOTTI, President.

JOHN G. CURTS, Recording Secretary.

Also:

WHEREAS, It appearing that bills have been introduced in the Senate and Assembly of the fortieth Legislature of the State of California, asking for an appropriation of \$5,000 for the erection of a Bear Flag monument at the city of Sonoma, Sonoma County, California; and

WHEREAS, The members of this parlor deem the objects and purposes of said bills to be in line with the highest aims of our order, and calculated to instill the principles of state pride and patriotic regard for the historic traditions of California; therefore, be it

Resolved, That Ursula Parlor, No. 1, N. D. G. W., does hereby most heartily indorse said project in its entirety, and earnestly request our representatives in the Legislature to use all honorable means to secure the passage of said bills and the ultimate erection of said Bear Flag monument.

LENA GLAVINICH, President.

EMMA BOARMAN WRIGHT, Secretary.

The foregoing resolution was adopted unanimously by Ursula Parlor, No. 1, N. D. G. W., on March 11, 1913.

EMMA BOARMAN WRIGHT,
Recording Secretary, Ursula Parlor, No. 1, N. D. G. W.

[SEAL]
Jackson, California.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Wyllie:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to legalize, confirm and validate tax deeds made to the State of California for delinquent taxes, and deeds made to purchasers of property sold under and in pursuance of the provisions of sections three thousand eight hundred and ninety-seven and three thousand eight hundred and ninety-eight of the Political Code.

Referred to Committee on Introduction of Bills.

By Mr. Bowman:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to enable municipalities to refund, compromise, or pay, in whole or in part, certain judgments by issuing bonds therefor.

Referred to Committee on Introduction of Bills.

By Mr. Sutherland:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights.

Referred to Committee on Introduction of Bills.

By Mr. Bloodgood:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 925 of the Penal Code, relating to proceedings before the grand jury.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF ASSEMBLY CONSTITUTIONAL AMENDMENT.

The following Assembly constitutional amendment was introduced and referred as indicated:

By Mr. Moorhouse: Assembly Constitutional Amendment No. 84—Amending Section 31 of Article IV, relating to irrigation districts.

Read, and referred to Committee on Constitutional Amendments.

INTRODUCTION OF ASSEMBLY JOINT RESOLUTION.

The following Assembly joint resolution was introduced:

By Mr. Richardson: Assembly Joint Resolution No. 26—Relative to the issuance of federal retail liquor license.

Read, and referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

McDONALD, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 982—An Act to promote the safety of employees of electric light, power, telephone and telegraph plants and electric street railways, and providing a penalty for the violation thereof.

Also: Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments, and places of amusement, and to provide for the enforcement thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

McDONALD, Chairman.

The above reported bills ordered on file for second reading.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On request of Mr. Brown, consideration of the above Assembly Bill was postponed until Wednesday, April 2, 1913.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 85—An Act defining commission merchants, providing for a license for the conduct of the business of commission merchants and the procedure for obtaining the same, also providing regulations for the conduct of the said business and for penalties for violations of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 31, strike out the word "and" after the word "consignor."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 32, after the word "received," strike out the rest of line 32, all of lines 33 and 34, and insert in lieu thereof the following: "and the prices received for the produce".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 11, after the word "merchant," insert the word "immediately".

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 11, after the word "the," strike out all of the rest of that line and all of line 12, and insert in lieu thereof the word "consignor".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 13, insert a period after the word "salable," and strike out the rest of that line and all of lines 14 and 15.

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 18, strike out the word "two," and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 21, after the comma after the word "sale," strike out all of the rest of the words in line 21 and the first four words in line 22.

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 23, strike out all words after the word "consignment," and also all of lines 24 and 25.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1611—An Act to amend Section 141 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911, relating to the posting outside his office of certain information by the Superintendent of Banks.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1163—An Act to amend section one of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375*b*, relating to the receptacles for gasoline and kerosene.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 6, strike out the figures "250," and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, strike out the figures "250," and insert in lieu thereof the figure "5".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with the name and address of the original manufacturer thereof, providing for the enforcement of, and providing for penalties for, the violation of the provisions of this Act.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all of said bill after the enacting clause of the printed bill and insert in lieu thereof the following:

"SECTION 1. The provisions of this Act apply to foodstuffs, which shall include all articles used for food, drink, confectionery or condiment by man, whether simple, mixed or compound.

SEC. 2. Whenever any foodstuffs within the provisions of this Act are sold or offered or exposed for sale in containers, the name and address of the manufacturer, packer or canner shall be plainly and conspicuously marked, branded, embossed,

stenciled or otherwise indicated upon the outside or top of such container, or upon a label or tag attached thereto; *provided, however*, that the provisions of this Act shall not apply to any foodstuffs so sold or offered or exposed for sale for delivery outside of this State.

SEC. 3. No person shall erase, deface or alter or cause or permit to be erased, defaced or altered the name or address marked, branded, embossed, stenciled or otherwise indicated, as provided in Section 2 of this Act; *provided, however*, that nothing in this Act contained shall be construed so as to prohibit any manufacturer, packer or canner from placing the name of any other person, as dealer, upon the outside or top of such container or on a tag or label attached thereto, in addition to the name of such manufacturer, packer or canner.

SEC. 4. The provisions of this Act shall not apply to a sale of foodstuffs when such sale is made from bulk and the foodstuff is put into a container for the immediate purpose of such sale.

SEC. 5. The term container used in this Act is hereby defined to be any receptacle into which foodstuffs are packed or put for sale or to be offered or exposed for sale.

SEC. 6. The term person used in this Act includes every person, firm, association, company and corporation.

SEC. 7. Every person, who by himself or his agent, servant or employee, violates or causes or permits to be violated, any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500, or imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment.

SEC. 8. This Act shall be in force and effect from and after one year after its passage.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 803—An Act to authorize and encourage the establishment of kindergartens in connection with the public schools of California, and providing the manner in which funds for the support of public kindergartens shall be raised.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amendment to title: strike out the words "To authorize and encourage the establishment of kindergartens in connection with the public schools of California, and providing the manner in which funds for the support of public kindergartens shall be raised"; and insert in lieu thereof the following: "To add a new section to the Political Code, to be known as section sixteen hundred seventeen *b*, relating to the establishment and maintenance of kindergartens, to the levy of taxes for the support of kindergartens and to the discontinuance thereof."

Amendment adopted.

AMENDMENT No. 2.

Strike out all words after the enacting clause and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code to be known as section sixteen hundred seventeen *b* and to read as follows:

1617b. The board of education of every city, city and county, or the board of school trustees of every school district in this State, shall, upon petition of the parents or guardians of twenty-five or more children between the ages of four and one half and six years, residing within a mile of any elementary school building situate in such city, city and county or school district, establish and maintain a kindergarten, or kindergartens; *provided*, that such kindergarten, or kindergartens, shall be established only between the first day of June and the first day of August in any year. The board of education of every city, city and county, or board of school trustees of every school district, in which a kindergarten is established under the provisions of this Act, shall, at least fifteen days before the month in which the board of supervisors is required by law to levy the taxes required for county purposes, submit to the county superintendent of schools, an estimate of the amount of money which will be required for the maintenance of any kindergarten, or kindergartens, in their several school districts for the ensuing school year. The county superintendent of schools shall thereupon examine said estimates and submit copies of the same, with his approval or disapproval endorsed thereon, to the board of supervisors and to the county auditor at the time he submits to them his estimate for the county school tax

for the ensuing year. If the county superintendent of schools approve such estimate, the board of supervisors shall, at the time and in the manner of levying other taxes, levy and cause to be collected in the several school districts for which estimates have been submitted and approved as herein provided, the amount so estimated and approved. The fund so levied shall be known as the kindergarten fund of _____ school district (as the case may be), and shall be available for the maintenance of the kindergarten, or kindergartens, established under the provisions of this section, and the moneys drawn from such fund shall be paid out in the same manner as moneys from the state and county funds for the maintenance of the elementary schools are drawn and paid out.

If the average daily attendance in any kindergarten in any city, city and county, or school district, shall be ten or less for the school year, the governing body for such city, city and county, or school district, shall, at the close of such school year, discontinue such kindergarten. In case a kindergarten shall be discontinued, as provided by this section, the property and funds of such kindergarten shall immediately revert to the elementary schools of the city, city and county, or school district, in which said kindergarten has been located.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1712—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 600—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the course of study, the granting of diplomas of graduation, and the amending of the courses of study.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, lines 4, 5, 6, strike out the words "shall be eligible to teach in the grades below the fifth year and in the kindergarten grades of elementary schools", and insert in lieu thereof the following: "who has had at least one year of training in a state normal school of California or other normal school accredited by the State Board of Education, or one year's teaching in an elementary school shall be entitled to teach in the first and second grades of the elementary schools."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2016—An Act to amend an Act entitled "An Act to establish a school for the discipline, education, reformation, and protection of juvenile delinquents in the State of California, to be known as the Whittier State School," approved March 11, 1889, and amended March 23, 1893, and March 7, 1905, and February 7, 1907, and April 19, 1909, by amending Sections 2, 9, 11, 12, 15, 16, 20 and 27, relating to the appointment, powers and duties of trustees, officers and employees and of commitments, paroles and discharges from the said school.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2016 passed by the following vote.

AYES—Messrs. Alexander, Bagby, Bowman, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Ferguson, Finnegan, Fitzgerald, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Nolan, Palmer, Polsley, Schmitt, Scott, Shartel, Strine, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal the Act entitled “An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,” approved March 7, 1911; to repeal the Act entitled “An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California,” approved March 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 537 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Clark, Wm. C., Collins, Dower, Finnegan, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Johnstone, W. A., Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Nolan, Palmer, Polsley, Schmitt, Shannon, Shartel, Shearer, Strine, Stuckenbruck, Tulloch, Wall, Weldon, Wyllie, and Mr. Speaker—42.

NOES—Mr. Peairs—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. McDonald gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 537 was this day passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

During third reading of the bill, Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 12, strike out all after the word "diameter," in line 14, and insert in lieu thereof a period after the word "diameter."

Also:

Strike out the period after the word "repasteurized," in line 16, and insert a comma in lieu thereof and the following: "unless such repasteurization is made within thirty hours after the first pasteurization."

Motion carried.

The Speaker appointed Mr. Guiberson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 535, with instructions, do now report that the instructions of the Assembly have been carried out.

GUIBERSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

Consideration of the above bill postponed until Wednesday, April 2, 1913, at eleven o'clock a.m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 79—An Act to amend Section 607*e* of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 12, insert after the word "supervisors" the words "city or".

Also:

On page 1, line 12, insert after the word "supervisors" the words "or other governing body thereof".

Also: On page 1, line 14, insert after the word "said" the words "city or".

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 79, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 234—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 234 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Libby, Moorhouse, Morgestern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Schmitt, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER. *

Mr. Polsley gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 234 was this day passed.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i*, and 4225*j*, all relating to county boards of health and sanitary inspectors.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 6, strike out the word "except", in line 34, all of line 35, and the following in line 36: "o'clock in the afternoon of any day"; strike out the comma after the word "thereof," in line 34, and insert in lieu thereof a period.

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 235, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendments adopted.

Mr. Bagby moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 6, line 34, after the word "of", insert the words "or actual notice to".

Motion lost.

Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 6, line 32, strike out "except in emergencies", and the commas after "hours" and after "emergencies".

Motion lost.

Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 4, strike out the word "shall", and insert in lieu thereof the word "may".

Motion carried.

The Speaker appointed Mr. Gelder as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 235, with instructions, do now report that the instructions of the Assembly have been carried out.

GELDER, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORTS OF STANDING COMMITTEES:

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Also: Assembly Bill No. 902—An Act to amend Section 476a of the Penal Code, relating to the making, drawing, uttering or delivery of a bank check or draft for the payment of money by a person without funds or credit to meet the same upon presentation.

Also: Assembly Bill No. 995—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1158—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem and making an appropriation for the payment by the State of any such judgments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that the same be re-referred to Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1645—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 210.

Also: Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 653e, relating to black-listing.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 664—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Judiciary Committee.

WOODLEY, Chairman.

The above reported bill re-referred to Committee on Judiciary.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring, for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known—have had the same under

consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section, to be known as Section 26, relating to the rights of men.

Also: Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 19 of Article XI, relating to the use of streets for gas and water pipes.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendments ordered on file for consideration.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

JUDSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and that it be re-referred to Committee on Ways and Means.

JUDSON, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Banking, to whom was referred Assembly Bill No. 1140—An Act to amend Section 290a of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depository or trustees, or to engage in the business of banking—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

ROBERTS, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide

the manner in which such votes shall be cast and counted—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Also: Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1548—An Act to amend an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1194—An Act creating a reclamation district to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Also: Assembly Bill No. 1259—An Act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

Also: Assembly Bill No. 2034—An Act creating a reclamation district to be called and known as "Reclamation District No. 1600," providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

MORGENSTERN, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the

State of California, and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea, and to report on the advisability of establishing perpetual reservation of the same and leasing or disposing of such reservations to individuals or corporations, and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to the Committee on Ways and Means.

GUILL, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628g, relating to the protection and preservation of perch—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 287—An Act to divide the State of California into fish and game districts, to regulate and license the hunting of wild birds and animals, to provide revenue therefrom and for game and fish preservation and restoration—have had the same under consideration, and respectfully report the same back, with amendments, and recommended that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634½, relating to the protection of fish.

Also: Assembly Bill No. 1452—An Act to amend Section 628b of the Penal Code, relating to the protection of fish.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GUILL, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 752—An Act to create the office of inspector of mines, fixing his duties and powers; providing for the appointment of a deputy, and fixing the qualification and compensation of both, and fixing the bond of each; providing for his necessary expenses, clerk hire and office expenses; prescribing oath to be taken by said inspector and deputy; imposing duties and penalties and requiring reports from owners, lessors, lessees, agents or managers of mines; defining the duties of district

attorneys and the Attorney General under this Act, and providing for prosecutions when said district attorney or Attorney General refuses or neglects to act—providing for reports of serious or fatal accidents in any mine or mines; and providing for the attendance of the inspector of mines or his deputy at inquests; providing for a yearly report by said inspector of mines to the Governor, as enumerated in this Act; excluding certain mines from the provisions hereof; making it the duty of the Governor to appoint said inspector of mines; prohibiting the storing of explosives in mines except temporary supply and providing for storage of explosives outside of mines; requiring the use of wooden tamping bars, and removal of timbers from underground; requiring indicators on hoisting machinery; prohibiting the riding of persons on cars, skips or buckets with certain materials; requiring ladders in shafts and two compartments in certain kinds of shafts; and requiring landings at certain intervals, and requiring that ladders shall be kept in repair; requiring that in mines of two hundred feet or more in depth certain shafts shall be bulkheaded or rigged with a trap-door, and requiring signboards showing direction to exit or outlet of mine; forbidding use of gasoline underground; requiring chain ladder when sinking shafts or inclines; requiring guard rails at specified dangerous points; specifying kind and dimension of cage in shafts exceeding three hundred and fifty feet in depth; requiring the leaving of pillars to protect and secure working in mines; prohibiting certain structures over the shaft or outlet of any mine; requiring doors at mouth of tunnel to so arrange as to be closed from the outside by wire or cable; requiring the use of ropes and cables as specified herein and prohibiting the raising or lowering of men by a cable or rope when containing more than a certain per cent of breaks or worn to a certain extent, or which shows signs of corrosion; requiring the care and inspection of boilers used for the generation of steam in and around mines; prohibiting hoisting in shafts while being repaired; requiring mines to be ventilated; requiring that men shall not be separated at such distances as to prevent cries being heard; requiring an engineer to be kept on duty to answer signals; prohibiting persons from riding on bale or cable of bucket, cage or skip; requiring the posting of number of men permitted to ride in cage, skip or bucket at one time, and making overloading a misdemeanor; requiring keeping of smoke helmets; providing for punishment of failure to comply with the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a State Printing Office.

Assembly Bill No. 1289—An Act to amend Section 626½ of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274c, relating to the duties of county clerk regarding clerk reporter's compensation.

Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the presentation and form of claims against counties.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District: to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

Assembly Bill No. 1611—An Act to amend Section 141 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909: amended, approved April 21, 1911, relating to the posting outside his office of certain information by the superintendent of banks.

Assembly Bill No. 1712—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 45—An Act granting to the city and county of San Francisco certain tide lands, marsh lands and submerged lands of the State of California, within the boundaries of said city and county, including the right to wharf out therefrom; regulating the management, use and control thereof, and providing for the deposit with the State of California of certain bonds to protect the State of California from any loss which might accrue to said State by reason of outstanding bonds for the use and purpose of the harbor front of San Francisco.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto, to be known as section six hundred fifty-three e, relating to wages of employees.

Also: Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII (13), relating to revenue and taxation.

Also: Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

Also: Assembly Joint Resolution No. 22—Relating to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until one o'clock p.m. of this day.

REASSEMBLED.

At one o'clock p.m. the Assembly reconvened.
Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code.

During third reading of the bill, Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, strike out the words "one half".

Also: On page 1, lines 14 to 16, strike out the words "all personal property secured by real property and the remaining one half of".

Motion carried.

The Speaker appointed Mr. Guiberson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 673, with instructions, do now report that the instructions of the Assembly have been carried out.

GUIBERSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 658—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County.

On request of Mr. Finnegan, the above Assembly bill was re-referred to Committee on Ways and Means.

Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 42 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bush, Chandler, Clark, Wm. C., Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Schmitt, Scott, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California, to be numbered 499d, relating to the taking, using, operating or removing or causing to be taken, used, operated or removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

During third reading of the bill, Mr. Mouser moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out the word "chaffeur," and insert in lieu thereof the word "chauffeur."

Also: On page 1, line 8, strike out the word "an", and insert in lieu thereof the word "any".

Also: On page 1, line 10, strike out the words "steal the same and".

Also: On page 1, line 10, after the word "shall," insert a comma and the words "upon conviction thereof".

Also: On page 2, line 10, strike out the period after the word "both", and insert in lieu thereof the following: "such fine and imprisonment".

Also: On page 2, line 1, strike out the comma after the word "imprisonment."

Also: On page 2, line 2, strike out the word "on", and insert in lieu thereof the word "one".

Motion carried.

The Speaker appointed Mr. Mouser as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2035 with instructions, do now report that the instructions of the Assembly have been carried out.

MOUSER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 236 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Chandler, Cram, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Roberts, Schmitt, Scott, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 237 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bush, Canepa, Chandler, Cram, Dower, Emmons, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tullah, Wall, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 253—An Act to amend Section 1213 of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 253 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Cary, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Polsley, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 657—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 657 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bowman, Bush, Byrnes, Cary, Chandler, Cram, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2031—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2031 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Chandler, Cram, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 834—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648 of the Civil Code of the State of California, and repealing Section 648a of the Civil Code of the State of California, all relating to land and building corporations.

SPECIAL ORDER SET.

On motion of Mr. Hayes, the consideration of Assembly Bill No. 834 was made a special order for Wednesday, April 9, 1913, at eleven o'clock a.m.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1858 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2025—An Act to amend Sections 2761 and 2764 of the Political Code of the State of California, relating to permanent road divisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2025 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bush, Canepa, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Libby, McDonald, Moorhouse, Morgenstern, Nelson, Palmer, Roberts, Schmitt, Scott, Shartel, Shearer, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Polsley gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1858 was this day passed.

Assembly Bill No. 1601—An Act to amend Section 702 of the Code of Civil Procedure of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1601 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Roberts, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Wall, Weisel, White, and Mr. Speaker—44.

NOES—Messrs. Bohnett, Johnson, Geo. H., Johnstone, W. A., Sutherland, and Weldon—5.

TITLE AMENDED.

The following amendment to title was submitted by Mr. Shearer:

On page 1, line 2 of the title, after the word "California," add the words "relating to rate of interest on redemption".

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 13—A joint resolution asking the Congress of the United States to enact the Hamill bill (H. R. 9245) known as "the straight pension" bill for the pensioning of civil service employees of the United States Post Office Department.

During the reading of the resolution, the following amendments were submitted by the committee:

On page 1, line 2 of the title, strike out the figures "9245," and insert in lieu thereof the figures "9242".

Amendment adopted.

Also: On page 1, line 7, strike out the figures "9245," and insert in lieu thereof the figures "9242".

Amendment adopted.

Also: On page 1, line 16, strike out the figures "9245," and insert in lieu thereof the figures "9242".

Amendment adopted.

Assembly joint resolution ordered to reprint, re-engrossment, and on file for adoption.

Assembly Bill No. 508—An Act to create the California highway commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor.

During third reading of the bill, Mr. Guill moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, strike out all after the word "of", all of line 3 and the words "of engineering" in line 4, and insert in lieu thereof the following: "three members to be appointed by the Governor".

Motion carried.

The Speaker appointed Mr. Guill as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 508, with instructions, do now report that the instructions of the Assembly have been carried out.

GUILI, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to legalize, confirm, and validate tax deeds made to the State of California

for delinquent taxes, and deeds made to purchasers of property sold under and in pursuance of the provisions of Sections 3897 and 3898 of the Political Code.

An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights.

An Act to enable municipalities to refund, compromise or pay, in whole or in part, certain judgments, by issuing bonds therefor.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Wyllie: Assembly Bill No. 2059—An Act to legalize, confirm, and validate tax deeds made to the State of California for delinquent taxes, and deeds made to purchasers of property sold under and in pursuance of the provisions of Sections 3897 and 3898 of the Political Code.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Sutherland: Assembly Bill No. 2060—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bowman: Assembly Bill No. 2061—An Act to enable municipalities to refund, compromise or pay, in whole or in part, certain judgments, by issuing bonds therefor.

Bill read first time, and referred to Committee on Judiciary.

RESOLUTIONS.

The following resolutions were offered:

By Mr. McDonald:

WHEREAS, The Supreme Architect of the Universe has deemed it wise to call from this earth James Richardson; and

WHEREAS, I. A. Richardson, a member of this Assembly, has lost a kind and loving father, and the State a noble citizen; therefore be it

Resolved, That the Assembly does hereby extend its sympathy to Mr. Richardson and his family; and be it further

Resolved, That when the Assembly adjourns it adjourns out of respect to James Richardson, deceased; and be it further

Resolved, That these resolutions be printed in the Journal.

Resolution read, and on motion unanimously adopted.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 10, 17, 42, 56, 57, 59 and 86 thereof—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1163—An Act to amend Section 1 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds, to be known as "state building bonds," to provide a fund for the erection and equipment of a state hospital near the city of Los Angeles; for the erection and equipment of buildings for a state reformatory to be established near Yountville, in the county of Napa, and for the erection and equipment of state buildings in the city of Sacramento, for state purposes, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds, and providing for the submission of this Act to a vote of the people.

Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Also: Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section, to be known as Section 26, relating to the rights of men.

Also: Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 19 of Article XI, relating to the use of streets for gas and water pipes.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back as amended, without recommendation, and ask that it be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1016—An Act to define and distinguish state highways and state roads and to designate names for certain state roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purposes of the Act and for disbursing the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

LEAVES OF ABSENCE.

On motion of Mr. Clarke, Mr. Kuck was granted leave of absence for the day.

On motion of Mr. Shannon, Mr. Richardson was granted leave of absence for the day.

On motion of Mr. Benedict, Messrs. Ellis, Farwell, Ryan, Johnston and McCarthy were granted leave of absence for the day.

On motion of Mr. Scott, Mr. Walsh was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Dower, Mr. Charles H. O. Callaghan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. B. N. McGorraw was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Judge B. J. Flood and Mr. James Conlon were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. Harry L. Huston was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Mr. James B. Hume and Miss Blanche Morse were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. Ben Tabor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Young, Mr. and Mrs. W. E. Woolsey were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Young, Mr. and Mrs. F. T. Robson were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Young, Mr. Harold Woolsey was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Mr. D. N. Griffin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Miss B. Morse and Mrs. J. B. Hume were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. T. B. Gibson was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At two o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, April 2, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bolnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—71.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Shannon, Mr. Richardson was granted leave of absence until Monday, April 7, 1913.

On motion of Mr. Benedict, Messrs. Ellis, Farwell, Ryan, Johnston and McCarthy were granted leave of absence for the day.

On motion of Mr. McDonald, Mr. Walsh was granted leave of absence for the day.

On motion of Mr. Bloodgood, Mr. Wyllie was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hayes, the further reading was dispensed with.

PETITION.

The following petition was received, and ordered printed in the Journal:

By Mr. Polsley:

COLUSA, CAL., March 30, 1913.

Hon. Assemblyman Polsley, Sacramento, Cal.

DEAR SIR: As Christian workers, we wish to urge you, our representative, to use your influence in defeating Assembly Bill No. 1620, which we believe, if passed, will allow the sale of liquor in the Claremont Hotel, near the Berkeley University. We also wish very much to see Assembly Bill No. 615 passed.

Very respectfully,

J. F. GAMSBY (and others).

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented by Mr. Collins:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to regulate the visiting of prisoners or inmates in

state institutions, to regulate the delivery of mail to such prisoners or inmates, and to provide for the subscribing to newspapers and periodicals by such prisoners or inmates.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF CONSTITUTIONAL AMENDMENTS, ETC.

By Mr. Schmitt: Assembly Constitutional Amendment No. 85—Relating to the rights of the people of the State over the public land therein. Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 86—Relating to the right of the people of the State to wild game birds and insectivorous birds.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Joint Resolution No. 27—Relative to right and title of the State to the water of streams.

Read, and referred to Committee on Federal Relations.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 20—Approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held thereon for that purpose, on the 27th day of February, 1913.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 20 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 452—An Act to amend Section 408 of the Code of Civil Procedure of the State of California, relating to the issuance of alias summons.

Also: Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Also: Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure, to be numbered 1310, relating to the probate of wills detained beyond the jurisdiction of the State.

Also: Senate Bill No. 220—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Also: Senate Bill No. 286—An Act to amend Section 857 of the Civil Code, relating to express trusts.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 452 read first time, and referred to Committee on Judiciary.

Senate Bill No. 218 read first time, and referred to Committee on Judiciary.

Senate Bill No. 287 read first time, and referred to Committee on Judiciary.

Senate Bill No. 220 read first time, and referred to Committee on Judiciary.

Senate Bill No. 286 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 580—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Also: Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park, in the city of Sacramento, a building or other structure as a memorial, providing for the approval of the plans and specifications therefor and for the acceptance and maintenance thereof.

Also: Senate Bill No. 1065—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

Also: Senate Bill No. 488—An Act to amend Section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 580 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 957 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1065 read first time, and referred to Committee on Agriculture.

Senate Bill No. 488 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro Irrigation District.

Also: Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Also: Assembly Bill No. 148—An Act to amend Section 874 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1030—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Also: Senate Bill No. 525—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Also: Senate Bill No. 1002—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 40566, relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1030 read first time, and referred to Committee on Banks and Banking.

Senate Bill No. 525 read first time, and referred to Committee on Normal Schools.

Senate Bill No. 1002 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 124—An Act to amend Section 791 of the Political Code relating to notaries public.

Also: Senate Bill No. 1487—An Act authorizing board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations, and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

Also: Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations.

Also: Senate Bill No. 1027—An Act to amend section one of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 124 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1487 read first time, and referred to Committee on Judiciary.

Senate Bill No. 987 read first time, and referred to Committee on Building and Loan Associations.

Senate Bill No. 1027 read first time, and referred to Committee on Banking.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 23—Relative to a request for permission of the National Government under such terms and conditions as may be necessary to permit an increased number of stock and sheep to graze within the national forest and other federal reservations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Joint Resolution No. 23 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1260—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Also: Senate Bill No. 233—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered Section 2a, relating to the dissolution of such districts where they have no assets and have no indebtedness not barred by the statute of limitations and have ceased to be going concerns.

Also: Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1871, relating to the testimony of expert witnesses.

Also: Senate Bill No. 899—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office, by owners of certificates of purchase or patents from the State, for the purpose of securing restitution of moneys for lands sold by the State, but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitations as to the issuance of said certificate and also as to

the issuance of warrants by county auditors and the State Controller, as provided in Section 3572 of said Political Code.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1260 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 233 read first time, and referred to Committee on Irrigation.

Senate Bill No. 989 read first time, and referred to Committee on Judiciary.

Senate Bill No. 899 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Also: Assembly Bill No. 294—An Act increasing the number of judges in the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 20—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges in and for the city and county of San Francisco, and providing for their compensation.

Also: Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Also: Senate Bill No. 991—An Act to amend Section 319 of the Penal Code of California, relating to lotteries.

Also: Senate Bill No. 687—An Act to amend Section 1183 of the Civil Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

Also: Senate Bill No. 692—An Act confirming and validating the organization of school districts.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 20 read first time, and referred to Committee on County Government.

Senate Bill No. 364 read first time, and referred to Committee on County Government.

Senate Bill No. 991 read first time, and referred to Committee on Public Morals.

Senate Bill No. 687 read first time, and referred to Committee on Judiciary.

Senate Bill No. 692 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 255—An Act to amend Section 1584 of the Political Code, relating to the government of school districts by municipal charter—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 255?"

On page 2, line 14, strike out the word "districts," and insert in lieu thereof the following: "district."

The roll was called, and Senate amendment to Assembly Bill No. 255 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Johnson, Geo. H., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—51.

NOES—None.

Bill ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

WHEREAS, The members of the Legislature of the State of California were the guests of the citizens of San Francisco and Oakland on March 29th and 30th; and

WHEREAS, Upon this occasion the said legislators were afforded an opportunity to view the splendid work thus far accomplished along the magnificent water front both of San Francisco and Oakland, and to examine the site of the great Panama-Pacific International Exposition; and

WHEREAS, The said legislators are especially indebted to the Harbor Commissioners of San Francisco and the directors of the Panama-Pacific International Exposition Company for the day spent in San Francisco, and to the Chamber of Commerce of the city of Oakland for the courtesy extended in that city;

Resolved, That the Legislature and its individual members hereby extend their hearty thanks to the citizens of San Francisco and Oakland, and especially to the Harbor Commissioners, the Board of Directors of the Panama-Pacific Exposition, to the ladies' civic clubs for the royal care of the ladies of the party, to Major General Murray, commandant of the Presidio, for his courtly attentions during the visit to the Presidio, to the members of the Merchants' Exchange for the splendid banquet, and to the management of the Hotel Oakland for its lavish entertainment during the stay in Oakland; and

Resolved, That a copy of these resolutions be printed in the Journal, and a copy be handed to the press for publication.

Resolution read, and on motion adopted.

RECONSIDERATION.

In compliance with notice given on a previous day, Mr. Slater moved that the vote whereby Assembly Bill No. 234 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Bradford, Brown, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 234—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof,"

approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, after the word "therein," strike out all of lines 3 and 4, and insert a period after the word "therein."

Mr. Slater moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 2, between the words "any" and "substances", insert the word "such".

Also: On page 2, line 6, after the word "design", insert a comma.

Also: On page 2, line 7, strike out the words "or value".

Also: On page 2, line 9, strike out the words "or misleading in any particular".

Consideration of bill and amendments postponed until next legislative day.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On request of Mr. Brown, consideration of the above Assembly bill was postponed until Thursday, April 3, 1913.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, of the printed bill, after the word "county", insert the words "or city and county".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 26, of the printed bill, after the word "envelope", insert the following: ", and shall also enclose in the same envelope with the identification certificate and ballot an unsealed envelope, on which shall be printed the name and address of the county clerk of the county from which the certificate and ballot are issued, and the words 'Identification certificate and ballot of absent voter'."

Amendment adopted.

AMENDMENT No. 3.

On page 5 of the printed bill, strike out lines 16, 17, and 18, and down to and including the word "issued" in line 19, and insert in lieu thereof the following: "and the ballot in the addressed envelope contained in the envelope with the certificate and ballot, and securely seal the same."

Amendment adopted.

AMENDMENT No. 4.

On page 5 of the printed bill, after the figure "6", strike out all of lines 23, 24, 25, 26, 27, 28, 29, 30, and the first four words of line 31, and insert in lieu thereof the

following: "At ten o'clock a.m. on the first Monday after each election, the county clerk, the district attorney, the county auditor, and the county treasurer shall meet in the office of the county clerk and proceed, in the presence of any citizens who may be present, to open all envelopes containing identification certificates and ballots and examine the certificates as herein provided. The clerk shall open one envelope at a time and remove therefrom the certificate and ballot. The officers mentioned in this section shall then proceed to compare the certificate with the stub corresponding thereto, for the purpose of determining whether the certificate is the one issued to the person named on the stub and certificate; *provided*, that the ballot shall under no circumstances be unfolded during the proceedings of the officers named in this section."

Amendment adopted.

AMENDMENT No. 5.

On page 7, line 16, strike out the word "fined", and insert in lieu thereof the word "punished".

Amendment adopted.

AMENDMENT No. 6.

On page 7, line 18, after the word "attorney", insert the words "or other county officer".

Amendment adopted.

AMENDMENT No. 7.

On page 7, line 3, of the printed bill, strike out the period following the word "it", and insert in lieu thereof the following: "and shall also write on the face of the envelope the word 'canceled', and cut or tear the envelope and its contents halfway across the middle."

Amendment adopted.

AMENDMENT No. 8.

Add a new section to the bill, to read as follows:

"Section 9. In cities and counties, or counties, in which boards of election commissioners have been created, the duties herein prescribed to be performed by the boards of supervisors shall be performed by the boards of election commissioners; and the duties herein prescribed to be performed by the county clerks, shall in cities and counties in which the office of registrar of voters has been created, be performed by such registrar of voters."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 982—An Act to promote the safety of employees of electric light, power, telephone and telegraph plants and electric street railways, and providing a penalty for the violation thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 15, strike out all of lines 15, 16, 17 and 18, and insert in lieu thereof the following: "to work on any pole or tower, or tower wagon or in any manhole unless either he has had three years' experience at such employment and is accompanied by a workman or unless he is accompanied by a workman who has had three years' experience at such employment."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments, and places of amusement, and to provide for the enforcement thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8, strike out the word "thorough", and insert in lieu thereof the word "thoroughly".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 13, after the word "all", insert the word "injurious".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 3, after the word "kept", insert the word "reasonably".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 6, after the word "provided", insert the following: "where necessary for the health of the employees".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 287—An Act to divide the State of California into fish and game districts, to regulate and license the hunting of wild birds and animals, to provide revenue therefrom, and for game and fish preservation and restoration.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the printed bill by striking out, after the period following the figure 4, on line 27, page 3, all of said section, and insert in lieu thereof the following: "The boards of supervisors or each of the counties in this State shall by ordinance, on or before the first day of August, fix the amount to be charged for the hunting license herein provided for, at the sum of one dollar."

Amendment adopted.

AMENDMENT No. 2.

On page 5, strike out all of lines 3 and 4, and add a new section, to be numbered twelve, to read as follows:

"Section 12. The county treasurer of each of the counties of this State shall transmit to the State Treasurer, on the first Monday of each month, ten per cent of all the moneys paid into the said county treasuries during the preceding month, and credited to the fish and game fund, and said sums so paid into the state treasury should be credited to the state fish and game fund.

All Acts and parts of Acts in conflict with this Act are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634 $\frac{1}{2}$, relating to the protection of fish.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1452—An Act to amend Section 628*b* of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628*g*, relating to the protection and preservation of perch.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 6, strike out the word "perch", and insert in lieu thereof the following: "salt water perch (*embiotocida*)".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 12, strike out the words "Del Norte."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 13, strike out the word "Humboldt."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 15, after the word "of," insert the following: "Del Norte, Humboldt."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 1, after "Sacramento," add "San Joaquin,"

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 4, after the word "of," strike out the words "San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, Kern," and insert in lieu thereof the following: "Madera and Tulare, and that part of Stanislaus County east of the west bank of the San Joaquin River; that part of Merced County east of the west bank of the San Joaquin River; that part of Fresno County east of the west bank of the San Joaquin River, Fresno Slough, Fish Slough, Summit Lake, and Tulare Lake; that part of Kings County east of the west bank of Kings River between Summit Lake and Tulare Lake; that part of Kings County east of the west bank of Tulare Lake, and east of the west bank of Bull Slough; that part of Kern County east of the west bank of Bull Slough, and the west and south bank of Buena Vista Lake to the southeast corner of that lake; that part of Kern County on the northerly side of a line from this point to the southeast corner of section eight, township ten north, range nineteen west, San Bernardino base and meridian at a point where the county road cuts said section corner, such a point being on the northern boundary of the Rancho Castac; that part of Kern County on the northerly side of a line from this point following the northern boundary of the Rancho Castac to where this boundary joins the westerly boundary of the Fort Tejon Rancho; that part of Kern County lying northerly and westerly of the west and north boundary of the Fort Tejon Rancho to where the main line of the Southern Pacific Railroad intersects said rancho boundary; that part of Kern County on the easterly side of the main line of the Southern Pacific Railroad from this point to where the said railroad crosses the south line of Kern County."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 9, insert after the words "San Luis Obispo," the following: "and those parts of Stanislaus, Merced, Fresno, Kings, and Kern counties not included in Fish and Game District No. 4."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1194—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 4, commencing with the word "beginning", strike out all of said Section 1 down to and including the words "to the point of beginning", in line 37, page 2, and in lieu thereof insert the following: "Beginning at a point on the left bank of the Sacramento River one thousand three hundred twenty (1,320) feet east of the section line between sections twenty-six (26), and twenty-seven (27), township nine (9) north, range four (4) east, Mt. Diablo base and meridian, and running thence in a straight line north sixty-nine degrees thirty minutes (69° 30') east a distance of nine thousand eight hundred ninety (9,890) feet to the corner common to sections nineteen (19), twenty-four (24), twenty-five (25), and thirty (30), township nine (9) north, ranges four (4) and five (5) east, Mt. Diablo base and meridian; thence east a distance of four thousand eight hundred eighty-nine and eighty-eight hundredths (4,889.88) feet to the west line of the land now owned and occupied by the Western Pacific Railway Company, a corporation, the same being commonly known as the railway right of way of said company; thence following said westerly right of way line in a southerly direction by a curve to the right of five thousand six hundred twenty-nine and seven tenths (5,629.7) feet radius, a distance of two thousand one hundred eighty-four and fifty-five hundredths (2,184.55) feet; thence, south 18° 48½' west, a distance of five hundred thirty-one and twenty-two hundredths (531.22) feet to the point of intersection with the westerly line of the Northern Electric Railway Company's right of way; thence south 55° 36½' west, a distance of four hundred sixty-three and ninety-three hundredths (463.93) feet; thence by a curve to the right of one thousand nine hundred ten and one tenth (1,910.10) feet radius, a distance of two thousand fifty-six and sixty-seven hundredths (2,056.67) feet; thence north 62° 41½' west, a distance of one thousand six hundred sixty-four and sixty-nine hundredths (1,664.69) feet; thence by a curve to the left of one thousand nine hundred ten and one tenth (1,910.1) feet radius, a distance of six hundred eighty-one and thirty-two hundredths (681.32) feet; thence north 83° 11½' west, a distance of one thousand nine hundred sixty-nine and one tenth (1,969.1) feet; thence on a curve to the left of one thousand nine hundred ten and one tenth (1,910.1) feet radius, a distance of four hundred twenty-two and two tenths (422.2) feet; thence south 84° 8½' west two thousand two hundred thirty-four and forty-one hundredths (2,234.41) feet; thence by a curve to the left of one thousand nine hundred ten and one tenth (1,910.1) feet radius, a distance of three hundred forty-six and one tenth (346.1) feet; thence south 73° 27½' west, a distance of one thousand one hundred and forty-nine and eighty-nine hundredths (1,149.89) feet; thence on a curve to the left of two thousand eight hundred sixty-four and ninety-three hundredths (2,864.93) feet radius, a distance of one thousand two hundred fifty-seven and five tenths (1,257.5) feet; thence south 48° 18½' west, a distance of three hundred forty-seven and ninety-four hundredths (347.94) feet; thence on a curve to the right of one thousand two hundred five and thirty-seven hundredths (1,205.37) feet radius a distance of one thousand one hundred eleven (1,111.00) feet; thence north 78° 51½' west, six hundred (600) feet, more or less, to the left or easterly bank of the Sacramento River; thence in a northeasterly direction following the meanderings of the easterly bank of the Sacramento River two hundred sixteen and seven tenths (216.7) feet, more or less, to the point of beginning".

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 1, line 37, change the period after the word "proper" to a semicolon, and add the following: "*provided, however,* that such plans of reclamation, together with all changes and modifications thereof, shall first be submitted to and approved by the state reclamation board before any work shall be done in pursuance thereof."

Amendment adopted.

AMENDMENT No. 3.

On page 4, strike out all of Section 3, and insert in lieu thereof the following: "Sec. 3. The said Reclamation District No. 1400 shall, subject to the approval of the State Reclamation Board, have the right to construct levees or any of its works of reclamation, either within or without the boundaries of the reclamation district, as its board of trustees may deem best, for the purpose of promoting the reclamation of the lands within the said district; *provided, however,* that the center line of any

levee that may be constructed shall be at least two hundred and fifty (250) feet north from, measured at right angles to, the south line of said reclamation district, as hereinabove described, and in no event shall the channel-way for the passage of the flood waters of the American River be narrowed to a width of less than twenty-four hundred (2,400) feet."

Amendment adopted.

AMENDMENT No. 4.

On page 4, strike out all of Section 4.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1259—An Act creating a reclamation district, to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out of line 6 all after the comma following the word "embankment"; also, strike out lines 7 and 8 on same page, and insert in lieu of the said portions stricken out, the following: "said point of beginning being 71 feet east of a point on the levee of Protection District No. 10, from which point the quarter section corner between sections 30 and 31, township 17 north, range 4 east, M. D. M., bears south 24 degrees 30 minutes east, distant 2,363 feet,".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2034—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1600"; providing for the management and control thereof, and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 4, Section 4, line 20, strike out the word "either".

Amendment adopted.

AMENDMENT No. 2.

On page 4, Section 4, line 21, after the word "district", strike out the words "as its board of trustees may deem best".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1548—An Act to amend an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of

such construction of or acquisition, and also for the payment of such bonds," approved April 14, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Insert after the words "An Act to amend," in the title, the following words: "sections two and three of."

Amendment adopted.

AMENDMENT No. 2.

Insert after the enacting clause, and before line 1, on page 1, the following: "Section two of an Act entitled, 'An Act to provide for the division of municipalities into sewer districts, and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds,' approved April 14, 1911, is amended to read as follows:"

Amendment adopted.

AMENDMENT No. 3.

On page 1, strike out lines 1 to 9, both inclusive, and lines 1 and 2 on page 2.

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 15, insert after the word "person" the words "or persons".

Amendment adopted.

AMENDMENT No. 5.

On page 3, between lines 34 and 35 insert the following: "SEC. 2. Section three of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 6.

On page 4, strike out lines 34 and 37, both inclusive, and all of pages 5, 6, 7, 8, 9, and 10.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 1, after the word "such", strike out the words "or under a brand name", and insert in lieu thereof "unmixed with other material".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 15, after the word "roasted", insert a parenthesis.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 19, after the word "animals", strike out the comma and insert a parenthesis.

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 26, after the word "phosphate", insert the words "as such, unmixed with other material".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriations of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

After the word "Act", in title, insert the following: "to regulate the use of water which is subject to such control by the State of California, and in that behalf".

Amendment adopted.

AMENDMENT No. 2.

In line 2 of title, strike out the words "its members", and insert in lieu thereof the words "the members of said commission".

Amendment adopted.

AMENDMENT No. 3.

In line 3 of title, strike out the words "its members", and insert in lieu thereof the words "the members of said commission".

Amendment adopted.

AMENDMENT No. 4.

In line 5 of title, strike out the words "said commission", and insert in lieu thereof the words "the membership of said commission".

Amendment adopted.

AMENDMENT No. 5.

In line 6 of title, strike out the word "and", and insert in lieu thereof the words "providing for".

Amendment adopted.

AMENDMENT No. 6.

In line 6 of title, strike out the words "members thereof", and insert in lieu thereof the words "the appointed members of said commission".

Amendment adopted.

AMENDMENT No. 7.

In line 7 of title, after the words "co-operation of", strike out the word "the".

Amendment adopted.

AMENDMENT No. 8.

In line 10 of title, strike out the word "summoned", and insert in lieu thereof the word "summonsed".

Amendment adopted.

AMENDMENT No. 9.

In line 11 of title, after the word "commission", insert the words "or any of its members".

Amendment adopted.

AMENDMENT No. 10.

In lines 14 and 15 of title, strike out the words "for the guidance of said commission."

Amendment adopted.

AMENDMENT No. 11.

In line 15 of title, after the word "unappropriated," insert the following: "providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require;"

Amendment adopted.

AMENDMENT No. 12.

In line 16 of title, after the word "appropriated," insert the following: "declaring that the non-application for five consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation;"

Amendment adopted.

AMENDMENT No. 13.

In lines 19 and 20 of title, strike out the words "such appropriation may be made", and insert in lieu thereof the words "water may be appropriated".

Amendment adopted.

AMENDMENT No. 14.

In line 26, second page of title, strike out the words "water or".

Amendment adopted.

AMENDMENT No. 15.

In line 33, second page of title, after the word "misdemeanor", insert the words: "and providing penalties therefor."

Amendment adopted.

AMENDMENT No. 16.

In line 33, second page of title, strike out the word "exempting", and insert in lieu thereof the word "excepting".

Amendment adopted.

AMENDMENT No. 17.

In line 34 of title, before the word "and", insert a comma (,) and the words "irrigation districts".

Amendment adopted.

AMENDMENT No. 18.

In line 35 and 36 of title, strike out the words "but permitting them to come under its provisions."

Amendment adopted.

AMENDMENT No. 19.

In line 38 of title, change period to a semicolon, and add the following: "making legislative declaration concerning those parts of this Act which may not be declared unconstitutional."

Amendment adopted.

AMENDMENT No. 20.

Strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. For the purpose of carrying out the provisions of this Act a state water commission consisting of five persons is hereby created and established. Two members of said commission shall be, ex officio, the governor of the state and the state engineer, respectively. Three members of said commission shall be appointed by the governor for the term of four years; *provided, however*, that of the members first appointed one shall be appointed to hold office until the first day in January, nineteen hundred and fourteen, one until the first day in January, nineteen hundred and fifteen, and one until the first day in January, nineteen hundred and sixteen. The commissioners shall elect one of their number president of the commission. The appointed members of said commission shall each receive as compensation for their services the sum of five thousand dollars per annum. No commissioner who is directly or indirectly interested in any matter before the commission shall sit with the commission during the hearing of such matter; nor shall he be detailed by the commission to investigate or report on any such matter; nor shall he take part in any determination of any such matter. But the governor shall have the power and authority, upon request of the commission, to appoint *pro tempore* some disinterested person to sit and act in the place and stead of such interested commissioner. Such *pro tempore* commissioner shall have all the compensation, power and authority of a member of the commission, but only in the matter for the investigation and determination of which he shall have been appointed and his connection with the commission shall cease and determine upon the completion of the investigation and determination for which he was appointed. But the commissioner in whose place and stead he sits shall have power, compensation and authority in all other cases.

SEC. 2. Whenever a vacancy in the state water commission shall occur, the governor shall forthwith appoint a qualified person to fill the same for the unexpired term. The legislature, by a two-thirds vote of all members elected to each house, or the governor, may remove any one or more of the appointed commissioners from office for dereliction of duty or corruption or incompetency; *provided*, that no commissioner shall be removed from office until after public hearing upon sworn charges. The commission shall have a seal bearing the following inscription: "State Water Commission of California." The seal shall be affixed to all authentications of copies of records and to such other instruments as the commission may direct. All courts shall take judicial notice of said seal.

SEC. 3. A majority of the appointed commissioners shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power of the commission. No vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission. The act of a majority of the commissioners present, when in session as a board, shall be deemed to be the act of the commission; but any investigations, inquiry or hearing which the commission has power to undertake or hold may be undertaken or held by or before any commissioners or commissioner designated for the purpose by the commission; and every finding, order, ascertainment or decision made by the commissioners or the commissioner so designated pursuant to such investigation, inquiry or hearing, when approved by the commission and ordered filed in its office, shall be and be deemed to be the finding, order, ascertainment or decision of the commission.

SEC. 4. (a) Each commissioner shall have power to administer oaths, certify to all official acts, and to issue subpoenas for the attendance of witnesses and the

production of papers, books, maps, accounts, documents and testimony in any inquiry, investigation, hearing, ascertainment or proceeding ordered or undertaken by the commission in any part of the state. Each witness who shall appear by order of the commission or any commissioners or a commissioner shall receive for his attendance the same fees and mileage allowed by law to witnesses in civil cases, which amount shall be paid by the party at whose request such witness is subpoenaed. When any witness who has not been required to attend at the request of any party shall be subpoenaed by the commission his fees and mileage shall be paid from the funds appropriated for the use of the commission in the same manner as other expenses of the commission are paid. Any witness subpoenaed, except one whose fees and mileage may be paid from the funds of the commission, may, at the time of service, demand the fee to which he is entitled for travel to and from the place at which he is required to appear and one day's attendance. If such witness demands such fees at the time of service, and they are not at that time paid or tendered, he shall not be required to attend before the commission or commissioners as directed in the subpoena. All fees and mileage to which any witness is entitled under the provisions of this section may be collected by action therefor instituted by the person to whom such fees are payable. But no witness shall be compelled to attend as a witness before the water commission or any water commissioner or water commissioners out of the county in which he resides, unless the distance be less than thirty miles from his place of residence to the place of hearing.

(b) The superior court of the county or city and county in which any inquiry, investigation, hearing or proceedings may be held by the commission or any commissioner or commissioners shall have the power to compel the attendance of witnesses and the production of papers, maps, books, accounts, documents and testimony as required by any subpoena issued by the commission or any commissioner or commissioners. The commission, commissioners or commissioner before whom the testimony is to be given or produced may, in case of the refusal of any witness to attend or testify or produce any papers, maps, books, accounts or documents required by such subpoena, report to the superior court in and for the county or city and county in which the proceeding is pending by petition, setting forth that due notice has been given of the time and place of attendance of said witness, or for the production of said papers, maps, books, accounts or documents and that the witness has been summoned in the manner prescribed in this Act, and that the witness has failed and refused to attend or produce the papers, maps, books, accounts or documents required by the subpoena before the commission, commissioners, or commissioner in the cause or proceeding named in the notice and subpoena, or has refused to answer questions propounded to him in the course of such cause or proceeding, and ask an order of said court, compelling the witness to attend, testify, and produce said papers, maps, books, accounts or documents before the commission or commissioners or commissioner. The court, upon the petition of the commission or commissioners or commissioner, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in such order, the time to be not more than ten days from the date of the order, and then and there show cause, if any he have, why he refused to obey said subpoena, or refused to answer questions propounded to him by said commission, or any commissioners or any commissioner, or neglected, failed or refused to produce before said commission, or any commissioners or any commissioner, the books, papers, maps, accounts or documents called for in said subpoena. A copy of said order and the petition therefor shall be served upon said witness. If it shall appear to the court that said subpoena was regularly issued by the commission, or any commissioners or a commissioner, the court shall thereupon enter an order that said witness appear before the commission or commissioners or commissioner at the time and place fixed in said order, and testify or produce the required papers, maps, books, accounts or documents, or both testify and produce; and upon failure to obey said order said witness shall be dealt with as for contempt of court.

(c) The state water commission or any commissioners or commissioner, or any party to a proceeding before the commission or any commissioners or any commissioner, may in any investigation or hearing before the commission or any commissioners or any commissioner cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for depositions in civil actions in the superior courts of this state.

(d) No person shall be excused from testifying or from producing any book, map, document, paper or account in any investigation or inquiry by or hearing before the commission or any commissioners or commissioner upon the ground that the testimony or evidence, book, map, document, paper or account required of him may tend to incriminate him or subject him to penalty or forfeiture. But no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing material to the matter under investigation by said commission or any commissioners, or any commissioner concerning which he shall have been compelled to testify or to produce documentary evidence; *provided*, that no person so testifying or producing shall be exempt from prosecution and punishment for any perjury committed by him in his testimony.

SEC. 5. A full and accurate record of business or acts performed or of testimony taken by the commission or any member or members thereof in pursuance of the provisions of this Act shall be kept and be placed on file in the office of said water commission.

SEC. 6. The state water commission shall take, charge and collect the following fees: for copies and records not required to be certified or otherwise authenticated by the commission, ten cents for each folio; for certified copies of official documents, and orders filed in its office, fifteen cents for each folio, and one dollar for every certificate under seal affixed thereto; for certified copies of evidence and proceedings before the commission, fifteen cents for each folio. The commission may fix reasonable charges for publications issued under its authority. All fees charged and collected under this section shall be paid, at least once each week, accompanied by a detailed statement thereof, into the treasury of the state.

SEC. 7. For the purpose of carrying out the provisions of this Act the state water commission is authorized to pass such necessary rules and regulations as it may from time to time deem advisable, and to appoint and remove at its pleasure a secretary who shall have charge of its books and records and perform such other duties as from time to time may be prescribed and whose salary shall be fixed by the water commission; and the state water commission may also employ such expert, technical, professional and clerical assistance, and upon such terms, as it may deem proper.

SEC. 8. For the purpose of carrying out the provisions of this Act the sum of one hundred and fifty thousand dollars is hereby appropriated for the fiscal years 1913-1914 and 1914-1915 out of any money in the state treasury not otherwise appropriated; and the state controller is hereby authorized and directed to draw warrants upon such sum from time to time upon the requisition of the state water commission approved by the state board of control, and the state treasurer is hereby authorized and directed to pay such warrants.

SEC. 9. All indebtedness incurred for salaries, and all necessary costs in traveling and other expenses of said commission, and each of its members and persons employed by it, while actually engaged in the business of said commission, shall be paid by the state out of the funds hereby appropriated, upon the sworn statement of the person or persons incurring such indebtedness, and upon the requisition of the state water commission, approved by the state board of control, and the state controller is hereby authorized to draw warrants upon the state treasurer for said indebtedness, salaries, costs and expenses, as provided by law for the payment of similar costs and expenses and the drawing of similar warrants.

SEC. 10. The state water commission is hereby authorized and empowered to investigate for the purpose of this Act all streams, stream systems, portions of stream systems, lakes, or other bodies of water, and to take testimony in regard to the rights to water or the use of water thereon or therein, and to ascertain whether or not such water, or any portion thereof, or the use of said water or any portion thereof, heretofore filed upon or attempted to be appropriated by any person, firm, association, or corporation, is appropriated under the laws of this state.

SEC. 11. All water or the use of water which has never been appropriated, or which has been heretofore appropriated and which has not been in process, from the date of the initial act of appropriation, of being put, with due diligence in proportion to the magnitude of the work necessary properly to utilize for the purpose of such appropriation such water or the use of water, or which has not been put, or which has ceased to be put, or which may hereafter be appropriated and cease to be put, to the useful or beneficial purpose for which it was appropriated, or which having been appropriated is not now, or which in the future may be appropriated and not be, in the process of being put, from the date of the original act of appropriation, to the useful or beneficial purpose for which it was appropriated, with due diligence in proportion to the magnitude of the work necessary properly to utilize for the purpose of such appropriation such water or the use of water, is hereby declared to be unappropriated. If any portion of the waters of any stream shall not be put to a useful or beneficial purpose to or upon lands riparian to such stream for any continuous period of five consecutive years after the passage of this act, such non-application shall be deemed to be conclusive presumption that the use of such portion of the waters of such stream is not needed upon said riparian lands for any useful or beneficial purpose; and such portion of the waters of any stream so non-applied, unless otherwise appropriated for a useful and beneficial purpose on lands other than said riparian lands, is hereby declared to be in the use of the state and subject to appropriation in accordance with the provisions of this Act.

SEC. 12. The state water commission shall have authority to, and may, for good cause shown, upon the application of any appropriator or user of water under an appropriation made according to law prior to the passage of this Act, prescribe the time within which the full amount of the water appropriated shall be applied to a useful or beneficial purpose; *provided*, that said appropriator or user shall have proceeded, with due diligence in proportion to the magnitude of the project, to carry on the work necessary to put the water to a beneficial use; and in determining said time said commission shall grant a reasonable time after the construction of the works or canal or ditch used for the diversion of the water; and in doing so said commission

shall also take into consideration the cost of the application of such water to the useful or beneficial purpose, the good faith of the appropriator, the market for water or power to be supplied, the present demand therefor, and the income or use that may be required to provide fair and reasonable returns upon the investment. Upon prescribing such time the state water commission shall issue a certificate showing its determination of the matter. For good cause shown, the state water commission may extend the time by granting further certificates. And, for the time so prescribed or extended, the said appropriator or user shall be deemed to be putting said water to a beneficial use. And if at any time it shall appear to the state water commission, after a hearing of the parties interested and an investigation, that the full capacity of the works built or constructed, or being built or constructed, under an appropriation of water or the use thereof made under the provisions of this Act, has not developed or cannot develop the full capacity of the stream at the point where said works have been or are being built or constructed, and that the holder of the said appropriation will not or cannot, within a period deemed to be reasonable by the commission, develop the said stream at said point to such a capacity as the commission deems to be required by the public good, then and in that case the said commission, in its discretion, may permit the joint occupancy and use, with the holder of the appropriation, to the extent necessary to develop the stream to its full capacity or to such portion of said capacity as may appear to the state water commission to be advisable, by any and all persons, firms, associations, or corporations applying therefor, of any dam, tunnel, diversion works, ditch, or other works or constructions already built or constructed or in process of being built or constructed under this Act; *provided*, that said commission shall take into consideration the cost of the original and new work, the good faith of the applicant, the market for water or power to be supplied by the original and the new work, and the income or use that may be required to provide fair and reasonable returns upon the investments in the original and the new work; *provided, further*, that the applicant or applicants shall be required to pay to the party or parties owning said dam, tunnel, diversion work, ditch, or other works or constructions a pro rata portion of the total cost of the old and the new works, said pro rata portion to be based upon the proportion of the water used by the original and the subsequent users of said dam, tunnel, diversion works, ditch, or other works or constructions, if the water is used or to be used for irrigation or domestic purposes, or, if the water is used or to be used for the generation of electricity, or electrical or other power, the said pro rata portion shall be based upon the relative amount of electricity or electrical or other power capable of being developed by the original and the new works; or, if a portion of the water utilized under a joint occupancy of any dam, tunnel, diversion works, ditch, or other works or construction, shall be used for the purpose of irrigation and another portion of said water shall be used for the generation of electricity, or electrical or other power, then and in that case the applicant or applicants for joint occupancy shall be required to pay to the party or parties owning said dam, tunnel, diversion works, ditch, or other works or constructions a pro rata portion of the total cost of the old and new works, said pro rata portion to be based upon the proportion of the relative amount of water used by each joint occupant and the income derived by each said joint occupant from said joint occupancy; or, if any of the waters used under such joint occupancy shall be utilized for purposes other than those specified above, then and in that case the applicant or applicants for such joint occupancy shall be required to pay to the party or parties owning said dam, tunnel, diversion works, ditch, or other works or constructions, such a pro rata portion of the total cost of the old and new works as shall appear to the state water commission to be just and equitable. Said applicant or applicants shall also be required to pay a proper pro rata share, based as above, of the cost of maintaining said dam, tunnel, diversion works, ditch, or other works or constructions, on and after beginning the occupancy and use thereof. Furthermore, the state water commission, in its discretion, if it appears to the said commission that the full capacity of the works built or constructed, or being built or constructed, under the appropriation of water or the use thereof under this Act, will not develop the full capacity of the stream at that point, and it appears to the commission that the public good requires it, and after investigation and hearing of the parties interested, may permit any person, firm, association or corporation to repair, improve, add to, supplement, or enlarge, at his or its proper cost, charge and expense, any dam, tunnel, diversion works, ditch, or other works or constructions already built or constructed or in process of being built or constructed under the provisions of this Act, and to use the same jointly with the owners thereof; *provided*, that the said repairing, improving, adding to, supplementing, or enlarging, shall not materially interfere with the proper use thereof by the owner of said dam, tunnel, diversion works, ditch, or other works, or constructions or shall not materially injure said dam, tunnel, diversion works, ditch, or other works or constructions. And the state water commission shall determine the pro rata and other costs provided for in this section.

SEC. 13. All rights granted or declared by this Act shall be ascertained, adjudicated and determined in the manner and by the tribunals as provided in this Act.

SEC. 14. This Act shall not be held to bestow, except as expressly provided for in this Act, upon any person, firm, association or corporation, any right where no such right existed prior to the time this Act takes effect.

SEC. 15. The state water commission may in its discretion allow, under the provisions of this Act, the appropriation of unappropriated water or of the use thereof, or of water or of the use thereof which may hereafter cease to be appropriated, or which may hereafter be declared to be unappropriated, or which, having been used under claim of riparian proprietorship or appropriation finds its way back into a stream, lake or other body of water, and also such water as is declared under section eleven of this Act to be subject to appropriation.

SEC. 16. Every applicant for a permit to appropriate water shall set forth the name and post office address of the applicant, the source of water supply, the nature and amount of the proposed use, the location and description of the proposed headworks, ditch, canal and other works; the proposed place of diversion and the place where it is intended to use the water; the time within which it is proposed to begin construction, the time required for completion of the construction, and the time for the complete application of the water to the proposed use. If for agricultural purposes, the application shall, besides the above general requirements, give the legal subdivisions of the land and the acreage to be irrigated, as near as may be; if for power purposes, it shall give, besides the general requirements prescribed above, the nature of the works by means of which the power is to be developed, the head and amount of water to be utilized, and the use to which the power is to be applied; if for storage in a reservoir, it shall give, in addition to the general requirements prescribed above, the height of dam, the capacity of the reservoir, and the use to be made of the impounded waters; if for municipal water supply, it shall give, besides the general requirements specified above, the present population to be served, and, as near as may be, the future requirements of the city; if for mining purposes, it shall give, in addition to the general requirements prescribed above, the nature and location of the mines to be served and the methods of supplying and utilizing the water. All applications shall be accompanied by as many copies of such maps, drawings, and other data as may be prescribed or required by the state water commission, and such maps, drawings, and other data shall be considered as part of the application. If any permittee or licensee, or the heirs, successors, or assigns of any permittee or licensee, desire to change the point of diversion from the point of diversion specified in the original application, or after the granting of any permit or license, such change or changes may be made only upon the permission of the state water commission; *provided*, that, before the granting of any permission by the state water commission to change any point of diversion, the applicant for such permission shall advertise at least once a week for four consecutive weeks in a newspaper or newspapers of general circulation in the county in which is situated both the old and the new points of diversion, the fact that he has made application to the state water commission for permission to change such point of diversion. Said advertisement shall be in such form as the state water commission shall prescribe; and the fact that said advertisement has been made as required in this section shall be verified by the affidavits of the applicant and of the person connected with said newspaper or newspapers who knows whether or not said advertisement has been published as required herein. The state water commission shall not grant any permission for the changing of any point of diversion before the expiration of thirty days after the filing with it of the above required affidavits.

SEC. 17. Any person, firm, association or corporation may apply for and secure from the state water commission, in conformity with this Act and in conformity with reasonable rules and regulations adopted from time to time by the state water commission, a permit for any unappropriated water or for water which having been appropriated or used flows back into a stream, lake or other body of water within this state. And any application so made shall give to the applicant a priority of right as of the date of said application to such water or the use thereof until such application shall have been approved or rejected by said commission; *provided*, that such priority shall continue only so long as the provisions of law and the rules and regulations of the water commission shall be followed by the applicant. Upon the approval of any application by the commission, said approval shall give priority of right as of the date of said application, and shall give the right to take and use the amount of water specified in said approval until the issuance by the state water commission of a license for the use of said amount of water, or until the said commission refuses to issue said license. But the approval of any application shall give the right to take and use water only to the extent and for the purpose allowed in said approval; *provided*, that any defective application made in a bona fide attempt to conform to the rules and regulations of the state water commission and to the law shall secure to the applicant a priority of right as of the date of said application until he shall have been notified by said commission in what respect his application is defective. And said applicant shall be allowed sixty days after notice of said defect in which to file an amended and perfected application. If, within said sixty days, said applicant shall not file an amended and perfected application, said priority of right shall cease and determine; *provided*, that for good cause shown the state water commission may allow said applicant to file a further amended and perfected application; *provided*, also, that any priority of right secured under this section shall not be effective for

more than thirty days after service of notice of such approval, personally or by registered mail, on the applicant, unless within said period of thirty days a true copy of said approval upon which such priority is based shall have been filed in the office of the recorder of the county or city and county in which the water is to be diverted, and, within ten days thereafter, a certificate of such filing by the county recorder is also filed with the state water commission.

SEC. 18. Actual construction work upon any project shall begin within such time after the date of the approval of the application as shall be specified in said approval, and the construction of the work thereafter shall be prosecuted with due diligence in accordance with this Act, the terms of the approved application, and the rules and regulations of said commission; and said work shall be completed in accordance with law, the rules and regulations of the state water commission, and the terms of the approved application and within a period specified in the permit; but the period of completion specified in the permit may, for good cause shown, be extended by the state water commission. And if such work be not so commenced, prosecuted and completed, the water commission shall after notice in writing and mailed in a sealed, postage-prepaid and registered letter addressed to the applicant at the address given in his application for a permit to appropriate water, and a hearing before the commission, revoke its approval of the application. But any applicant, the approval of whose application shall have been thus revoked, shall have the right to bring an action in the superior court of the county in which is situated the point of proposed diversion of the water for a review of the reasonableness of the commission's act of revocation. And thirty days after the revocation of said permit all rights of the said permittee under said permit shall cease and lapse, unless said permittee shall within said thirty days after said revocation bring an action in the superior court for a review of the reasonableness of the revocation. The priority of right of any permittee so bringing an action shall continue under said permit until a final court decision is rendered as to the reasonableness of the revocation of said permit. But until and unless the revocation of the permit shall be finally declared to be unreasonable by the courts, the permittee shall not take or use any of the water, the right to take and use which is granted by said permit.

SEC. 19. Immediately upon completion, in accordance with law, the rules and regulations of the state water commission, and the terms of the permit, of the project under such application, the holder of a permit for the right to appropriate water shall report said completion to the state water commission. The said commission shall immediately thereafter cause to be made a full inspection and examination of the works constructed, and shall determine whether the construction of said works is in conformity with law, the terms of the approved application, the rules and regulations of the state water commission, and the permit. The said water commission shall, if said determination is favorable to the applicant, issue a license which shall give the right to the diversion of such an amount of water and to the use thereof as may be necessary to fulfill the purpose of the approved application. Said license shall be in such form as may be prescribed by the state water commission under the provisions of this Act. But if the said commission shall find, upon inspection and examination of the works constructed, that the construction and condition of said works are not in conformity with the law, the rules and regulations of the state water commission, the terms of the approved application and the terms of the permit, then and in that event the said commission may, after due notice in writing and in the manner provided in sections one thousand and eleven, one thousand and twelve, and one thousand and thirteen of the Code of Civil Procedure to the applicant or the holder of the permit, and a public hearing thereon, refuse to issue said license. And thirty days after the refusal of said commission to issue said license all rights of the applicant and the holder of the permit under said application and permit shall lapse and cease. But the holder of any permit to whom the said water commission may have refused to issue said license, shall have the right to bring an action, within thirty days after the said refusal, in the superior court as to the reasonableness of the refusal of the said commission to issue said license. And the rights of the holder of any permit so bringing an action shall continue under said permit until a final court decision is rendered on the reasonableness of the refusal of the commissioner to issue said license. But until and unless the refusal of the commission to issue said license shall be finally declared to be unreasonable by the courts, the permittee shall not take or use any of the water, the taking and using of which is granted to him by said permit. And if the holder of any permit which has been revoked by the state water commission shall not bring an action within said thirty days in the superior court as to the reasonableness of said revocation, then and in that case all rights of the applicant and of the holder of said permit shall lapse and cease.

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this Act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and

likewise the statement that any appropriator of water to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; *provided*, that if any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall determine to purchase, and shall purchase, as is or may be provided by law, the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license (excepting works and property occupied and used, built or constructed solely for the irrigation of land by mutual water companies, irrigation districts or individuals), then and in that case the said rights, property and works shall become the property of the state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state purchasing them; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase, and the said owner of said works and property cannot agree upon said purchase price, then the state water commission shall fix said purchase price, which determination by said commission shall be final and conclusive upon all the parties; *provided, also*, that the purchase price of said rights, property and works so purchased shall not be more than the total actual cost, in lawful money of the United States of America plus ten per cent of the said cost of the said rights, property and works. And the holder of any permit or license except a permit or license for the appropriation and use of water for the irrigation of land by mutual water companies, irrigation districts, or individuals using water on their own lands only, shall file with the state water commission, a statement under oath, at least once a year or oftener at such stated periods as may be required by the state water commission and in such form as may be required by said commission, an itemized account of all moneys paid out during the period next preceding, for the purchase, and construction, and repair, and reconstruction, and in any way spent for or upon, for maintenance, operation or in other ways upon, on account of or for said rights, property or works. And each said account shall be sworn to by the president and secretary of the corporation, or association, if the holder of the said permit or license is a corporation or an association; or by all the members of the firm, if the said holder be a firm; or by the person holding said permit or license if the holder be a person. And any person whose duty it is, under the provisions of this section to file said itemized account and who shall wilfully neglect, fail or refuse to make such filing in the manner and at the time provided in this act, shall be deemed to be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. And all the books, vouchers, papers and accounts of all kinds, natures and descriptions, showing the expenditures made for the purchase, and construction, and repair, and reconstruction and maintenance, and operation and in all other ways for or upon said rights, property, or works, shall be open at all times to the inspection of the state water commission or its duly authorized agents or employees. If it shall appear to the state water commission at any time after a permit or license is issued as in this Act provided, that the permittee or licensee, or the heirs, successors, or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors, or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this Act. And the findings and declaration of said commission shall be deemed to be *prima facie* correct until modified or set aside by a court of competent jurisdiction; *provided*, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days of the serving of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. But no sale, gift or assignment of any permit or any of the rights granted by any permit shall be valid without written permission of the state water commission. And every licensee or permittee granted a license or permit under the provisions of this Act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in a loss of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this Act, or for any rights granted or acquired under the provisions of this Act, in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns, or by the holder of any rights granted or acquired under the provisions of this Act, or in respect to any valuation for purposes of sale to or purchase by the state, or any city, city and county, municipal water district, irriga-

tion district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this Act. The use of water by municipalities for said municipalities or the inhabitants thereof for domestic purposes shall always be considered the highest use to which water may be put, and as between applicants for such permit, such municipalities shall be considered first in right, irrespective of whether they are first in time.

SEC. 21. Nothing herein contained shall be construed to deprive the state or any city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state, or any person, company or corporation of any rights which, under the law of this state they may have, to acquire property in eminent domain proceedings and for the purpose of such eminent domain proceedings the use of water for municipalities or the inhabitants thereof for domestic purposes shall be considered the highest use to which water can be put.

SEC. 22. Licenses hereafter granted for water or use of water shall be subject to the right of the state to impose the fees and charges provided in this Act.

SEC. 23. Every person, firm, association or corporation making application for a permit to appropriate water or the use of water under this Act shall pay to the state water commission, at the time of filing said application, if the purpose or use is for the generation of electricity, or electrical or other power, a fee of two dollars and fifty cents for each theoretical horse power capable of being developed by the works up to one hundred theoretical horse power, with a minimum fee of twenty-five dollars, and above said one hundred theoretical horse power the fee shall be five hundred dollars up to and including ten thousand theoretical horse power, and one thousand dollars above ten thousand theoretical horse power capable of being so developed, or a fee of ten dollars if the purpose be other than for the generation of electricity, or electrical or other power. Every person, firm, association or corporation at the time of receiving a license to appropriate water or the use of water, if the purpose be for the generation of electricity, or electrical or other power, shall pay to said commission when the said license is issued, and annually thereafter, a charge of twenty-five cents for each theoretical horse power capable of being developed by the proposed works. If the purpose of use is for other than the generation of electricity, or electrical or other power, every person, firm, association or corporation receiving a license to appropriate water shall pay to the said commission when said license is issued, and annually thereafter, a charge of ten cents per miner's inch for each miner's inch specified in the license, and for the purpose of this Act forty miner's inches shall be equivalent to one cubic foot per second. And all such fees and charges shall forthwith be paid into the state treasury by the state water commission and the fees and annual charges provided in this section shall be subject to change by law at not less than ten year intervals beginning with the date of the license issued by the state water commission.

SEC. 24. Upon its own initiative or upon petition signed by one or more claimants to water or the use of water upon any stream, stream system, lake, or other body of water, requesting the ascertainment of the relative rights of the various claimants to the water or the use of water of that stream, stream system, lake or other body of water, it shall be the duty of the state water commission, if, upon investigation it finds the facts and conditions are such as to justify, to make an ascertainment of the said rights, fixing a time for the beginning of the taking of testimony and the making of such investigation as will enable it to ascertain the rights of the various claimants. In case suit is brought in the superior court for determination of rights to water or the use of water, the case may, in the discretion of the court, be transferred to the state water commission for investigation, as referee. In any case wherein the water commission shall proceed to investigate or ascertain water rights the said commission shall notify in writing in the manner provided in sections one thousand and eleven, one thousand and twelve and one thousand and thirteen of the Code of Civil Procedure all persons, firms, associations or corporations claiming or possessing any water rights which are to be the subject of ascertainment by the said commission.

SEC. 25. Upon the completion of the taking of testimony and evidence by the state water commission, the said commission shall immediately give notice by registered mail to the various claimants or possessors of water rights that, at a date and place named in the said notices, which date shall not be less than fifteen days nor more than thirty days later than the date of said notice, all of said testimony and evidence will be open to public inspection. And said testimony and evidence shall be held open to public inspection at said places for a specified period of not less than thirty days nor more than ninety days. Said notice shall also state the county in which the order or ascertainment of the state water commission will be heard and considered by the superior court: *provided*, that said order shall be heard in the superior court of the county in which is situated the stream, stream system, lake or other body of water or any part of said stream, stream system, lake or other body of water the rights to the water of which are the subject of investigation and ascertainment by the state water commission.

SEC. 26. If any person, firm, association or corporation claiming or possessing any interest in or right to the waters of any stream, stream system, lake or other

body of water involved in any investigation or ascertainment by the state water commission of the rights to the water of said stream, stream system, lake or other body of water, desires to contest any of the interests in or rights to any of the said waters of any other person, firm, association or corporation who has submitted evidence to the state water commission, such person, firm, association or corporation desiring so to contest shall, within ten days after the expiration of the period for public inspection prescribed in section twenty-five of this Act, notify, in writing, the state water commission of said desire so to contest. Said notice shall state the ground of contest, which shall be verified by the oath of the contestant, his agent or attorney. Within ten days of the receipt of the notice of contest the state water commission shall notify the contestant and the person, firm, association or corporation whose rights are contested to appear before it at a time and place specified in said notice, and that at said time and place said contest will be heard; *provided*, that said time shall not be less than thirty days nor more than sixty days from the date of the notice of the commission.

SEC. 27. Said notice by said water commission shall be served and return made thereon in the same manner in which summons and return thereon are made in civil actions in the superior courts of this state. The water commission shall have power to adjourn hearings of contest from time to time upon reasonable notice to all parties in interest, and to issue subpoenas for and compel, as provided in this Act, the attendance of witnesses to testify before it and produce papers, books, maps and other documents.

SEC. 28. The state water commission shall require from the party bringing the contest before it under section twenty-six of this Act a deposit of five dollars for each day it shall be engaged in taking testimony in such contest. Upon the final ascertainment by the state water commission in any contest, the said commission shall enter an order directing the return of the deposit to the depositor if the contest shall be determined in his favor, but, if the contest shall be determined against the person bringing it, the said deposit shall be immediately paid into the state treasury.

SEC. 29. Not less than fifteen days nor more than thirty days after the expiration of the period during which the testimony and evidence is to be kept open for public inspection, or if any contest shall be made, not less than fifteen days nor more than thirty days after the settlement of said contest by the water commission, the testimony and evidence in the original hearing and the testimony and evidence taken in said contest shall be filed in the office of the water commission.

SEC. 30. The water commission may, in its discretion and in addition to the testimony and evidence submitted to it by the parties claimant to or possessors of water rights on any stream, stream system, lake or other body of water cause to be made an examination of said stream, stream system, lake or other body of water and the works diverting or utilizing water therefrom. Said examination may include the gathering of whatever data covering said stream, stream system, lake or other body of water and the various ditches and canals taking water therefrom the said commission may require, as well as such other data and information as may, in the discretion of the said commission, be necessary to enable it properly to ascertain the relative rights of the parties claiming rights to use the waters of said stream, stream system, lake, or other body of water. The results of said examination shall be filed in the office of said commission and be open to public inspection as provided in this Act for the filing and public inspection of other evidence of a like nature.

SEC. 31. As soon as practicable after the hearing of testimony and evidence, the hearing and settlement of contest, and the gathering and filing of such data and information as the water commission shall, of its own motion, direct to be gathered, the said water commission shall record in its office its ascertainment of the rights of the several claimants to the use of the waters of any stream, stream system, lake or other body of water. Immediately thereafter, the said water commission shall file a certified copy of said ascertainment together with the original evidence and testimony taken before it and all data and information gathered by its order with the clerk of the superior court in and for the county in which such stream, stream system, lake or other body of water or any part thereof is situated.

SEC. 32. After the filing with the clerk of the superior court of the evidence, data, information, and ascertainment required by section thirty-one of this Act, the same shall be received in the superior court as prima facie evidence of the facts and ascertainment therein set forth. And at any time within one year after such filing an action shall be brought, upon the direction of the state water commission, by the attorney general in said superior court in which said evidence, data, information, and ascertainment shall have been so filed. Or an action may be brought in said court by any one or more of the possessors or claimants concerning whose rights to any of the waters of the stream, stream system, lake or other body of water the state water commission shall have made the ascertainment filed in said court. Said action if brought by the attorney general shall be brought in the name and behalf of the people of the State of California to quiet the title of the State of California or the people thereof to any and all water or water rights which it may have in or on said stream, stream system, lake or other body of water, and, to cause all parties whose rights have been so ascertained to appear and interplead in said action in defense and determination of each and all of their respective rights, which rights, as against the state and with regard to the different rights and priorities

of said rights among themselves, shall be determined by the court in said action. And if an action be brought by any one or more of said claimants or possessors, said action may be brought in the name of the said possessor or claimant, and to cause all parties, whose rights have been ascertained, to appear and interplead in said action in defense and determination of each and all of their respective rights, which rights, as against the state or the people thereof, and with regard to the different rights and priorities of said rights among themselves shall be determined by the court in said action. And from and after the filing of the complaint in such action, the proceedings therein shall be as in other cases heard and determined in said court, and in accordance with the provisions of the Code of Civil Procedure of this state; *provided*, that the evidence, data, information and ascertainment so filed with the superior court as provided in section thirty-one of this Act must be considered by said court in its determination of both or either of said actions, and the court may affirm, modify or reject such ascertainment.

SEC. 33. All existing lawful appropriations of water or the use thereof, shall be and hereby are respected and upheld to the extent of the amount of water appropriated and actually put or in process of being put, from the initial date of the act of appropriation, with due diligence in proportion to the magnitude of the work necessary properly to utilize the water for the useful or beneficial purpose for which it was appropriated, to a useful or beneficial purpose.

SEC. 34. Whenever proceedings shall be instituted for the ascertainment by the state water commission of rights to water or the use of water, it shall be the duty of all claimants interested therein and having notice thereof as in this Act provided to appear and submit proof of their respective claims at the time and in the manner required by law; and any such claimant who shall fail to appear in such proceedings and submit proof of his claim shall be barred and estopped from subsequently asserting any rights theretofore acquired upon the stream, stream system, lake or other body of water, or portion of such stream, stream system, lake or other body of water, embraced in such proceedings, and shall be held to have forfeited all rights to said water or the use of water theretofore claimed by him on such stream, stream system, lake or other body of water, unless entitled to relief under the laws of this state: *provided*, that such proceedings shall result in an ascertainment by the state water commission and a decree by the superior court based upon such ascertainment or a modification of said ascertainment.

SEC. 35. In any suit wherein the state is or the people of the state are a party for the determination of a right to the use of the water of any stream, stream system, lake or other body of water, or of any portion of any stream, stream system, lake or other body of water, all who claim the right to use such water shall be made parties. When any such suit has been filed the court may call upon the state water commission to make or furnish a complete hydrographic survey of such stream, stream system, lake or other body of water, in order to obtain all the data necessary to the determination of the rights involved. The disbursements made in litigating the rights involved in such suit shall be taxed by the court as in other equity suits.

SEC. 36. Upon the adjudication of the rights to the use of the water of a stream, or stream system, lake or other body of water, or any portion of a stream, stream system, lake or other body of water, a certified copy of the decree shall be prepared by the clerk of the court, without charge, and filed in the office of the state water commission, and said commission shall deliver to every party in such decree a certified copy thereof upon demand and the payment of the fees provided in this Act. And the said commission shall file, for record, in the office of the recorder of each county in which any portion of said stream, stream system, lake or other body of water is situated, a certified copy of said decree. Said decree shall in every case declare as to the water right adjudged to each party, whether riparian or by appropriation, the extent, the priority, amount, purpose of use, point of diversion, and place of use of said water; and, as to water used for irrigation, such decree shall also declare the specific tracts of land to which it shall be appurtenant together with such other conditions as may be necessary to define the right and its priority. But the failure of any party entitled thereto to demand or receive a copy of said decree shall not be considered to have prejudiced him or his rights in any way.

SEC. 37. All water the right to which or to the use of which has been acquired by appropriation in this state for irrigation purposes shall be appurtenant to the land upon which it is used: *provided*, that said water may be severed from said land, and simultaneously transferred and become appurtenant to other land, without losing priority of right theretofore established; *provided*, that, in the opinion of the state water commission, such change can be made without detriment to existing rights. No such transfer shall be valid unless made by deed by the owner or owners of, and all persons having interest in the water and the land from which it is severed, duly executed, acknowledged and recorded in the manner which would be necessary for the conveyance of the land, and describing definitely the land from which the water is severed and expressly declaring that such water is relinquished and severed from the described land: *provided*, that nothing herein shall affect the right of any water company to regulate and restrain, or forbid the transfer by its stockholders of water delivered by such company.

SEC. 38. The power to supervise the distribution of water in accordance with the priorities established under this Act, when such supervision does not contravene the

authority vested in the judiciary of the state, is hereby vested in the state water commission.

SEC. 39. The use of water except under the provisions of this Act, or the use of water except under a lawful appropriation made prior to the passage of this Act, except by individuals for their own domestic purposes, shall be a misdemeanor. And the diversion, possession or use of water except under a lawful appropriation or by the said individuals shall be prima facie evidence of the guilt of the person diverting, possessing or using it. Any one who stores or diverts water except under permit or license issued therefor under the provisions of this Act by the state water commission to appropriate such waters, except under existing and vested rights acquired prior to the passage of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty nor more than one hundred and eighty days, or by both such fine and imprisonment. The provision herein for imprisonment in cases of corporations shall apply to directors, officers, and agents of corporations guilty of said misdemeanor; *provided*, that the provisions of this section shall not apply to individuals appropriating water for their own domestic use. And any unlawful use, storage, diversion or appropriation of water shall not confer any rights to such water upon any person, firm, association or corporation so storing, diverting or using it.

SEC. 40. Water or the use of water which has heretofore been appropriated or acquired, or which shall hereafter be appropriated or acquired for one specific purpose shall not be deemed to be appropriated or acquired for any other or different purpose, and any person, firm, association or corporation applying to the state water commission for a license to appropriate water or the use of water shall state in the application for said license the specific purpose to which it is proposed to put such water or the use thereof. But no permit or license shall be granted or issued for the appropriation of water for more than one beneficial purpose except in the case of a city, city and county, municipal water district, irrigation district or lighting district; *provided, however*, that water heretofore or hereafter appropriated for other than domestic use, may be applied to domestic use, in whole or in part, without a separate and distinct appropriation being made therefor. And water appropriated for one purpose under the provisions of this Act may be subsequently appropriated for other purposes under the provisions of this Act; *provided*, that such subsequent appropriation shall not injure any previous appropriation.

SEC. 41. Nothing in this Act shall be construed as depriving any city, city and county, municipal water district, irrigation district or lighting district of the benefit of any law heretofore or hereafter passed for their benefit in regard to the appropriation or acquisition of water or the use of water.

SEC. 42. The word "water" in this Act shall be construed as embracing the term "or use of water"; and the term "or use of water" in this Act shall be construed as embracing the word "water." Whenever the terms stream, stream system, lake or other body of water occurs in this Act, such term shall be interpreted to refer only to surface water. But nothing in this Act shall be construed as giving or confirming any right, or title, or interest to or in the corpus of any water.

SEC. 43. All Acts or parts of Acts in conflict herewith are hereby repealed.

SEC. 44. This Act shall be known as the "Water Commission Act."

SEC. 45. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 12, of said bill, amend by inserting after the semicolon, following the word "provided", in said line, the following: "*provided, however*, in the counties of Trinity, Shasta, Del Norte, Siskiyou and Modoc, any person finding at any

time any estray domestic animal or animals upon his premises, or upon premises to which he has the right of possession, shall not have the right to take up said domestic animal or animals, nor shall he have a lien thereon for all or any of the expenses incurred and costs in keeping and caring for said animal or animals, unless said premises are entirely enclosed with a good and substantial fence."

Amendment adopted.

AMENDMENT No. 2.

Strike out the semicolon after the word "poundkeeper", in line 33, page 2, of said bill and insert in lieu thereof a period and the following words: "A reasonable cost for publishing said notice, and a reasonable attorney's fee for preparing said notice, not exceeding \$7.50."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 34, strike out the word "thirty", and insert in lieu thereof the word "fifty".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 902—An Act to amend Section 476a of the Penal Code, relating to the making, drawing, uttering or delivery of a bank check or draft for the payment of money by a person without funds or credit to meet the same upon presentation.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1645—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 210.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 653e, relating to blacklisting.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1140—An Act to amend Section 290a of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depository or trustee, or to engage in the business of banking.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8, of the printed bill, strike out the comma after the word "state" and all down to and including the word "company", in line 11, and insert in lieu thereof the following: "or as trustee for any purpose permitted by law,".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 12, after the word "purposes", insert the following: "if the principal place of business of such corporation is in a city of which the population does not exceed one hundred thousand persons, there must be filed in his office the affidavit of all the directors of such corporation that at least one hundred thousand dollars of the capital stock has actually been subscribed and paid in in cash to a person named in such affidavit, for the conduct of such trust business and for the exclusive benefit and protection of the creditors of such trust business, and if the

principal place of business is in a city, the population of which exceeds one hundred thousand persons,".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 14, strike out the comma after the word "stock".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 15, strike out the comma after the word "subscribed".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 14, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 16, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 18, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 25, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 27, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 29, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 11.

On page 2, line 36, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT No. 12.

On page 3, line 1, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT No. 13.

On page 3, line 3, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT No. 14.

Add a new paragraph at the end of said bill to read as follows: "For the purposes of this section, the population shown and determined by the last preceding Federal census, or any subsequent census compiled and certified under any laws of this state, shall be deemed to be the population of any city in which such corporation is to be organized. If the principal place of business of any corporation so organized is located outside of the corporate limits of any city, then the population of that portion of the judicial township in which said corporation is to have its principal place of business, which is not included within the boundaries of any municipal

corporation, as such population is shown and determined by such Federal or subsequent official census, shall be the basis for classifications under the provisions of this section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 995—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 7, strike out the word "instructed," and insert in lieu thereof the word "empowered".

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out all of lines 11 and 12, and insert in lieu thereof the following: "Increased work accruing as above set forth, at the rate of three dollars for each day of eight hours that any such person was so employed in rendering such services; *provided, however,* that no demand for such services shall be allowed or paid unless the same was filed with the board of supervisors prior to the first day of April, 1913."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purposes of the Act and for disbursing the same.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1016—An Act to define and distinguish state highways and state roads, and to designate names for certain state roads.

Bill read second time, and ordered to engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1280 passed by the following vote.

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins,

Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII (13), relating to revenue and taxation.

Assembly Constitutional Amendment No. 1 referred to Committee on Constitutional Amendments.

SPECIAL ORDER RESET.

On motion of Mr. Guill, the consideration of Assembly Bill No. 1236 was postponed until Thursday, April 3, 1913, at eleven o'clock a.m.

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 277 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Finnegan, Fish, Gabbert, Gates, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Scott, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Woodley, and Mr. Speaker—48.

NOES—Messrs. Ferguson, Fitzgerald, Ford, Gelder, Griffin, Schmitt, Shannon, Shartel, Smith, Stuckenbruck, and White—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57 and 59 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 196 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Kuck, Libby, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Peairs, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Weisel, White, Woodley, and Mr. Speaker—47.

NOES—Messrs. Power, Johnson, Geo. H., Judson, Kingsley, Murray, Polsley, Schmitt, Shearer, Stuckenbruck, Tulloch, Wall, and Weldon—12.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 196 was this day passed.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1733—An Act to authorize the superintendents of the Whittier State School and the Preston School of Industry to relinquish inmates from the control of either of said schools, and to receive such inmates into the other of said schools, and to provide for the expense of transferring such inmates and for the maintenance of the inmates so transferred.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1733 read first time.

RESOLUTION.

The following resolution was offered:

By Mr. Chandler:

Resolved, That Senate Bill No. 1733 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Chandler moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—64.

NOES—None.

SECOND READING OF SENATE BILL.

Senate Bill No. 1733—An Act to authorize the superintendents of the Whittier State School and the Preston School of Industry to relinquish inmates from the control of either of said schools, and to receive such inmates into the other of said schools, and to provide for the expense of transferring such inmates and for the maintenance of the inmates so transferred.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILL.

Senate Bill No. 1733—An Act to authorize the superintendents of the Whittier State School and the Preston School of Industry to relinquish inmates from the control of either of said schools, and to receive such inmates into the other of said schools, and to provide for the expense of transferring such inmates and for the maintenance of the inmates so transferred.

Bill read third time.

The question being on the adoption of the emergency clause of the bill.

The roll was called, and the emergency clause adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, Woodley, and Mr. Speaker—61.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1733 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Schmitt, Scott, Shearer, Simpson, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, White, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 538 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Mouser, Nelson, Palmer, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, White, and Mr. Speaker—54.

NOES—Messrs. Johnson, Geo. H., and McDonald—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1401—An Act to amend Sections 4075 and 4076 of the Political Code, relating to the presentation and form of claims against counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1401 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C. Collins, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Polesley, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weisel, White, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1006—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

Also: Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office and fixing their salaries.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 795—An Act to amend Section 270 of the Penal Code and creating a new section, to be known as Section 196a of the Civil Code, relating to the duty of a parent to support his child, whether legitimate or illegitimate, and providing for the enforcement of such obligation.

Also: Assembly Bill No. 648—An Act to amend the Code of Civil Procedure by adding thereto Title 5a, Part III, relating to the support of bastards, and proceedings therefor.

Also: Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Also: Assembly Bill No. 655—An Act to amend section one hundred and fifty-seven of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Assembly Bill No. 969—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands, and to amend Section 3415 of said Political Code, relating to contests of the right to purchase state lands—have

had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Judiciary.

CARY, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Judiciary.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 20—Relative to approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held thereon for that purpose on the 27th day of February, 1913—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

SCOTT, Chairman.

The above reported Senate concurrent resolution ordered on file for adoption.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1258—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17, and 19 thereof, and by adding three new sections to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of

the department of engineering and making certain acts a misdemeanor, and repealing Section 14 of said Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 24—Relative to banking and currency reform—have had the same under consideration, and respectfully report the same back, without recommendation.

JOHNSON, Chairman.

The above reported Assembly joint resolution ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

JOHNSON, Chairman.

The above reported Assembly joint resolution ordered on file for adoption.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Also: Assembly Bill No. 1895—An Act to prevent the pollution of streams by saw-mill or factory refuse.

Also: Assembly Bill No. 1788—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GUILL, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1741—An Act to provide for removing obstructions in Pit River above the mouth of Hat Creek so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

GUILL, Chairman

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

NOTICE OF RECONSIDERATION POSTPONED.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

On motion of Mr. Polsley, reconsideration of the above Assembly bill was postponed until Thursday, April 3, 1913.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1295 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bohnett, Bowman, Brown, Canepa, Clark, Wm. C., Clarke, Geo. A., Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Roberts, Schmitt, Simpson, Slater, Smith, Strine, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—43.

NOES—Mr. Stuckenbruck—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1295 was this day passed.

Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels and regulating the use of drills driven by mechanical power and the forcing out of underground mines and tunnels, smoke and gases generated by blasting powder and other explosives and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction constitutes gross negligence in case of actions for damage to health of employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1306 passed by the following vote:

AYES—Messrs. Alexander, Bloodgood, Bohnett, Bowman, Bysh, Canepa, Cram, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Roberts, Schmitt, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 752—An Act creating the office of inspector of mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the

duties of the Attorney General and district attorney, in relation to suits instituted by the inspector of mines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 752 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Hayes, Hinkle, Iman, Johnson, Geo. H., Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Pears, Polsley, Roberts, Schmitt, Scott, Shamon, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district, and testing the validity of the levy of such assessment and the issuance of such bonds.

During third reading of the bill, Mr. Murray moved that the Speaker appoint Mr. Morgenstern as a select committee of one to amend the bill as follows:

Add the letter "s" to the word "ment" at the beginning of last line of the title of the printed bill, page 1.

Also: Strike out the word "county," line 17, page 9, of the printed bill, and insert in lieu thereof the word "counties".

Also: Strike out the word "county," line 36, page 9, of the printed bill, and insert in lieu thereof the word "counties".

Also: Strike out the comma, after the word "together", line 37, page 12, and the word "Also" at beginning of line 1, page 13, of the printed bill.

Also: Add the word "or" after the word "districts", line 3, page 13, of the printed bill.

Also: Add the word "proposed" after the word "the" and before the word "Yolo", line 20, page 13, of the printed bill.

Also: Add the word "proposed" after the word "said" and before the word "Yolo", line 36, page 13, of the printed bill.

Also: Strike out all of that portion of Section 6, beginning with the word "said", after the period, line 27, and ending with the period after the word "public", line 30, page 14, of the printed bill.

Also: Add the word "said" after the word "the", and before the word "board", line 32, page 14, of the printed bill.

Also: Add the words "with the clerk of said board of supervisors", after the word "assessment", and before the word "stating", line 3, page 15, of the printed bill.

Also: Add the word "said" after the word "the", and before the word "board", line 6, page 15, of the printed bill.

Also: Add the word "said" after the word "the", and before the word "board", line 11, page 15, of the printed bill.

Also: Add the word "said" after the word "the", line 19, and before the word "board", line 20, page 15, of the printed bill.

Also: Add the word "said" after the word "the", and before the word "board", line 23, page 15, of the printed bill.

Also: Add the word "said" after the word "the", and before the word "board", line 37, page 15, of the printed bill.

Also: Strike out the period after the word "treasurer", line 5, page 16, of the printed bill, and insert in lieu thereof the words "of the county in which the land affected is situated."

Also: After the word "treasurer" and before the word "in", line 21, page 16, of the printed bill, insert the words "of the county in which such tract is situated."

Also: Strike out the words "making of the order approving the list", line 19, page

19, of the printed bill, and insert in lieu thereof the words "filing of such list with the clerk of the board of supervisors."

Also: Strike out the word "fact", line 32, page 20, of the printed bill, and insert in lieu thereof the word "face."

Also: Add the words "per annum", after the comma, after the word "centum", line 6, page 24, of the printed bill.

Also: After the comma after the word "law", line 16, page 27, of the printed bill, add the words "and the laws providing".

Also: After the word "No" and before the word "assessor", line 36, page 27, of the printed bill, add the word "county".

Also: On page 13, line 20, after the word "the" and before the words "Yolo By-Pass", insert the word "proposed".

Also: On page 13, line 36, after the word "paid" and before the words "Yolo By-Pass", insert the word "proposed".

Also: Between the period and the word "Said", in line 1, page 14, insert the following sentence: "Said reclamation board shall have power to direct the method of the construction of said cut, canal and levees."

Motion carried.

The Speaker appointed Mr. Morgenstern as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1602, with instructions, do not report that the instructions of the Assembly have been carried out.

MORGENSTERN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 10, strike out the word "twenty," and insert in lieu thereof the word "thirty".

Also.

On page 1, line 10, strike out the word "twenty," and insert in lieu thereof the word "thirty".

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1740, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Mr. Finnegan moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 10, strike out "thirty days" and insert in lieu thereof the following: "one year".

Also: Same page, line 13, strike out the word "thirty" and insert the words "one year".

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1371 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near Summit station.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1372 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

During third reading of the bill, Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 24, strike out the period after the word "embalmer", insert a comma and add the following: "or shall hold a certificate of proficiency from some reputable school of embalming in this State."

Motion carried.

The Speaker appointed Mr. Smith as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1228, with instructions, do now report that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

RE-REFERENCE OF BILL.

On motion of Mr. Cary, Assembly Bill No. 642 was recalled from the Committee on Conservation and referred to Committee on Ways and Means.

THIRD READING OF SENATE BILL.

Senate Bill No. 626—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the kingdom of Belgium, in the year nineteen hundred thirteen.

During third reading of the bill, Mr. Chandler moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

Strike out of the title of the bill the period (.) appearing in the last line, substitute a comma (,) in place of such period (.), and add the following words: "and providing for a commissioner thereof."

AMENDMENT No. 2.

On page 1 of printed bill, Section 1, in line 1, strike out the words "ten thousand dollars", and in place thereof substitute the following words: "twelve thousand eight hundred and forty-eight dollars and five cents".

AMENDMENT No. 3.

On page 1 of printed bill, Section 1, line 7, strike out the comma (,) following the word "thirteen", insert a period in the place of the comma, strike out the balance of the section and insert the following: "The Governor of California is hereby constituted a commissioner, to be known as the Ghent International Exposition Commissioner, and he shall have exclusive charge and control of the appropriation herein made, with power to appoint all necessary persons for the purpose of carrying out the provisions of this Act. The Controller is directed to draw his warrant on the general fund from time to time in such amounts and in favor of such person or persons as the Governor, the commissioner hereinbefore referred to, shall direct, and the Treasurer shall pay the same."

AMENDMENT No. 4.

On pages 1 and 2 of the printed bill strike out entire Section 2.

AMENDMENT No. 5.

On page 2 of the printed bill, Section 3, line 10, strike out the figure "3," following the word "section", and in lieu thereof insert the figure "2."

AMENDMENT No. 6.

On page 2 of the printed bill, Section 4, line 26, strike out the figure "4," following the word "section", and in lieu thereof insert the figure "3."

AMENDMENT No. 7.

On page 2 of the printed bill, Section 5, line 20, strike out the figure "5," following the word "section", and in lieu thereof substitute the figure "4."

Motion carried.

The Speaker appointed Mr. Chandler as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 626, with instructions, do now report that the instructions of the Assembly have been carried out.

CHANDLER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and prescribing penalties for violation of this Act," approved April 21, 1911.

Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628g, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

Assembly Bill No. 560—An Act to amend Sections 205 and 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing, and time of service of jurors.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled:

Assembly Bill No. 353—An Act declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur, or which are used for such purposes, and providing for the abatement and prevention of such nuisances by injunction and otherwise.

Assembly Bill No. 509—An Act to reappropriate and make available for the purpose of printing for the State Board of Forestry a certain amount heretofore appropriated for the support of said board.

Assembly Concurrent Resolution No. 1—Approving seventeen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special municipal election held therein on the 10th day of December, 1912.

Assembly Concurrent Resolution No. 24—Approving thirteen certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Los Angeles, at a special municipal election held therein on the 24th day of March, 1913.

And were presented to the Governor this second day of April, 1913, at one o'clock and forty-five minutes p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

Assembly Joint Resolution No. 24—Relative to banking and currency reform.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1260 and Assembly Bill No. 1712, have had the same under consideration, and respectfully report that Senate Bill No. 1260 is identical with Assembly Bill No. 1712.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made.

Assembly Bill No. 902—An Act to amend Section 476a of the Penal Code, relating to the making, drawing, uttering or delivery of a bank check or draft for the payment of money by a person without funds or credit to meet the same upon presentation.

Assembly Bill No. 1016—An Act to define and distinguish state highways and state roads, and to designate names for certain state roads.

Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 653c, relating to blacklisting.

Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Assembly Bill No. 1452—An Act to amend Section 628b of the Penal Code, relating to the protection of fish.

Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634j, relating to the protection of fish.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purpose of the Act, and for disbursing the same.

Assembly Bill No. 1645—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as Section 210.

Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments.

Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California, to be known as Section 2567a, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Bradford, the following students of the Christian Brothers College, also of St. Joseph's Academy, were granted the privilege of the floor of the Assembly for this day, their names ordered printed in the Journal, and the Chief Clerk instructed to mail copies of the Journal to the schools:

Christian Brothers' College—Brother Euphrasius, Cyril A. Coyle, Raymond Harris, Richard Coyle, Frank Dillon, Hugh Mullins, Lloyd Blackwell, Charles A. Teutschel, Howard J. Smith, Edward P. Gillespie, Ernest A. Williams, Ralph C. Brennan, Gerald M. Desmond, Edward J. Gallagher, James O'Donnell, George Carlson, Charles A. Rickard, Frank T. Flanagan, Clifford J. Hanssen, Dave J. Augustine, Frank T. Astill, J. Giles Miller, Leo Farrell, Manogue Gormley, Albert Teutschel.

St. Joseph's Academy—Margaret Morgan, May Roach, Kattie Flynn, Grace Renfro, Mary Flynn, Gertrude Conner, Edna Gray, Genevieve La Valley, Thelma Rhoads, Martha Killen, Mary Jesse, Romola Killen, Lucile La Brie, Madelaine Meder, Catherine Collins, Marie Morgan, Gladys Hoxsel, Jessie Mott.

Through the courtesy of Mr. Clarke, Mr. N. E. Conklin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. Chas. F. Patton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. Thor E. Havens was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. Chas. W. Thomas was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. A. V. Taylor and Mr. H. P. Brown were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. R. H. Norton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. A. C. Murray and Mr. H. E. White were granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and fifteen minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, April 3, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—76.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Polsley, Mr. Wyllie was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Fitzgerald, the further reading was dispensed with.

PETITION.

The following petition was received, and ordered printed in the Journal:

By Mr. Alexander:

There are now pending before the Legislature the following proposed measures, relating to billboards: Assembly Bill No. 93, and its companion Senate Bill No. 258; Senate Bill No. 1710 and Assembly Constitutional Amendment No. 78.

These measures are undoubtedly for the purpose of confiscating the billboard business in this State, which has been recognized by all the courts in the land to be lawful and legitimate.

The measure, secondly, above referred to, is a most radical change in the law of eminent domain in this State, and its object is to abolish this business.

You will readily see that these bills are contrary to the form and spirit of our government, and would work untold hardship to a great number of people, destroying legitimate industries and depriving thousands of their means of livelihood.

If there is to be any regulation of billboards, each city and county now has the power of regulating the same. All cities and counties have different conditions confronting them, and we appeal to you to give outdoor advertising, and its allied industries, a fair and square deal. We maintain that any one from a far removed section is not the proper person to pass on strictly local conditions.

Those desiring to injure this business are seeking to place the same outside of the protection of the Constitution of the United States, which protects every citizen from being deprived of his property without due process of law. Legislation of this character is most unfair and unjust.

We, the undersigned, residents of Salinas, ask you to kindly investigate this matter, giving same your serious consideration, and we feel sure that from a spirit of fairness you will vote "no" on these bills.

Respectfully yours,

FORD & SANBORN CO. (and others).

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Also: Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be numbered two thousand six hundred and ninety-seven and two thousand six hundred ninety eight, relating to the abandonment of highways.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 15 read first time, and referred to Committee on County Government.

Senate Bill No. 394 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered four hundred and two f, providing that certain buildings shall be provided with fire escapes.

Also: Senate Bill No. 541—An Act to amend section four thousand one hundred eighty-seven of the Political Code of the State of California.

Also: Senate Bill No. 992—An Act to amend section three hundred twenty of the Penal Code of California, relating to lotteries.

Also: Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered three hundred twenty-seven, relating to lotteries and providing a penalty for the violation thereof.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1397 read first time, and referred to Committee on Judiciary.

Senate Bill No. 541 read first time, and referred to Committee on Judiciary.

Senate Bill No. 992 read first time, and referred to Committee on Public Morals.

Senate Bill No. 993 read first time, and referred to Committee on Public Morals.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March 31, 1913, adopted Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 4½ of Article VI thereof, relating to appeals.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Constitutional Amendment No. 12 read, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 1, 1913, adopted Senate Joint Resolution No. 26—Relative to making investigations and experiments as to nature and cure of tuberculosis.

Also: Senate Joint Resolution No. 23—Relative to the establishment of a government owned line of steamships to operate between Pacific and Atlantic ports.

Also: Senate Joint Resolution No. 24—Relating to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 691—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

Also: Senate Bill No. 1262—An Act to amend Section 1755 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to making additions thereto.

Also: Senate Bill No. 517—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Also: Senate Bill No. 631—An Act to amend Section 1817 of the Penal Code, relating to peace officers.

Also: Senate Bill No. 521—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate school districts and to the annexation of additional territory thereto.

Also: Senate Bill No. 504—An Act to amend Section 1740 of the Political Code of the State of California, relating to meetings of high school boards.

Also: Senate Bill No. 670—An Act to amend an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, approved May 1, 1911," to be known as Section 14a.

Also: Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 626g, relating to sea otter.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Joint Resolution No. 26 read, and referred to Committee on Federal Relations.

Senate Joint Resolution No. 23 read, and referred to Committee on Federal Relations.

Senate Joint Resolution No. 24 read, and referred to Committee on Federal Relations.

Senate Bill No. 691 read first time, and referred to Committee on Education.

Senate Bill No. 1262 read first time, and referred to Committee on Education.

Senate Bill No. 517 read first time, and referred to Committee on Judiciary.

Senate Bill No. 631 read first time, and referred to Committee on Judiciary.

Senate Bill No. 521 read first time, and referred to Committee on Education.

Senate Bill No. 504 read first time, and referred to Committee on Education.

Senate Bill No. 670 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 281 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure, to be numbered Section 1810b, relating to contracts for attorneys' fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Also: Assembly Bill No. 696—An Act to amend Section 1723 of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owners' death in certain cases.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Alexander:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF JOINT RESOLUTION.

The following joint resolution was introduced, and referred as indicated:

By Mr. Scott: Assembly Joint Resolution No. 28—Requesting the President of the United States to take action in the matter of the development of the deposits of Alaska.

Read, and referred to Committee on Federal Relations.

RECONSIDERATION POSTPONED.

On motion of Mr. Brown, the reconsideration of Assembly Bill No. 598 was postponed until the next legislative day.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1066—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office and fixing their salaries.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 795—An Act to amend Section 270 of the Penal Code, and creating a new section, to be known as Section 196a of the Civil Code, relating to the duty of a parent to support his child, whether legitimate or illegitimate, and providing for the enforcement of such obligation.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the words "An Act", down to and including the words "Sec. 2.", in line 9, on page 1, and insert in lieu thereof the following:

"To amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 196a, relating to the support and education of an illegitimate child.

The people of the State of California do enact as follows:

SECTION 1."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 648—An Act to amend the Code of Civil Procedure by adding thereto Title Va, Part III, relating to the support of bastards, and proceedings therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the words "An Act", and insert in lieu thereof the following:
"To amend Section 270 of the Penal Code of California, relating to the non-support of a child.

The people of the State of California do enact as follows:

SECTION 1. Section 270 of the Penal Code of California is hereby amended to read as follows:

270. A parent who wilfully omits, without lawful excuse, to furnish necessary food, clothing, shelter or medical attendance for his child, whether such child be legitimate or illegitimate, is punishable by imprisonment in the state prison, or in the county jail, not exceeding two years, or by fine not exceeding one thousand dollars, or by both."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the words "An Act", and insert in lieu thereof the following:
"To prohibit the desecration of the flag of the United States and to provide a punishment therefor.

The people of the State of California do enact as follows:

SECTION 1. It is unlawful for any person, firm or corporation, for the purpose of display, exhibition or advertising, to print, paint, draw or place upon or attach, append, affix, annex to or to cause to be printed, written, painted, drawn or placed upon or attached, appended, affixed or annexed to any flag of the United States of

America any word, figure, mark, picture, emblem, design or drawing or to expose or cause to be exposed or permit to be exposed to public view any such flag upon which is printed, drawn or placed or to which is attached, appended, affixed or annexed, any word, figure, mark, picture, emblem, design or drawing for the purpose of display, or advertising.

SEC. 2. It shall be unlawful for any person, firm or corporation to expose to public view or to cause or permit to be exposed to public view, or to manufacture, sell, expose for sale or give away, or to cause or permit to be manufactured, sold, exposed for sale or given away or to have in possession for sale or for use for any purpose, any article of merchandise, or any receptacle in which merchandise is stored or kept on which article or receptacle is printed, painted, drawn, or to which article or receptacle is attached, appended, affixed, annexed or placed a representation of any flag of the United States of America for the purpose of advertising, calling attention to, decorating, marking or distinguishing such article or receptacle.

SEC. 3. It is unlawful for any person publicly to mutilate, deface, defile, defy, or trample, sit or stand upon, or by word or act, to cast contempt upon any flag of the United States of America.

SEC. 4. It shall be unlawful for any person, firm or corporation, to carry in any parade or cause to be displayed as an emblem any other flag than the national flag of the United States; or a flag recognized by the United States; or a flag of a nation with which this country is on friendly terms; or a flag or emblem usually understood to represent a country forming a well-defined and known part of such a nation; or a state flag; or to carry or display the United States flag reversed or Union down; *provided*, that this section shall not apply to a parade of people of a foreign nation holding friendly relations with the United States who may carry a national flag of such nation, but such flag shall be carried only when ten feet in the rear of the United States flag.

SEC. 5. The word flag, as used in this Act shall include every flag, standard, color and ensign of the United States of America, and any picture or representation thereof, made of any substance, or represented on any substance, and of any size, purporting to be or resembling such flag, standard, color, or ensign, and every picture and representation of either thereof, upon which shall be shown the stars and stripes, in any number or either thereof.

SEC. 6. The provisions of this Act shall not apply to any act expressly authorized or permitted by any statute of the United States, or by the United States army or navy regulations, and shall not apply to any newspaper, periodical, pamphlet or circular, or to any certificate or diploma, or to any warrant or commission of appointment to office, or to any ornamental picture, or to any article of jewelry, or to any trade mark duly registered at the date of the passage of this Act, or to any stationery used or for use in correspondence on which is printed, painted, drawn or placed or to which is attached, appended, affixed or annexed any flag of the United States of America, or any representation thereof, not a part of nor connected with any advertisement.

SEC. 7. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor.

SEC. 8. All Acts, or parts of Acts, inconsistent with this Act, are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 655—An Act to amend Section 157 of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 10, strike out the word "two," and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 11, strike out the period after the word "appointment", and insert in lieu thereof a comma and the following words: "*provided, however*, that the requirement of active practice of law in this State shall not apply to the present incumbent of any judicial office in this State, nor in case of his re-election."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1258—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof, and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out, commencing with the word "beginning", in line 4, page 1, and ending with the word "beginning", line 36, page 2, and in lieu thereof, insert the following: "Beginning at a point on the section line between sections thirteen (13) and twenty-four (24), township thirteen (13) north, range two (2) east, M. D. B. and M., said point being 700 feet west of the southeast corner of said section thirteen (13); thence south 51 degrees 20 minutes east 4,444 feet; thence south 39 degrees 48 minutes east 19,574 feet; thence south 5 degrees 58 minutes east 11,332 feet to a point 580 feet east of the southwest (S.W.) corner of the northwest quarter (N.W. $\frac{1}{4}$) of section fifteen (15), township twelve (12) north, range three (3) east, M. D. B. and M.; thence along a meander line parallel to and 5,665 feet from the right bank of the Feather River to a point 200 feet east of the northeast (N. E.) corner of the southeast quarter (S.E. $\frac{1}{4}$) of section seventeen (17), township eleven (11) north, range three (3) east, M. D. B. and M.; thence south 3 degrees 43 minutes east 4,120 feet; thence south 13 degrees 37 minutes west 3,025 feet; thence south 23 degrees 52 minutes west 2,460 feet to a point which bears west 70 feet from the northwest (N.W.) corner of the southeast quarter (S. E. $\frac{1}{4}$) of the northeast quarter of section twenty-nine (29), township eleven (11) north, range three (3) east, M. D. B. and M.; thence south 34 degrees 52 minutes west 2,354 feet to a point on the left bank of the Sacramento River at Kinney's Bend; thence south 34 degrees 52 minutes west to a point on the left bank of the Sacramento River at Wild Irishman Bend; thence following the meanderings of the left bank of the Sacramento River up-stream to the south line of section twenty-six (26) township fourteen (14) north, range one (1) east, M. D. B. and M.; thence east to the southeast (S. E.) corner of section twenty-five (25), township fourteen (14) north, range one (1) east, M. D. B. and M.; thence east to a point on the section line between sections twenty-seven (27) and thirty-four (34), township fourteen (14) north, range two (2) east, M. D. B. and M., said point being 3,875 feet west of the southeast corner of said section twenty-seven (27); thence south 14 degrees 2 minutes east 13,080 feet; thence south 51 degrees 20 minutes east 1,365 feet to the point of beginning."

Amendment adopted.

AMENDMENT No. 2.

After the word "proper", in line 13, page 3, add the following: "It shall be the duty of said Reclamation District No. 1500 to construct a levee, forming the south side of the Tisdale by-pass, and a portion of the westerly side of the Sutter Basin by-pass, the center line of which levee shall be substantially along the following lines: the same having been approved by the State Reclamation Board, March 31, 1913:

Beginning at a point eighty (80) feet from the left bank of the Sacramento River in section thirty-five (35), township fourteen (14) north, range one (1) east, M. D. B. and M., said point being at the intersection of the center lines of the proposed Sacramento River levee and the existing south Tisdale weir levee and approximately two hundred (200) feet south of the south end of Tisdale weir; thence in a northeasterly direction along the center line of the existing south Tisdale weir levee to a point two hundred and forty (240) feet south of the south line of section twenty-five (25), township fourteen (14) north, range one (1) east, M. D. B. and M., and approximately one thousand two hundred (1200) feet east of the southwest (S. W.) corner of said section twenty-five (25); thence east on a line parallel to and two hundred and forty (240) feet south of the section line between sections twenty-five (25) and thirty-six (36), township fourteen (14) north, range one (1) east, and between sections thirty (30) and thirty-one (31), twenty-nine (29) and thirty-two (32), twenty-eight (28) and thirty-three (33), twenty-seven (27) and thirty-four (34), township fourteen (14) north, range two (2) east, M. D. B. and M., to a point two hundred and forty (240) feet south of a point on the said section line, which said point on said section line is four thousand

one hundred twenty-three (4123) feet west of the southeast corner of said section twenty-seven (27), township fourteen (14) north, range two (2) east, M. D. B. and M.; thence south fourteen (14) degrees two (2) minutes east twelve thousand nine hundred (12,900) feet; thence south fifty-one (51) degrees twenty (20) minutes east, thirteen thousand two hundred (13,200) feet to a point on the section line between sections thirteen (13) and twenty-four (24), township thirteen (13) north, range two (2) east, M. D. B. and M., said point being west one thousand and ten (1010) feet from the southeast (S. E.) corner of section thirteen (13), township thirteen (13) north, range two (2) east, M. D. B. and M.; thence south fifty-one (51) degrees twenty (20) minutes east four thousand eight hundred (4800) feet; thence south (S. thirty-nine (39) degrees forty-eight (48) minutes east (E.) nineteen thousand three hundred (19,300) feet; thence south (S.) four (4) degrees twenty (20) minutes east eleven thousand one hundred (11,100) feet to a point two hundred (200) feet east (E.) of the southwest (S. W.) corner of the northwest quarter (N. W. $\frac{1}{4}$) of section fifteen (15), township twelve (12) north, range three (3) east, M. D. B. and M.; thence along a meander line parallel to and approximately six thousand (6000) feet from the right bank of the Feather River to a point fifty (50) feet west of the northeast (N. E.) corner of the southeast quarter (S. E. $\frac{1}{4}$) of section seventeen (17), township eleven (11) north, range three (3) east (E.), M. D. B. and M.; thence south (S.) three (3) degrees forty-three (43) minutes east (E.) four thousand and thirty (4030) feet; thence south (S.) thirteen (13) degrees thirty-seven (37) minutes west (W.) three thousand (3000) feet; thence south (S.) twenty-three (23) degrees fifty-two (52) minutes west (W.) two thousand five hundred and thirty (2530) feet to a point which bears west (W.) three hundred (300) feet from the northwest (N. W.) corner of the southeast quarter of the northeast quarter (S. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$) of section twenty-nine (29), township eleven (11) north, range three (3) east, M. D. B. and M.; thence south (S.) forty (40) degrees eight (8) minutes west (W.) two thousand five hundred (2500) feet to a point four hundred and ten (410) feet from the left bank of the Sacramento River at Kinney's Bend; thence south thirty-four (34) degrees fifty-two (52) minutes west (W.) to a point eighty (80) feet from the left bank of the Sacramento River at Wild Irishman Bend; the line of said levee to be located on the ground by the State Department of Engineering; and it shall be the duty of said Reclamation District No. 1500 to continue the construction of a levee along the left bank of the Sacramento River, or adjacent thereto, from the said Wild Irishman Bend, up-stream, to the place of beginning. It shall also be the duty of said Reclamation District No. 1500 to construct a levee through Levee District No. 1, forming a portion of the easterly side of the Sutter Basin by-pass, the said levee beginning at the southeast (S. E.) corner of the southwest quarter (S. W. $\frac{1}{4}$) of section two (2), township thirteen (13) north, range two (2) east, M. D. B. and M., and extending thence south (S.) 51 degrees 20 minutes east (E.) sixteen thousand nine hundred four (16,904) feet to the southeast (S. E.) corner of section eighteen (18), township thirteen (13) north, range three (3) east, M. D. B. and M., and when said last mentioned levee shall have been constructed, it shall be the duty of said Reclamation District No. 1500 to remove that portion of the existing levee of Levee District No. 1, lying between the last named levee and the easterly levee of said Reclamation District No. 1500, and full power and authority are hereby conferred upon said Reclamation District No. 1500 to do any and all of said acts. No part of the land which may lie outside of said levee, nor any portion thereof, nor any easement, nor right of way therein, or thereover, or in connection therewith, shall be deemed dedicated to the public use."

Amendment adopted.

AMENDMENT No. 3.

After the word "thereto", in line 19, page 3, add the following: "except as otherwise provided in this Act", and strike out the period after said word "thereto", and insert a comma.

Amendment adopted.

AMENDMENT No. 4.

Strike out commencing with the word "the", in line 19, page 3, and ending with the word "California" in line 37, page 3, and in lieu thereof insert the following:

"The management and control of said Reclamation District No. 1500 shall be vested in five trustees, who shall hold office for a term of four years and until their successors are elected and qualified. F. W. Kiesel, Edward H. Gerber, Charles F. Silva, P. J. Hiatt and A. T. Spencer are hereby appointed trustees for the said reclamation district to act until their successors are elected and qualified. An election of five trustees shall be held in said district on the third Tuesday in October, 1917, and on the third Tuesday in October every four years thereafter, and the term of office shall be four years and until their successors are elected and qualified. In case of any vacancy in the office of trustee of said district, the Governor of the State shall appoint a qualified person as trustee, who shall hold said office for the portion

of said unexpired term. The office of said district shall be in the city of Sacramento and in such place as the board of trustees thereof may from time to time fix. The board of supervisors of the county of Sutter shall have jurisdiction of all matters concerning said district to the same extent as if the said district was formed under the provisions of the said Political Code of the State of California, except as otherwise provided in said Act."

Amendment adopted.

AMENDMENT No. 5.

Strike out the word "and", in line 29, page 4, and in lieu thereof insert the word "or".

Amendment adopted.

AMENDMENT No. 6.

After the word "law," in line 9, page 5, add the following: "Any reclamation district, levee district or swamp land district mentioned in this section shall have the right to grant and sell to the said Reclamation District No. 1500 any levees, reclamation works, rights of way, easements or other property owned or controlled by any such reclamation district or levee district or swamp land district, and the said Reclamation District No. 1500 is authorized and empowered to purchase the same or any part thereof; *provided*, that nothing in this Act shall be construed to take away any power from the state reclamation board; *and provided, further*, that the lines of levee described in this Act shall not be changed, except by the Legislature, but shall remain as herein provided."

Amendment adopted.

AMENDMENT No. 7.

Strike out all commencing with the word "the," in line 5, page 3, and ending with the word "proper," in line 13, page 3.

Amendment adopted.

AMENDMENT No. 8.

Strike out all commencing with the word "as," in line 13, page 5, and ending with the word "best," in line 13 of same page.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also, repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to

condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a débris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the terms of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof and by adding three new sections, to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering, and making certain acts a misdemeanor, and repealing Section 1½ of said Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, last two lines of the title, strike out the words "and repealing Section 1½ of said Act."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 1, strike out the figures "1½", and in lieu thereof insert the figure "5".

Amendment adopted.

AMENDMENT No. 3.

On page 4, lines 2 and 3, strike out the words "is hereby repealed", and in lieu thereof insert the following: "is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 4.

On page 4, lines 4 and 5, strike out the words: "Sec. 2. Section 5 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 18, strike out the figure "3", and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT No. 6.

On page 4, lines 36 and 37, strike out the words "and the secretary shall be civil executive officers", and in lieu thereof insert the following: "the secretary and the auditor shall be executive officers."

Amendment adopted.

AMENDMENT No. 7.

On page 5, line 1, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT No. 8.

On page 6, line 33, strike out the figure "5", and in lieu thereof insert the figure "4".

Amendment adopted.

AMENDMENT No. 9.

On page 8, line 6, strike out the figure "6", and in lieu thereof insert the figure "5".

Amendment adopted.

AMENDMENT No. 10.

On page 8, line 25, strike out the figure "7", and in lieu thereof insert the figure "6".

Amendment adopted.

AMENDMENT No. 11.

On page 9, line 8, strike out the figure "8", and in lieu thereof insert the figure "7".

Amendment adopted.

AMENDMENT No. 12.

On page 9, line 27, strike out the figure "9", and in lieu thereof insert the figure "8".

Amendment adopted.

AMENDMENT No. 13.

On pages 9 and 10, lines 29 and 34, inclusive, strike out the 43 lines and insert in lieu thereof the following:

"Section 17. The highway engineer shall receive not to exceed the sum of seven thousand five hundred dollars (\$7,500) per annum; the state engineer shall receive the sum of seventy-five hundred dollars (\$7,500) per annum; the assistant state engineer, assigned to the State Board of Harbor Commissioners at San Francisco, shall receive the sum of four thousand five hundred dollars (\$4,500) per annum; the other assistant state engineer shall receive the sum of thirty-six hundred dollars (\$3,600) per annum; and the other officers and employees enumerated in Section 6 of this Act shall receive the following sums: The state architect shall receive forty-eight hundred dollars (\$4,800) per annum; each of the five draftsmen shall receive two thousand dollars (\$2,000) per annum; the architectural designer shall receive twenty-four hundred dollars (\$2,400) per annum; the mechanical engineer shall receive twenty-seven hundred dollars per annum; the testing engineer shall receive twenty-one hundred dollars (\$2,100) per annum; the electrical engineer shall receive twenty-four hundred dollars (\$2,400) per annum; the auditor shall receive twenty-one hundred dollars (\$2,100) per annum; the bookkeeper shall receive eighteen hundred dollars (\$1,800) per annum; the secretary shall receive twenty-four hundred dollars (\$2,400) per annum; the filing clerk shall receive eighteen hundred dollars (\$1,800) per annum; the blue-print pressman shall receive fifteen hundred dollars (\$1,500) per annum; each of the two stenographers shall receive fifteen hundred dollars (\$1,500) per annum; and the porter and messenger shall receive nine hundred dollars (\$900) per annum. Such salaries shall be paid at the same time and in the same manner as are the salaries of other state officers. The highway engineer shall furnish the State with a bond in the sum of twenty thousand dollars (\$20,000); the two assistant engineers and the state architect shall each furnish the State with a bond in the sum of ten thousand dollars (\$10,000), and the secretary shall furnish the State with a bond in the sum of fifteen thousand dollars (\$15,000), for the faithful performance of their duties. Said bond must be approved by the Governor of the State of California and filed in the office of the Secretary of State. Each of the three appointed members of said advisory board shall receive the sum of thirty-six hundred dollars (\$3,600) per annum, payable in equal monthly installments. Each and every one of the above mentioned officers shall take the oath of office as prescribed for other state officers. The members of the advisory board, the state engineer, and officers and employees of the Department of Engineering shall be allowed their necessary traveling expenses while engaged in the discharge of their duties within the State."

Amendment adopted.

AMENDMENT No. 14.

On page 10, line 35, strike out the figures "10", and in lieu thereof insert the figure "9".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 15, strike out the following: "one hundred (\$100.00)", and insert in lieu thereof "twenty-five (\$25.00)".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1895—An Act to prevent the pollution of streams by sawmill or factory refuse.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 9, strike out the word "the", and insert in lieu thereof the letter "a".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, insert after the word "of", the words "not less than".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1788—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out everything after the enacting clause of the printed bill, and insert in lieu thereof the following.

"SECTION 1. Section 637b of the Penal Code of the State of California is hereby amended to read as follows:

637b. The provisions of this chapter prohibiting any person from having in his possession any fish or game or parts thereof at any time, or during the seasons herein specified shall, unless express provisions be made herein to the contrary, apply to all such fish or game or parts thereof, whether the said fish or game or the fish or game from which the parts were taken were caught or killed in the State of California, or the said fish or game or parts thereof were shipped into this State from any other state, territory or foreign country, except that when any salmon, crabs, or trout are shipped into this State from any other state, territory or foreign country, during the closed season in this State for such salmon, crabs, or trout, the same shall be accompanied by an invoice in duplicate showing the name and address of the consignor and consignee, together with the specific number and pounds in weight of such salmon, crabs, or trout caught or taken without the waters of this State and bearing after inspection such evidence of having been so caught or taken as shall be hereafter prescribed by the Fish and Game Commission: *provided, further*, that the expense of such inspection shall be borne by the person or persons importing such salmon, crabs, or trout. Upon receiving any such consignment of such fish or shellfish the consignee shall forthwith transmit to the Fish and Game Com-

mission the invoice as herein provided, and no wholesale or retail dealer in such fish and shellfish, or other person shall have any such imported fish or shellfish in their possession without the invoice or a copy thereof as herein provided; *provided, further*, that any person who ships or transports or any person offering for shipment or transportation any such fish or shellfish unless such fish or shellfish is in open view and tagged with the name of the consignor and consignee and the exact contents of the package offered or received for shipment or transportation; *provided, further*, it shall be unlawful for any person to have in possession, sell, or offer for sale any fish or shellfish that are not of the lawful size of such fish or shellfish as are allowed to be taken, caught, possessed, sold or offered for sale in the open season in this State; *provided, further*, the violation of any provision of this Act is hereby declared a misdemeanor, and every person violating any of its provisions, shall, upon conviction thereof, be fined in a sum not less than one hundred nor more than five hundred dollars, or by imprisonment in the county jail of the county in which the conviction shall be had, for a term of not less than one hundred nor more than five hundred days, or by both such fine and imprisonment; and all fines or forfeitures collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 1260—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 103 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Nelson, Palmer, Polsley, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 416—An Act to amend Section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, strike out the word "fair", and insert in lieu thereof the word "good".

Motion lost.

Mr. Alexander moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, add the following after subdivision 3, to wit:

"4. Assessed on the last assessment roll of the county, or city and county, on property belonging to him."

Motion lost.

Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, strike out the words "fair character," and insert in lieu thereof the words "good reputation".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 416 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Brown, Bush, Cañepa, Cary, Clark, Wm. C. Clarke, Geo. A. Collins, Dower, Ellis, Eumons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H. Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Nelson, Nolan, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, and Weisel—51.

NOES—Messrs. Alexander, Bagby, Benedict, Bowman, Bradford, Cram, Fish, Gates, Green, Guiberson, Inman, Johnstone, W. A., Roberts, Strine, Sutherland, Weldon, and Mr. Speaker—17.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

During consideration of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, strike out the word "or," and insert in lieu thereof a comma. On page 1, line 8, after the comma following the word "hokey-pokey," insert the following: "or any banking or percentage game".

On page 1, line 9, strike out the words "and every person who deals, plays, or carries on," and all of line 10 and the words, "or employee, whether for hire or not, any game," in line 11, and insert in lieu thereof a comma; also, in lines 12 and 13, strike out "for money, checks, credit, or other representative value."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1236, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendments adopted.

Mr. Bagby moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, after "hokey," insert the following: "or any other game played with cards".

In same line, after "credit," insert "prize or prizes".

Mr. Scott offered the following as a substitute for the above amendment:

On page 1, line 8, after the comma following the word "hokey-pokey," insert the following: "ping pong, chess, checkers, pinoche, old maid, pedro, hearts and solitaire".

Substitute lost.

Motion of Mr. Bagby lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 560—An Act to amend Sections 205 and 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing, and time of service of jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 560 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Knuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pears, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns: said section to be numbered 1281a.

Also: Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

Also: Assembly Bill No. 1731—An Act to amend Section 1366a of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

Also: Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BOHNETT, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 10—An Act defining and limiting the right of aliens to acquire title to and own real property in the State of California, and providing a method of divesting title held by aliens.

Also: Assembly Bill No. 113—An Act to regulate the ownership and possession of real property in the State of California by certain classes of aliens and corporations.

Also: Assembly Bill No. 183—An Act to prevent the holding of title to real property by aliens not eligible to become citizens of the United States or corporations the majority of the capital stock of which is held by such aliens; also preventing the holding by such aliens or corporations of title by lease or agreement to agricultural lands for a longer time than three years, or to town or city lots for a longer time than five years, and providing a method of divesting title to lands held by such aliens or corporations.

Also: Assembly Bill No. 194—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

Have had the same under consideration, and respectfully report the same back, with a committee substitute therefor, and recommend that the substitute be adopted.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 804—An Act to add a new section to the Code of Civil Procedure, the said section to be designated 1170a, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 882—An Act to add a new section to the Penal Code, to be designated as Section 378a, relating to the transportation of offal, swill, garbage, the carcasses of dead animals, and other refuse from one county or city and county into another county, and providing regulations governing the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 251—An Act to provide for public comfort stations in cities, or cities and counties in the State of California having more than 20,000 inhabitants, and providing an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1650—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Also: Assembly Bill No. 572—An Act to amend Section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Also: Assembly Bill No. 1692—An Act to provide for an experiment station to determine proper methods of sewage disposal and water purification; defining the duties of the State Board of Health in relation thereto; and making an appropriation therefor.

Also: Assembly Bill No. 1701—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California, and appropriating a sum of money therefor.

Also: Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Also: Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Also: Assembly Bill No. 1403—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

FITZGERALD, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 380—An Act providing for the sanitation and disinfection of public buildings, railway coaches and sleeping cars—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 357—An Act to protect any child or person enrolled or employed in, around or about or in attendance upon any public or private school, or other educational institution, within the State of California, from indiscriminate vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations of certain sections a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

NELSON, Chairman.

The above reported bills ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors, relating to roads, and to repeal Section 2641 of the Political Code.

Also: Assembly Bill No. 1634—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

GABBERT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide maintenance of county highways improved under bond issue in the counties of the State and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1795—An Act making an appropriation to purchase a site on which to erect a state printing office—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1095—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes; and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909—have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg; appointing a commission in connection therewith, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was re-referred Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII (13), relating to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, WM. C., Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 322—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 306, prohibiting the sale, furnishing or giving away of morphine, codeine, heroin, opium or cocaine, or the salts, compounds or preparations of any thereof, and providing a penalty for its violation—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 1256—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEAIRS, Vice Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened.
Speaker Young in the chair.

UNFINISHED BUSINESS.

Assembly Bill No. 234—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs and the times and places of hearing of drug cases.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, lines 3 and 4, after the word "therein," strike out all of lines 3 and 4, and insert a period after the word "therein."

Motion lost.

Mr. Slater moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 2, between the words "any" and "substances," insert the word "such".

Also: On page 2, line 6, after the word "design," insert a comma.

Also: On page 2, line 7, strike out the words "or value."

Also: On page 2, line 9, strike out the words "or misleading in any particular".

Motion carried.

The Speaker appointed Mr. Slater as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 234, with instructions, do now report that the instructions of the Assembly have been carried out.

SLATER, Select Committee.

Report of select committee and amendments adopted.

Mr. Inman moved that the speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 35, strike out all after the period following the word "found."

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Beck, Bradford, Byrnes, Collins, Finnegan, Fitzgerald, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, McDonald, Moorhouse, Morgenstern, Murray, Nolan, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, and Woodley—32.

NOES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Nelson, Peairs, Schmitt, Shartel, Shearer, Strine, Sutherland, White, and Mr. Speaker—35.

Bill ordered to reprint, re-engrossment, and on file for passage.

NOTICE OF RECONSIDERATION POSTPONED.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

On motion of Mr. Polsley, reconsideration of the above Assembly bill was postponed until Friday, April 4, 1913.

SPECIAL ORDER.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California, by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties and cities and counties of over 200,000 population, and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, strike out all of line 8, and the words "200,000 people", in line 9, and insert in lieu thereof the following: "of the first class".

Also: On page 2, line 25, strike out the words "or city and county in this State having".

Also: In line 22 the words "a population of over 200,000", and insert in lieu thereof the words "of the first class".

Also: On page 1, strike out of the title the words "and cities and counties of over 200,000 population", and insert in lieu thereof the words "of the first class".

Motion carried.

The Speaker appointed Mr. Bloodgood as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1951, with instructions, do now report that the instructions of the Assembly have been carried out.

BLOODGOOD, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SENATE THIRD-READING FILE.

Senate Concurrent Resolution No. 20—Approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held therein for that purpose, on the 27th day of February, 1913.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 20 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Griberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kueck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Pears, Polsley, Ryan, Schmitt, Scott, Shannon, Shearer, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—57.

NOES—None.

Senate Concurrent Resolution No. 20 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 20.

Approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held thereon for that purpose, on the 27th day of February, 1913.

WHEREAS, In accordance with the provisions of section eight of article eleven of the Constitution of the State of California, the city of San Diego, a municipal corporation in the county of San Diego, State of California, framed a charter, which was duly ratified by a vote of the people of said city, at a special election held for that purpose on the 2d day of March, 1889, which charter was duly approved by the Legislature of the State of California, on the 16th day of March, 1889, by a joint resolution, entitled "Senate Joint Resolution No. 5, approving the charter of the city of San Diego, in the county of San Diego, California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the second day of March, 1889"; and,

WHEREAS, The said charter of the said city of San Diego, ratified and approved as aforesaid, has now been in force for more than two years since its said adoption and approval and since it has been amended; the same not having been amended in the two years last past; and,

WHEREAS, The legislative authority of said city, being the common council thereof, did by resolution adopted by said common council on the 22d day of January, 1913, submit, among others, three certain proposed amendments to said charter to the qualified electors of said city for approval; and,

WHEREAS, The said legislative authority of said city did by Ordinance No. 4974, entitled "An ordinance calling a special election for the submission of certain proposed amendments to the charter of the city of San Diego, to the qualified electors thereof," which ordinance was passed by said legislative authority on the twenty-third day of January, 1913, and was approved by the mayor of said city on the thirty-first day of January, 1913, call an election of the qualified electors of said city, whereby and wherein said proposed amendments were, in accordance with the provisions of section eight of article eleven of the Constitution of the State of California, duly submitted to the qualified electors of said city for their approval, which election was called to be holden in said city on the twenty-seventh day of February, 1913; and,

WHEREAS, Said proposed amendments were published for ten times after the passage and approval of said Ordinance No. 4974, in the city official newspaper of

said city, to wit: *The Evening Tribune*, a daily newspaper published and of general circulation in said city of San Diego; and,

WHEREAS, Said special election was held in said city on said twenty-seventh day of February, 1913, and not less than twenty days nor more than forty days after the completion of the aforesaid publication of said proposals; and,

WHEREAS, There was an interval of two years and more after the last election in said city on charter amendments, previous to the said election of February 27, 1913; and,

WHEREAS, On the third day of March, 1913, being the Monday following said election, at a regular meeting of the common council of said city, held in accordance with law and the charter of said city, said common council duly and regularly canvassed the returns of said special election, and duly declared the result thereof, and said common council did thereby find and determine and this Legislature finds that the said three proposed amendments submitted in said resolution and designated in said ordinance, and numbered, respectively, nine, eleven and thirteen, of the proposed amendments were, and each of them was, duly ratified by a majority of the electors voting thereon; and,

WHEREAS, The said three amendments and each of them so ratified by the electors of said city of San Diego at said special election are now submitted to the Legislature of the State of California for approval or rejection as a whole, in accordance with section eight of article eleven of the Constitution, and are in the words and figures following:

Amend Chapter 1, of Article VI, of said charter, by adding thereto a new section to be known as Section 2b, which shall read as follows:

Section 2b. The common council shall levy annually, in addition to all other taxes provided for in this charter, not less than four cents, nor more than six cents, on each one hundred dollars valuation of property, for the purpose of supporting and maintaining the public library. Said levy shall be sufficient in any event to realize six thousand dollars.

Amend Chapter 1, of Article VI, of said charter, by adding a new section thereto, to be known as Section 2d, which shall read as follows:

Section 2d. The common council shall levy annually, in addition to all other taxes provided in this charter, not less than one cent, nor more than two cents, on each one hundred dollars valuation of property, for the purpose of supporting and maintaining the public playgrounds of the city.

Amend said charter by the addition of a new chapter to Article III, which shall be entitled "Chapter 7½. Of City Playgrounds," and which shall read as follows:

CHAPTER 7½.

OF CITY PLAYGROUNDS.

SECTION 1. There shall be created a board of five (5) commissioners, to be known as the board of playground commissioners.

SEC. 2. The members of the board of playground commissioners shall be appointed by the mayor, subject to a confirmation by a majority of the council. All such appointments shall be made so that not more than three of said commissioners shall be of the same sex. The members of said board shall serve without compensation, and shall hold office for four years, and until their successors are appointed and qualify. If any vacancy occur, the mayor shall fill the same for the unexpired term, subject to confirmation by a majority of the council.

SEC. 3. The board of playground commissioners shall organize by electing a president and a secretary, each of whom shall hold office for one year, and until his successor is elected. The board shall maintain an office for the transaction of business. Said board shall hold regular meetings at least once a month.

SEC. 4. All appointments, suspensions and removals of employees of the children's playgrounds and recreation centers, shall be made by the board of playground commissioners, subject to such civil service regulations as are now, or may hereafter be in force.

SEC. 5. All children's playgrounds and recreation centers and the design, construction, maintenance and use of all buildings and improvements thereon shall be under the exclusive control and management of the board of playground commissioners.

SEC. 6. The board of playground commissioners may, for and on behalf of the city of San Diego, receive donations, legacies or bequests for the improvement or maintenance of said playgrounds, or for the acquisition of new playgrounds, and all moneys derived from such donations, legacies or bequests shall unless otherwise provided by the terms thereof, be deposited in the treasury of the city of San Diego to the credit of the playground fund. The same may be drawn therefrom and paid out only in the manner as is provided in the charter for the payment of money from other funds. If the moneys derived from such gifts, bequests or legacies shall at any time exceed in amount the sum necessary for immediate expenditure on said playgrounds, the board may invest all or a part of the surplus in interest-bearing bonds of the United States or of the State of California, or of any county, municipality or school district thereof. As to all

of such property the board of playground commissioners shall be deemed and considered to be a special trustee thereof for the city of San Diego.

SEC. 7. The council shall have power, by ordinance, to set aside for playground purposes, any lands now or hereafter owned or controlled by the city, and not held for or devoted to, any public use.

SEC. 8. The council shall for the acquisition, development and maintenance of children's playgrounds, appropriate annually, not less than one cent, nor more than two cents, on each one hundred dollars of assessed valuation as a special tax independent of the general tax levied, and the amount so appropriated shall be credited to the playground fund.

SEC. 9. Said board of playground commissioners shall have power to employ and fix the compensation of such employees as may be necessary for the proper care and improvement of said playgrounds, to expend the moneys appropriated by the council, or receive from any other source, for the purpose of managing and improving said playgrounds and recreation centers.

SEC. 10. The board of playground commissioners shall have further powers and perform such other duties as may be granted or imposed by ordinance.

Now, therefore, be it

Resolved by the Legislature of the State of California, being the Senate and Assembly of said State (a majority of the members elected to each House voting for and concurring therein), That said amendments to the said charter of the said city of San Diego, as proposed and submitted to, and adopted and ratified by the qualified electors of said city, be, and the same are, and each one of them is, hereby approved as a whole, without amendment or alteration, for and as amendments to, and as part of the charter of the said city of San Diego.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to regulate the visiting of prisoners or inmates in state institutions, to regulate the delivery of mail to such prisoners or inmates, and to provide for the subscribing to newspapers and periodicals by such prisoners or inmates.

An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Collins: Assembly Bill No. 2062—An Act to regulate the visiting of prisoners or inmates in state institutions, to regulate the delivery of mail to such prisoners or inmates, and to provide for the subscribing to newspapers and periodicals by such prisoners or inmates.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Alexander: Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Bill read first time, and referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1132—An Act to amend Section 10 of the Political Code of California, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1132 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke., Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Tulloch, Weisel, White, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1133—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1133 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1373 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1375 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis,

Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Woodley—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At three o'clock p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1376 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Sutherland, Tulloch, Weisel, White, and Woodley—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1377 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Sutherland, Tulloch, Weisel, White, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At three o'clock and ten minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628g, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 165 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Brown, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Strine, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Strine gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 165 was this day passed.

Assembly Bill No. 1289—An Act to amend Section 626½ of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

During third reading of the bill, Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, following the comma after the word "rabbits", insert the following: "and wild geese".

Motion carried.

The Speaker appointed Mr. McDonald as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1289, with instructions, do now report that the instructions of the Assembly have been carried out.

McDONALD, Select Committee.

Report of select committee and amendment adopted.

Mr. Gabbert moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, strike out the word "jack".

Motion carried.

The Speaker appointed Mr. Gabbert as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1289, with instructions, do now report that the instructions of the Assembly have been carried out.

GABBERT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 4, strike out the words "more than"; also, add the letter "s" to "trustee", in line 4, page 1.

Motion carried.

The Speaker appointed Mr. Shannon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 43, with instructions, do now report that the instructions of the Assembly have been carried out.

SHANNON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 233—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered Section 2a, relating to the dissolution of such districts where they have no assets and have no indebtedness not barred by the statute of limitations and have ceased to be going concerns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 79—An Act to amend Section 607c of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225a, 4225b, 4225c, 4225d, 4225e, 4225f, 4225g, 4225h, 4225i, and 4225j, all relating to county boards of health and sanitary inspectors.

Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities except in those of the fifth and sixth class, and of cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissioners, therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code.

Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies and for their free transportation and support while undergoing

treatment in their own homes under the direction and treatment by the State Board of Health.

Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California, to be numbered 499d, relating to the taking, using, operating or removing, or causing to be taken, used, operated or removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 85—An Act defining commission merchants, providing for a license for the conduct of the business of commission merchants and the procedure for obtaining the same, also providing regulations for the conduct of the said business and for penalties for violations of this Act.

Assembly Bill No. 399—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with the name and address of the original manufacturer thereof, providing for the enforcement of, and providing for penalties for, the violation of the provisions of this Act.

Assembly Bill No. 600—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Assembly Bill No. 675—An Act to add a new section to the Political Code, to be known as Section 4291a.

Assembly Bill No. 803—An Act to add a new section to the Political Code, to be known as Section 1617b, relating to the establishment and maintenance of kindergartens, to the levy of taxes for the support of kindergartens, and to the discontinuance thereof.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375b, relating to the receptacles for gasoline and kerosene.

Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, and December 24, 1911, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 34, 35, 37, 41, 42, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 105, 106, 121, 123, 124, 127, 128, 130, 131, 133, 134, 136, 137, 138, 139 and 145 thereof, and by repealing Sections 13, 18, 33, 100 and 104 thereof, and by adding new sections thereto, to be numbered Sections 12b, 12c, 21a, 31a, 54, 55, 56, 61a, 107, 130a, 135a, 136a and 136b, and by repealing Section 135 thereof, and adding a new section thereto, to be numbered Section 135, all relating to the definition and regulation of the business of banking.

Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office and fixing their salaries.

Assembly Bill No. 1066—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of the Assembly, the following political science students of the University of California were granted the privilege of the floor of the Assembly for this day, their names ordered printed in the Journal, and the Chief Clerk instructed to mail copies of the Journal to the University:

Marion Arendt, Doris Boggs, Esto Broughton, Helen Craig, Louise Harvey, Alice Hawkins, Margaret Hodgen, Edna Houston, Louelle Jackson, Leona Jones, Margaret

Nichols, Lucy Pray, Maude Russell, Ruby Steele, Ella Wright, Lorena Wright, Mrs. Adams, Miss Swortzel, Miss Strangland, Norma Wisecarver, Hazel Jarvis, Zola Jarvis, Martha Beaser, Gilda Belloni, Mrs. D. P. Barrows, Gladys Phelan, Fannie Laird, Claire Hart, Alice De Veuve, Catherine Woodhead, V. W. Airola, J. V. Baldwin, Jos. R. Basye, Martin Benzinger, F. H. Bird, F. M. Booth, E. R. Brainerd, T. K. Ching, I. A. Cohn, M. W. Dobzensky, A. B. Dickison, B. C. Ehrman, Paul Fleming, E. C. Garcia, H. C. Hansell, H. L. Herrick, S. P. Jones, Walter Kingsbaker, Sukeo Kitasawa, H. L. Knoop, F. B. Lenz, W. J. McKie, J. W. McKinley, Martino Martino, W. H. Millham, W. J. Minnville, L. J. Mouser, R. S. Meyers, H. A. Nichols, O. K. Paterson, F. M. Pinska, N. Y. Poblador, J. H. Quire, James Rosenberg, M. D. Sapiro, R. H. Scott, J. W. Snyder, H. M. Stern, A. B. Sumner, R. M. Tapscott, R. V. Taylor, J. E. Thomas, S. P. Walton, I. W. Whitney, J. O. Davis, S. R. Yarrow, Prof. D. P. Barrows, J. L. Reed, Prof. Thos. H. Reed.

Through the courtesy of Mr. Finnegan, Mr. E. M. Baxter was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Simpson, Mr. W. B. Chaplin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Mrs. H. L. Herrick was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. Henry Guiberson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. W. W. Collins was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alexander, Mr. John O. Donnell was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and forty minutes p.m., on motion of Mr. Murray, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, April 4, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—77.

Quorum present.

LEAVES OF ABSENCE.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

On motion of Mr. Wall, Mr. Walsh was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ferguson, the further reading was dispensed with.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 2, 1913, passed Senate Bill No. 1036—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Sections 1, 2, 3, 5, 6, 7, 8 and 10 thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 1, 1913, adopted Senate Joint Resolution No. 16—Relative to the historic Liberty Bell and requesting the common council of the city of Pennsylvania to permit the exhibition of the same at the Panama-Pacific International Exposition.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments to the consent to such adoption.

Also: Senate Bill No. 1125—An Act to amend Sections 302 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Also: Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 745—An Act to amend Section 3 of an Act entitled "An Act to select and adopt the Bear flag as the state flag of California," approved February 3, 1911.

Also: Senate Bill No. 838—An Act to amend Section 978a of the Code of Civil Procedure of the State of California, relating to notice of filing undertaking on appeal.

Also: Senate Bill No. 261—An Act to amend Section 1871 of the Civil Code, relating to the lien of hotelkeepers on property of guests for charges.

Also: Senate Bill No. 694—An Act to amend Section 1597 of the Political Code, relating to the time that polls shall be open at elections in school districts.

Also: Senate Bill No. 201—An Act to amend Section 791 of the Political Code, relating to notaries public.

Also: Senate Bill No. 1510—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release, by undertaking and appeal, of property under levy.

Also: Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247a, and 1247c, of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeal, in criminal cases.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1036 read first time, and referred to Committee on Insurance.

Senate Joint Resolution No. 16 read, and referred to Committee on Federal Relations.

Senate Bill No. 429 read first time, and referred to Committee on Public Charities and Corrections.

Senate Bill No. 1125 read first time, and referred to Committee on Judiciary.

Senate Bill No. 474 read first time, and referred to Committee on Judiciary.

Senate Bill No. 745 read first time, and referred to Committee on Judiciary.

Senate Bill No. 838 read first time, and referred to Committee on Judiciary.

Senate Bill No. 261 read first time, and referred to Committee on Judiciary.

Senate Bill No. 694 read first time, and referred to Committee on Education.

Senate Bill No. 201 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1510 read first time, and referred to Committee on Education.

Senate Bill No. 284 read first time, and referred to Committee on Judiciary.

Senate Bill No. 531 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 326—An Act to repeal Sections 768, 771, 866 and 869 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 328—An Act to amend Section 876 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 329—An Act to amend Sections 757 and 857 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 7—Approving the charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5, 1912.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Concurrent Resolution No. 7 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 482—An Act to amend Sections 3 and 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," approved February 25, 1901—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 482?"

On page 1, line 4, of title, strike out the word "munical," and insert in lieu thereof the word "municipal."

The roll was called, and Senate amendment to Assembly Bill No. 482 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—56.

NOES—None.

Bill ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend section seven hundred and seventy-seven of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF JOINT RESOLUTIONS, ETC.

The following were introduced, and referred as indicated:

By Mr. Scott: Assembly Joint Resolution No. 29—Asking Congress to enact a pension law for the benefit of veterans of Indian wars.

Read, and referred to Committee on Federal Relations.

By Mr. Sutherland: Assembly Constitutional Amendment No. 87—Relating to the powers of the Railroad Commission.

Read, and referred to Committee on Constitutional Amendments.

UNFINISHED BUSINESS.

Assembly Bill No. 81—An Act to amend Section 396 of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

During third reading of the bill, Mr. Johnson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, before the period at the end of the section, insert the word "misde-meanor".

Motion carried.

The Speaker appointed Mr. Johnson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 81, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until next legislative day.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Polsley moved that the vote whereby Assembly Bill No. 1858 was passed be reconsidered.

Consideration of above motion postponed until the next legislative day.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns; said section to be numbered 1281a.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 6, strike out the word "commissions", and insert in lieu thereof the word "commission".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 18, after the period, insert the following: "Nothing herein shall be construed to authorize the opening of ballots except as provided by law."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all of lines 3 to 7, inclusive, and insert in lieu thereof the following: "1055. The board of supervisors, upon the receipt of such proclamation, must, in case of general or special elections, cause a copy of the same to be published in some newspaper printed in the county, if any, and to be posted at each place of election at least ten days before the election; and in case of special elections to fill a vacancy in the office of state senator or member of assembly, the board of supervisors, upon receipt of such proclamation, must cause a copy of the same to be published or posted as hereinbefore provided, except that such publication or posting need not be made for a longer period than five days before such election."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1731—An Act to amend Section 1366a of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 24, after the word "voters", insert the words "or deputy".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 3, line 23, strike out the words "Definition of terms."

Amendment adopted.

AMENDMENT No. 2.

On page 4, lines 28 and 29, strike out the words "Candidates to file itemized sworn statement of expenditures."

Amendment adopted.

AMENDMENT No. 3.

On page 5, line 27, strike out the words "Accounts to be kept by committees and others."

Amendment adopted.

AMENDMENT No. 4.

On page 6, Section 6, line 37, strike out the words "copies of Act to be transmitted to persons interested," and remainder of word "interested" on following page.

Amendment adopted.

AMENDMENT No. 5.

On page 7, Section 7, line 18, strike out the words "Persons failing to make statement to be notified."

Amendment adopted.

AMENDMENT No. 6.

On page 8, Section 8, lines 14 and 15, strike out: "District attorney to be notified of failure to file statement of defect therein."

Amendment adopted.

AMENDMENT No. 7.

On page 8, Section 9, lines 30 and 31, strike out: "Courts may compel filing of statement or application."

Amendment adopted.

AMENDMENT No. 8.

On page 9, Section 10, line 9, strike out: "Statements to be preserved and published."

Amendment adopted.

AMENDMENT No. 9.

On page 9, Section 11, line 18, strike out: "Payments not to be made in false name."

Amendment adopted.

AMENDMENT No. 10.

On page 9, Section 12, line 28, strike out: "Candidates not to promise appointments."

Amendment adopted.

AMENDMENT No. 11.

On page 10, Section 13, line 4, strike out: "Holders of non-elective positions not to contribute."

Amendment adopted.

AMENDMENT No. 12.

On page 10, Section 14, line 11, strike out: "Non-elective officers not to be delegates."

Amendment adopted.

AMENDMENT No. 13.

On page 10, Section 15, line 17, strike out: "Election credentials not to be sold."

Amendment adopted.

AMENDMENT No. 14.

On page 10, Section 16, lines 20 and 21, strike out: "Persons not to be paid to be or not to be candidates."

Amendment adopted.

AMENDMENT No. 15.

On page 10, Section 17, lines 26 and 27, strike out: "Candidates and officers not to be solicited for subscriptions, etc."

Amendment adopted.

AMENDMENT No. 16.

On page 11, Section 18, line 17, strike out: "Certain corporations not to contribute."

Amendment adopted.

AMENDMENT No. 17.

On page 11, Section 19, line 33, strike out: "Treating defined and prohibited."

Amendment adopted.

AMENDMENT No. 18.

On page 12, Section 20, line 16, strike out: "Coercion and undue influence prohibited."

Amendment adopted.

AMENDMENT No. 19.

On page 13, Section 21, lines 1 and 2, strike out: "Betting by candidates or others to influence election prohibited."

Amendment adopted.

AMENDMENT No. 20.

On page 13, Section 22, line 17, strike out: "Personation defined and prohibited."

Amendment adopted.

AMENDMENT No. 21.

On page 13, Section 23, lines 26 and 27, strike out: "Corrupt practices defined—when deemed prevalent."

Amendment adopted.

AMENDMENT No. 22.

On page 14, Section 24, lines 7 and 8, strike out: "Certain payments prohibited—political badges, etc., prohibited at polls."

Amendment adopted.

AMENDMENT No. 23.

On page 14, Section 25, line 21, strike out: "Paid matter in papers prohibited unless marked."

Amendment adopted.

AMENDMENT No. 24.

On page 15, Section 26, line 1, strike out: "Electioneering on election day prohibited."

Amendment adopted.

AMENDMENT No. 25.

On page 15, Section 27, lines 14 and 15, strike out: "Anonymous and libelous publications prohibited—defense."

Amendment adopted.

AMENDMENT No. 26.

On page 16, Section 28, lines 14 and 15, strike out: "Candidates failing to file statements not to be on ballot—vacancies."

Amendment adopted.

AMENDMENT No. 27.

On page 16, Section 29, lines 36 and 37, strike out: "Procuring persons to become candidates; prevention and penalty."

Amendment adopted.

AMENDMENT No. 28.

On page 17, Section 30, lines 23 and 24, strike out: "When offenses under Act not to deprive candidate of office."

Amendment adopted.

AMENDMENT No. 29.

On page 18, Section 31, lines 10 and 11, strike out: "Conviction of corrupt practice to deprive offender of office."

Amendment adopted.

AMENDMENT No. 30.

On page 18, Section 32, line 25, strike out: "Limitation of action for offenses under Act."

Amendment adopted.

AMENDMENT No. 31.

On page 19, Section 33, line 5, strike out: "Superior Court has jurisdiction."

Amendment adopted.

AMENDMENT No. 32.

On page 19, Section 34, line 17, strike out: "Deprivation of office, bar during term."

Amendment adopted.

AMENDMENT No. 33.

On page 19, Section 35, line 28, strike out: "District Attorney to prosecute; penalty for refusal."

Amendment adopted.

AMENDMENT No. 34.

On page 20, Section 36, line 8, strike out: "On contest, person having most legal votes chosen."

Amendment adopted.

AMENDMENT No. 35.

On page 20, Section 37, line 14, strike out: "Grounds of contest."

Amendment adopted.

AMENDMENT No. 36.

On page 20, Section 38, lines 26 and 27, strike out: "Contest on ground of illegal votes when not authorized."

Amendment adopted.

AMENDMENT No. 37.

On page 21, Section 39, line 1, strike out: "Procedure in contest on ground of illegal votes."

Amendment adopted.

AMENDMENT No. 38.

On page 21, Section 40, line 18, strike out: "Proceedings in contest generally."

Amendment adopted.

AMENDMENT No. 39.

On page 22, Section 41, line 7, strike out: "Further of proceedings in contest."

Amendment adopted.

AMENDMENT No. 40.

On page 23, Section 42, line 5, strike out: "Proceedings against corporations for violation of Act."

Amendment adopted.

AMENDMENT No. 41.

On page 23, Section 43, line 20, strike out: "Punishment for violation."

Amendment adopted.

AMENDMENT No. 42.

On page 23, Section 44, line 26, strike out: "Trial and evidence in proceedings under Act."

Amendment adopted.

AMENDMENT No. 43.

On page 24, Section 45, line 6, strike out: "Form of statement of expenses."

Amendment adopted.

AMENDMENT No. 44.

On page 25, Section 46, line 23, strike out: "False oath, perjury."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Bill read second time.

Assembly Bill No. 1095—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes; and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Bill read second time.

Assembly Bill No. 1795—An Act making an appropriation to purchase a site on which to erect a state printing office.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 166, 1095 and 1795.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 166, 1095 and 1795 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 166, 1095 and 1795, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States.

During second reading of the bill, the following amendment was submitted by the committee:

In line 5, page 1, printed bill, strike out "and improvement", and insert in lieu thereof the following: "improving and rendering navigable".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg, appointing a commission in connection therewith, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Amend by adding new section, to be known as Section 6:

"SEC. 6. This bill, inasmuch as it provides for the current expenses of the State shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Amendment adopted.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 702 and 1629.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 702 and 1629 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 702 and 1629, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Assembly Bill No. 10—An Act defining and limiting the right of aliens to acquire title to and own real property in the State of California, and providing a method of divesting title held by aliens.

Assembly Bill No. 113—An Act to regulate the ownership and possession of real property in the State of California by certain classes of aliens and corporations.

Assembly Bill No. 183—An Act to prevent the holding of title to real property by aliens not eligible to become citizens of the United States or corporations the majority of the capital stock of which is held by such aliens; also, preventing the holding by such aliens or corporations of title by lease or agreement to agricultural lands for a longer time than three years, or to town or city lots for a longer time than five years, and providing a method of divesting title to lands held by such aliens or corporations.

Assembly Bill No. 194—An Act to amend Section 671 of the Civil Code of the State of California, relating to the taking, holding, succession to and disposition of property, real and personal, within said State of California.

During second reading of the bills, the following substitute was submitted by the committee:

Assembly Bill No. 2064 (committee substitute for Assembly Bills Nos. 10, 113, 183 and 194)—An Act defining and limiting the right of aliens to acquire title to and own or lease real property in the State of California and providing a method for divesting title to lands held by such aliens.

The question being upon the adoption of the committee substitute.

The roll was called, and committee substitute adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Pears, Pelsley, Roberts, Schmitt, Shattel, Simpson, Strine, Stuckenbruck, Tulloch, Wall, Weldon, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2064 read first time and ordered on file for second reading.

Assembly Bill No. 804—An Act to add a new section to the Code of Civil Procedure, the said section to be designated 1170a, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out all of lines 4 to 18, inclusive, and insert in lieu thereof the following:

"1170a. When the proceeding is for unlawful detainer caused by default in payment of rent for the premises where the landlord furnishes light, heat and other service or services if the defendant demurs to the complaint and such demurrer be overruled, the court shall not allow the defendant more than three days after notice of the overruling of the demurrer to answer the complaint. In such proceedings the court shall, after answer filed, upon application of either party, set the trial of the cause for a day within five days from the hearing of such application and no continuance shall be granted to a defendant in such an action unless such defendant shall first file with the court an undertaking in such sum as the court may direct, with two good and sufficient sureties to be approved by the court

conditioned for the payment to the plaintiff in such proceedings the rent which has accrued and is unpaid or may accrue and be unpaid if judgment be rendered against such defendant."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 882—An Act to add a new section to the Penal Code, to be designated as Section 378a, relating to the transportation of offal, swill, garbage, the carcasses of dead animals, and other refuse from one county or city and county into another county, and providing regulations governing the same.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the words "the carcass."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, strike out the words "of any dead animal, or".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 10, strike out the word "carcass."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 380—An Act providing for the sanitation and disinfection of public buildings, railway coaches and sleeping cars.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 357—An Act to protect any child or person enrolled or employed in, around or about or in attendance upon any public or private school or other educational institution within the State of California from indiscriminate vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations of certain sections a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 6, strike out the word "the", and insert in lieu thereof the word "this" after the word "of", and before the word "act".

Amendment adopted.

AMENDMENT No. 2.

Strike out the word "or", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT No. 3.

Insert the word "therefor" after the word "required", and before the word "by".

Amendment adopted.

AMENDMENT No. 4.

On page 1, Section 1, line 9 thereof, insert the words "to the examining physician who is hereby authorized to administer oaths for such purpose", after the word "oath", and before the word "to".

Amendment adopted.

AMENDMENT No. 5.

On page 3, Section 6, line 28 thereof, insert the word "the" after the word "of", and before the word "bureau".

Amendment adopted.

AMENDMENT No. 6.

On page 2, Section 4, line 29, strike out the word "gonoccus", and insert in lieu thereof the word "gonococcus".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 5, line 16, strike out the words "except those of the first, second and third classes".

Amendment adopted.

AMENDMENT No. 2.

On page 5, line 17, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 3.

On page 5, line 20, strike out the word "road".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1634—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 9, after the word "reaches", place a comma and insert thereafter the following: "*provided*, that where the benefits to be derived by the counties concerned are unequal, the question of the proportion of the cost of said improvement to be paid by each county shall, previous to the commencement of actual work on said improvement, be submitted to a board of arbitration, to consist of two freeholders from each county, to be appointed by the board of supervisors thereof, and one freeholder from another county, selected by the four first appointed, said members of said board of arbitration to be paid at the rate of six dollars per day for each day of actual service, each county concerned to pay half of said expense. The decision of said board of arbitration shall be final, and its action shall be binding upon the counties concerned."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, strike out the word "and", and in lieu thereof insert the word "And".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide for maintenance of county highways improved under bond issue in the counties of the State, and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1795—An Act making an appropriation to purchase a site on which to erect a state printing office.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 322—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 306, prohibiting the sale, furnishing or giving away of morphine, codeine, heroin, opium or cocaine, or the salts, compounds or preparations of any thereof, and providing a penalty for its violation.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1256—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds.

Bill read second time, and ordered to engrossment and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 233—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered Section 2a, relating to the dissolution of such districts where they have no assets and have no indebtedness not barred by the statute of limitations, and have ceased to be going concerns.

Bill read second time, and ordered on file for third reading.

SPECIAL ORDER SET.

On motion of Mr. Weldon, the consideration of Assembly Constitutional Amendment No. 1 was made a special order for two o'clock and thirty minutes p. m. of this day.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section, to be known as Section 26, relating to the rights of men.

During third reading of the bill, Mr. Bohnett moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 13, after the word "time", insert the words "to time".

Motion carried.

The Speaker appointed Mr. Bohnett as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 43, with instructions, do now report that the instructions of the Assembly have been carried out.

BOHNETT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 19 of Article XI, relating to the use of streets for gas and water pipes.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 12, after the word "the", insert the words "purchase sale,".

Motion carried.

The Speaker appointed Mr. Bloodgood as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 45, with instructions, do now report that the instructions of the Assembly have been carried out.

BLOODGOOD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability, and to suggest plans for the creation of a state industrial home for state prisoners.

Resolution read, and on motion unanimously adopted.

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 14.

Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

Resolved by the Assembly of the State of California, the Senate concurring. That a committee consisting of three members of the Senate and three members of the Assembly be appointed for the purpose of ascertaining the advisability of the State maintaining a state industrial farm for state prisoners, to be used in connection with the state prisons, and with a view to transferring thereto from the present state prisons all prisoners whose conduct shall warrant promotion by the State Board of

Prison Directors. It is the purpose that different kinds of trades shall be taught and that this farm shall be used as an adjunct to the present state prisons. This committee shall make a thorough investigation of this matter and report back with recommendations to the forty-first session of the Legislature. The President of the Senate shall appoint the Senate members of said committee and the Speaker of the Assembly shall appoint the Assembly members of said committee.

The members of said committee shall receive no compensation for their services, but shall be allowed all expenses necessarily incurred in the performance of their duties.

Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 673 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Canepa, Clark, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Shannon, Shartel, Shearer, Smith, Strine, Tulloch, Wall, White, and Mr. Speaker—47.

NOES—Messrs. Ford, Griffin, Johnson, Geo. H., Libby, and Slater—5.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Bloodgood:

Add to title the following: "relating to duties of tax collector".

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 208—An Act to provide one additional judge of the Superior Court of the county of Riverside.

During third reading of the bill, Mr. Ellis moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2 of title, after the word "Riverside", add "State of California and for his compensation".

Also: Strike out all of Section 4.

Motion carried.

The Speaker appointed Mr. Ellis as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 208, with instructions, do now report that the instructions of the Assembly have been carried out.

ELLIS, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and providing penalties for violation of this Act," approved April 21, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 94 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nolan, Palmer, Pelsley, Roberts, Schmitt, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to Senate.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i* and 4225*j*, all relating to county boards of health and sanitary inspectors.

During third reading of the bill, Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 4, strike out the period after the word "things", and insert in lieu thereof the following: "*provided, however*, that no examination or inspection of any person or persons shall be made without the consent of such person or persons or the guardian of such person or persons."

Motion lost.

Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 14, strike out the words "shall at once proceed to", and insert in lieu thereof the word "may".

Motion lost.

Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 4, strike out the period and insert in lieu thereof the following: "*provided, however*, that no inspection by persons shall be made by any sanitary inspector who is not a regularly licensed physician."

Motion carried.

The Speaker appointed Mr. Smith as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 235, with instructions, do now report that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California, to be numbered 499*d*, relating to the taking, using, operating or removing, or causing to be taken, used, operated or removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2035 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Pears, Polsley, Roberts, Ryan, Scott, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 507—An Act amending sections one and three of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

On request of Mr. Chandler, the above Assembly bill was re-referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES:

The following reports of standing committees were received and read:

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Also: Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and prescribing their powers and duties.

Also: Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

Also: Assembly Bill No. 6—An Act to add a new section to fish and game laws of the State of California, to be numbered 631c, providing for the breeding and sale of American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, bob white quail, California valley and mountain quail and all varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports; for the fencing of the preserves and for the revocation of licenses.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GUILL, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 514—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California, fixing, defining, and establishing the boundaries thereof, providing for its management and control, subject to the provisions of the Political Code of the State of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Banking, to whom was referred Assembly Bill No. 1161—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBERTS, Chairman.

The above reported bill ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Assembly Bill No. 420—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stables or tent tops, and requiring the same to be properly marked as to weight, size, and use of fillers or other preparations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUSH, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1954—An Act relating to exterior advertising, as in this Act defined, declaring the prohibition of the use of property for such purpose a public use, providing for the acquisition of such use, and prohibiting exterior advertising on property as to which such use has been acquired—have had the same under consideration, and respectfully report the same back, without recommendation.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 599—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo,

Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway—have had the same under consideration, and respectfully report the same back, without recommendation.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

SUTHERLAND, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to the Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredge for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to the Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

Also: Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco, and regulating the management, use and control thereof.

Also: Assembly Bill No. 644—An Act granting to the town of Emeryville, the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, to the town of Emeryville, and regulating the management, use, and control thereof.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

INMAN, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Concurrent Resolution No. 20—Relative to increasing the percentage and rates of taxes to be levied, assessed and collected entirely for state purposes, in accordance with Section 14 of Article XIII of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Judiciary.

SUTHERLAND, Chairman.

The above reported concurrent resolution re-referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3804a, relating to the approval or rejection of claims for refund taxes, penalties and costs by board of supervisors.

Also: Assembly Bill No. 1875—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by Section 8 of Article XI of the Constitution, with respect to the assessment of property in such cities for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act.

Also: Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1909, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said Acts, has forfeited either its charter or right to do business in this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SUTHERLAND, Chairman.

The above reported bills ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor, and fixing a penalty for violations of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

MCDONALD, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1070—An Act to regulate certain scaffolding or staging for the protection of workmen: requiring that in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support, such employers shall be subject to the provisions of this Act: fixing penalties for a violation hereof to be the same as provided in Section 402c of the Penal Code, and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 254—An Act to provide for the organization of the state produce exchange commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the state brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "state produce exchange fund," and providing for the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

JUDSON, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 973—An Act to establish two correctional institutions, one north of the second standard parallel south of Mount Diablo base line and one south of such parallel, to be known as the Northern State Farm and the Southern State Farm, providing for the confinement and care of certain prisoners therein and for the government thereof, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Ways and Means.

ELLIS, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to whom was referred Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending Sections 2, 3, 4, 5, 6 and 7 $\frac{1}{2}$ thereof, by adding a new section thereto, to be known and numbered as Section 6 $\frac{1}{2}$, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BYRNES, Chairman.

The above reported bill ordered on file for second reading.

ON REVISION OF CRIMINAL PROCEDURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to whom was referred Assembly Bill No. 866—An Act to amend Section 1111 of the Penal Code, and Section 2061 of the Code of Civil Procedure, relating to the testimony of accomplices; instructions by the court and right of jury to judge evidence.

Also: Assembly Bill No. 867—An Act to amend Section 1280 of the Penal Code, relating to the jurisdiction of bail and the affidavit required therefor.

Also: Assembly Bill No. 868—An Act to amend Section 476a of the Penal Code, relating to bank checks and drafts, not genuine or true, or drawn by a person without funds to meet the same.

Also: Assembly Bill No. 869—An Act to add a new section to the Penal Code, to be known as Section 1132, relating to an internal revenue license as evidence that the person having the same is engaged in the business of selling alcoholic liquors.

Also: Assembly Bill No. 870—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 1127a, relating to instructions to juries.

Also: Assembly Bill No. 871—An Act to repeal Sections 1108 and 1111 of the Penal Code of the State of California, relating to the corroboration of the testimony of persons upon whom or with whom certain crimes have been committed, and corroboration of the testimony of an accomplice.

Also: Assembly Bill No. 872—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Also: Assembly Bill No. 873—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 1075a, relating to examining, challenging and excusing jurors.

Also: Assembly Bill No. 1171—An Act to amend Section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty and before appeal and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation.

Also: Assembly Bill No. 1172—An Act to amend Section 148 of the Penal Code, relating to the prosecution and punishment of the offense of resisting and obstructing a public officer in the discharge of his duty.

Also: Assembly Bill No. 1173—An Act to amend Section 995 and repeal Section 943 of the Penal Code, relating to the setting aside of indictments and informations and the insertion of the names of witnesses at the foot of the indictment.

Also: Assembly Bill No. 1174—An Act to amend Sections 1469 and 1470 of the Penal Code, relating to new trials and remittiturs on appeal from justices' and police courts in criminal cases.

Also: Assembly Bill No. 1175—An Act to amend Section 666 of the Penal Code, relating to the punishment in case of prior conviction of petty larceny or felony.

Also: Assembly Bill No. 1176—An Act to amend Section 269a and repeal 269b of the Penal Code, relating to cohabitation and fornication and the punishment thereof.

Also: Assembly Bill No. 1177—An Act to amend Sections 860 and 861 of the Penal Code, relating to the time of setting and hearing preliminary examinations and the delay of such examinations.

Have had the same under consideration, and respectfully report the same back, without recommendation, and ask that they be re-referred to Judiciary Committee.

WEISEL, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to whom was referred Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial—have had the same under consideration, and respectfully report the same back, without recommendation.

WEISEL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to whom was referred Assembly Bill No. 890—An Act to amend an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empower-

ing such boards to make rules and regulations in relation thereto," approved March 25, 1909, by amending section one of said Act so as to make said Act applicable to all jails and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

Also: Assembly Bill No. 897—An Act to amend Section 1408 of the Penal Code, relating to the disposition of stolen or embezzled property taken on search-warrant proceedings.

Also: Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking authentication, and filing of transcript of testimony and recognizances in coroner's inquests, and providing for the appointment of a shorthand reporter for such purpose and for fees in payment therefor.

Also: Assembly Bill No. 767—An Act to amend Section 995 of the Penal Code of the State of California, relating to motions to set aside indictments and informations.

Also: Assembly Bill No. 768—An Act to amend Section 988 of the Penal Code of the State of California, relating to arraignment of defendant on indictment or information.

Also: Assembly Bill No. 769—An Act to amend Section 925 of the Penal Code of the State of California, relating to proceedings before the grand jury, the persons who may be present at the sessions of such grand jury and the records of testimony taken at such sessions.

Also: Assembly Bill No. 1963—An Act to amend Section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WEISEL, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Senate Bill No. 525—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STRINE, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1726—An Act to amend Section 4178 of the Political Code of the State of California, relating to the duties of county clerks—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 550—An Act to amend Section 4028 of the Political Code of the

State of California—have had the same under consideration, and respectfully report the same back without recommendation.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 20—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges and providing for the appointment of four additional Superior Court judges in and for the city and county of San Francisco, and providing for their compensation—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½, Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 25—Relative to the protection of the raisin and dried fruit industry, in the enactment by Congress of laws affecting tariffs on imports into the United States.

Also: Senate Joint Resolution No. 24—Relating to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

Also: Senate Joint Resolution No. 26—Relative to making investigations and experiments as to nature and cure of tuberculosis.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above reported resolutions ordered on file for adoption.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 693—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof, relating to the period of redemption and to certain proceedings respecting the validity of deeds to purchasers upon delinquent sales—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

RE-REFERENCE OF BILL.

On motion of Mr. Roberts, Assembly Bill No. 1611 was re-referred to Committee on Banking.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 232—An Act to amend an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situated in the bay of San Diego to the city of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911—report that we have met a like committee of the Senate, consisting of Senators Cogswell, Finn, and Sanford, and we report that the Committee on Conference have been unable to agree.

JUDSON, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Bohnett:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as is necessary to carry on the expense of the mailing department, said amount not to exceed the sum of five hundred (\$500) dollars, and the State Treasurer is hereby directed to pay the same.

Referred to Committee on Contingent Expenses.

Also:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of L. B. Mallory, Chief Clerk, for the sum of two hundred and thirty dollars and fifty-six cents (\$230.56) out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, being in payment of the Assembly's portion (one half) of the following bills attached:

W. F. Purnell—		One half.
4 dozen Shannon board files_____	\$16 64	\$8 32
8 dozen Shannon board files_____	33 60	16 80
7 record books_____	1 75	87
2 dozen clipboards_____	6 00	3 00
4 dozen Shannon board files_____	16 64	8 32
8½ dozen Shannon board files_____	34 67	17 34
1 dozen perforators_____	2 32	1 16
1 dozen shears, 10-inch_____	8 60	4 30
1 dozen minute books_____	2 00	1 00
Pacific Coast Paper Co.—		
100 boxes typewriter paper, 8½ x 13_____	53 00	26 50
Sacramento Chemical Company—		
2 hand sprayers for entomocide_____	1 20	60
Schwabacher-Frey Stationery Co.—		
200 boxes Gem clips_____	5 00	2 50
4 dozen quarts paste_____	19 20	9 60
3000 Dennison's fasteners, No. 24R_____	3 38	1 69
1 gross Falcon files_____	54 00	27 00
Richardson-Case Paper Co.—		
25 boxes typewriter paper, letter size_____	9 75	4 87
25 boxes typewriter paper, onion skin legal_____	10 25	5 13
1 gross No. 12 twine_____	11 52	5 76
½ gross No. 18 twine_____	5 04	2 52
1 gross No. 36 twine_____	10 20	5 10
1 gross spring twine_____	18 72	9 36
Brown & Power Stationery Co.—		
50 dozen Manila pads, legal_____	39 00	19 50
1 dozen boxes Dennison's fasteners, No. 22R_____	72	36
Payot, Stratford & Kerr—		
1 gross reporters' note books_____	20 88	10 44

Referred to Committee on Contingent Expenses.

Also:

Pacific Hardware and Steel Co.—		One half
3 dozen shears, 12-inch-----	\$30 60	\$15 30
Thompson-Diggs Co.—		
1 dozen shears, 10-inch-----	10 80	5 40
Pacific Telephone & Telegraph Co.—		
Installing switchboard for Legislature-----	1 68	84
H. S. Crocker Co.—		
4 gross thumb tacks-----	3 36	1 68
1 case Scot tissue towels-----	12 50	6 25
3 fixtures for same-----	2 25	1 12
4 gross thumb tacks-----	3 36	1 68
1 case Scot tissue towels-----	12 50	6 25
Total -----	\$461 13	\$230 56

Referred to Committee on Contingent Expenses.

Also:

Resolved, That the Controller be, and he is hereby, directed to draw his warrant upon the proper fund in favor of L. B. Mallory, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of three hundred and twenty-two dollars and seventy-three cents (\$322.73), said amount being for the payment of the following bills attached:

W. F. Purnell—		
2 loose-leaf books and fillers-----	\$8 24	
1 gavel-----	50	
2 transfer cases and fillers-----	6 66	
5 tin boxes, at 75 cents-----	3 75	
6 sponge mucilage-----	1 00	
		\$20 15
H. S. Crocker Co.—		
1 letter scale-----	\$3 38	
1 letter scale (small)-----	2 25	
		5 63
Wm. Carragher—		
Lettering boxes-----	2 25	
Wm. A. Langley—		
Repairing post office box locks and making 172 keys, Assembly post office-----	94 15	
J. Corbly Pool—		
Investigation and estimate for the correction of acoustics in Assembly Chamber-----	200 00	
A. A. Van Voorhies—		
1 gross laces-----	55	
		\$322 73

Referred to Committee on Contingent Expenses.

Also:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of Wells Fargo & Co. Express for the sum of seventy-eight and 98/100 dollars (\$78.98), said amount being one half of the expense of expressing the Blue Book to various places as per itemized bill attached.

Referred to Committee on Contingent Expenses.

Also:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of Wells Fargo & Co. Express for the sum of two hundred sixteen and 58/100 dollars (\$216.58), said amount to pay for expressage on printed matter sent out to various sections of California and elsewhere, as per itemized bill attached, and the State Treasurer is hereby directed to pay the same.

Referred to Committee on Contingent Expenses.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m. the Assembly reconvened.
Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 12, strike out the word "five", and insert in lieu thereof the following: "not to exceed seven".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1297, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendment adopted.

Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 4, after the word "towns", insert a comma and the words "lighting, water".

Also: On page 1, line 9, after the word "towns", insert a comma and the words "lighting, water".

Also: On page 1, line 11, after the word "towns", insert a comma and the words "lighting, water".

Also: On page 1, line 14, after the word "towns", insert a comma and the words "lighting, water".

Also: On page 1, line 16, after the word "towns", insert a comma and the words "lighting, water".

Also: On page 2, line 6, after the word "towns", insert a comma and the words "lighting, water".

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1297, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901 and 1902 of the Political Code of the State of California, relating to making a roll of persons subject to military duty, and prescribing

the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1829 passed by the following vote:

AYES—Messrs. Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Ellis, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Judson, McDonald, Moorhouse, Mouser, Murray, Nelson, Polesley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—45.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Ellis, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Polesley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 45—An Act granting to the city and county of San Francisco certain tide lands, marsh lands and submerged lands of the State of California, within the boundaries of said city and county, including the right to wharf out therefrom; regulating the management, use and control thereof, and providing for the deposit with the State of California of certain bonds to protect the State of California from any loss which might accrue to said State by reason of outstanding bonds for the use and purpose of the harbor front of San Francisco.

Bill read third time.

The question being on the passage of the bill.

TIME OF DEBATE EXTENDED.

During the debate, on motion of Mr. Ryan, Mr. Schmitt was granted an extension of time in which to conclude his debate.

The roll was called, and Assembly Bill No. 45 refused passage by the following vote:

AYES—Messrs. Bowman, Bush, Byrnes, Ford, Killingsworth, Libby, Murray, Schmitt, Shannon, and Simpson—10.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polesley, Roberts, Ryan, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—64.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 14 of Article XIII, relating to revenue and taxation.

During consideration of the Assembly constitutional amendment, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 8, strike out the words "one half".

Also: On page 2, line 35, strike out the word "four", and insert in lieu thereof the words "four and six tenths".

Also: On page 2, line 28, strike out the word "four", and insert in lieu thereof the words "four and three fourths".

Also: On page 2, line 31, strike out the word "three", and insert in lieu thereof the word "four".

Also: On page 2, lines 33 and 34, strike out the words "three and one half", and insert in lieu thereof the words "four and two tenths".

Motion carried.

The Speaker appointed Mr. Weldon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 1, with instructions, do now report that the instructions of the Assembly have been carried out.

WELDON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 491—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all Acts, other Acts and parts of Acts in conflict with this Act.

During third reading of the bill, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, insert a new section to be numbered Section 5, to follow Section 4 and read as follows:

"SEC. 5. Nothing in this Act shall prevent the employment by the legislative body, board or commission of any municipal corporation or county of this State of any regularly employed superintendent or other proper officer to perform the services of an architect upon any building erected by such municipal corporation or any department thereof."

Also: Renumber the present Section 5 to be numbered Section 6.

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 491, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Podic Society of the State of California, a corporation, to assist in the carrying out the purposes of the Act.

During third reading of the bill, Mr. Ryan moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all of title after the word "California" in line 4, and insert in lieu thereof the following: "to provide penalties for the violation of the provisions of this Act, to create a board of examiners of chiropody, to define its duties and to authorize it to carry out the purposes of the Act."

Also: Strike out all of Section 1, and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful for any person to engage in the practice of chiropody in the State of California unless such person shall have obtained a license from the board of examiners of chiropody duly authorized and appointed as herein provided.

SEC. 2. A board of examiners of chiropody, consisting of three reputable chiropodists and two physicians and surgeons, each of whom shall have practiced his profession for not less than five years, is hereby created. It shall be the duty of the board to carry out the purposes and enforce the provisions of this Act, and to that end the board shall have the power to make such rules and regulations as may be necessary. The members of the board shall be appointed by the governor of the State of California within twenty days from the day on which this Act shall go into effect, and appointment to fill any vacancy occurring in the board shall be made by the governor within twenty days from the time that he is notified of such vacancy. The term for which the members of the board of examiners of chiropody shall hold office shall be four years: except that two members first appointed under this Act shall hold office for two years, two members for three years and one member for four years, or until their successors are duly appointed and qualified. The governor shall have power to remove from office at any time any member of the board for continuous neglect of duty as such, or for incompetency, unprofessional or dishonorable conduct.

SEC. 3. It shall be the duty of the board to organize by electing a president, a secretary, and a treasurer. The secretary shall receive such compensation as may be fixed by the board, which compensation shall be in addition to his per diem and mileage as a member of the board. The board shall meet in regular session on the second Tuesday in January and July of each year. Three members of the board shall constitute a quorum for the transaction of business. The regular meetings of the board shall be held in Sacramento. Special meetings of the board may be called by the president or by not less than three members thereof. The notices for a special meeting must state the time, place and object of the meeting and must be deposited in the United States postoffice, postage prepaid, addressed to each member of the board, not less than seven days prior to such special meeting, except that by written consent of all the members of the board such meeting may be held without notice. At least fifteen days' notice of the time and place of regular meeting must be given to each member of the board by the secretary.

SEC. 4. Each member of the board shall, after his qualification and immediately upon the organization of the board, file with the secretary his postoffice address and thereafter any notice of change therein. Notice sent to the address on file shall be deemed compliance with the requirements of this Act as to notice of meetings.

SEC. 5. All books and proceedings of the board shall be public records, and at all times during business hours, open to public inspection. A copy of any part or all thereof certified by the secretary, shall be prima facie evidence in any court of this state.

SEC. 6. Every person applying to the board of examiners of chiropody for examination after January 1, 1915, must file with the secretary of the board a verified application showing that the applicant has completed a preparatory course of one (1) year under a licensed chiropodist or that the applicant has received a certificate of graduation from some school of chiropody recognized by the board of examiners of chiropody.

SEC. 7. Every person applying to the board of examiners of chiropody for a license to practice chiropody shall pay to the board a fee of twenty-five (\$25) dollars, which shall, in no case, be refunded; *provided*, that every chiropodist now practicing within the State of California, and wishing to continue so to practice, must within ninety days after this Act shall go into effect apply to the board of examination by said board for a license to practice chiropody, and upon making such application must pay the board a fee of five dollars.

SEC. 8. The board shall examine all applicants who are not less than twenty-one years of age and who furnish satisfactory evidence of having complied with the

provisions of this Act. The examination of applicants shall be elementary and practical in character but sufficiently thorough to test their fitness to practice chiropody. The examinations shall be conducted in the English language, shall be written and oral, and shall include the following subjects: anatomy of the feet, physiology of the feet, materia medica, therapeutics, bandaging and surgical chiropody. Demonstrations of the applicant's skill in practical chiropody must be required. Examinations in each subject shall consist of not less than ten questions, answers to which shall be marked on a scale of zero to ten. But all applicants must obtain not less than a general average of seventy-five per cent and not less than sixty per cent in any one subject: *provided*, that the board, in passing upon the qualifications of the applicant, shall credit him on his general average with two per cent for each year he shall have been actually engaged in the practice of chiropody; and *provided, further*, that any applicant obtaining seventy-five per cent each in the majority of the subjects, may be subsequently re-examined as frequently as regular examinations are held, in only those subjects in which he failed, and without additional fee, till a passing general average is obtained. The board shall also investigate the character of any applicant, and each member thereof is hereby empowered to administer oaths for the purpose of taking testimony in regard thereto. All persons successfully passing such examinations, and shown to be of good moral character, shall be registered as licensed chiropodists on a register to be kept by the board, and shall receive a certificate of such registration. The certificate shall be signed by the president and secretary of the board and must be continuously displayed in a conspicuous place in the office of the practitioner.

SEC. 9. Every licensed chiropodist shall, on or before the first day of May of each year, pay to the secretary of the board of examiners of chiropody a fee of five (\$5) dollars. Said fee shall be due and payable the second day of January of each year and delinquent the said first day of May of same year. The board may reduce or remit altogether said fee for one year, but such reduction or remission must be made alike to all liable to pay the same. In case any person defaults in paying the annual fee his license may be revoked by the board on thirty (30) days' notice in writing from the secretary thereof, unless within said time said fee is paid, together with such penalty, not exceeding ten (\$10) dollars, as the board may impose. After a license has been revoked, as herein provided, it may be reissued upon the payment of all annual fees due at the time of and since the lapsing of the license, together with the penalty imposed when the license was revoked.

SEC. 10. Chiropedic treatment, for the purpose of this Act, is understood to be the surgical treatment of abnormal or ingrown nails, of all superficial excrescences on the hands and feet, such as corns, warts or callosities, and the treatment of bunions; but it shall not include operations upon the hands or feet for congenital or acquired deformities or for conditions requiring the use of anæsthetics other than local or for incisions involving the structures below the level of the true skin. Any person shall be considered to be practicing chiropody within the meaning of this Act who shall display a sign or in any manner advertise himself as a chiropodist, or who for a fee, salary or reward, paid directly or indirectly to himself shall administer such chiropedic treatment, but nothing in this Act contained shall prohibit bona fide students of chiropody from operating under the direction of a licensed chiropodist.

SEC. 11. Every person, company or association who: (1) shall sell or barter or offer to sell or barter any diploma or document, conferring or purporting to confer any certificate made or purporting to be made pursuant to the laws regulating the license and registration of chiropodists; or (2) shall purchase or procure by barter any such certificate with the intent that same shall be used as evidence of the holder's qualifications to practice chiropody, or in fraud of the laws regulating such practice; or (3) shall, with fraudulent intent, alter in a material regard any such certificate; or (4) shall use or attempt to use any such certificate which has been purchased, fraudulently issued, counterfeited or materially altered either as a license or color of license to practice chiropody; or (5) shall practice chiropody under a false or assumed name; or (6) shall in an affidavit, required of an applicant for examination, license or registration under this Act, wilfully make a false statement, in a material regard; or (7) shall engage in the practice of chiropody under any title or name, without causing to be displayed in a conspicuous manner and place in his office the name of each and every person employed in the practice of chiropody therein, together with the word "student" after the name of each unlicensed person employed; or (8) shall within ten (10) days after demand made by the secretary of the board of examiners of chiropody of the State of California fail to furnish to the board the name and address of all persons employed in the practice of chiropody in the office of said person, company or association at any time within sixty (60) days prior to said notice, together with a sworn statement showing under and by what license or authority said person, company or association and said employees are and have been practicing chiropody, but such affidavit shall not be used as evidence against such person, company or association in any proceedings under this section; or (9) shall be found practicing chiropody in this state without a license or after his license has been revoked or suspended, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty (\$50) dollars and of not more than five hundred (\$500) dollars or by imprisonment for not less than five (5) days nor more than six (6) months in the county jail, or by both such fine and imprisonment. One

half of all fines recoverable under this section shall be paid by the magistrate receiving the same to the board of examiners of chiropody.

The board or any member or officer thereof may prefer a complaint for violation of the law regulating the practice of chiropody before any court of competent jurisdiction and may by its officers, counsel and agents aid in presenting the law and facts before said court in any proceedings taken hereunder; and it shall be the duty of the district attorney of each county of this state to prosecute all violators of the aforesaid provisions of this Act in their respective counties in which such violation occurs.

SEC. 12. Any chiropodist may have his license revoked or suspended by the board of examiners of chiropody for any of the following causes: (1) conviction of a felony or misdemeanor involving moral turpitude in which case the record of conviction or a copy thereof, certified by the clerk of the court, or by the judge in whose court the conviction is had, shall be conclusive evidence; (2) unprofessional conduct or gross ignorance, or inefficiency in the practice of his profession. Unprofessional conduct shall mean: employing what are known as cappers or steerers to obtain business; obtaining any fee by fraud or misrepresentation; wilfully betraying professional secrets; employing, directly or indirectly, any student or any suspended or unlicensed chiropodist to perform operations of any kind, or to treat lesions of the human feet or correct malimposed formations thereof, except as heretofore provided in Section 10; advertising chiropody business or treatment or devices in which untruthful statements are made; or being habitually intemperate or grossly immoral. The proceedings to revoke or suspend any license under the first subdivision of Section 12 must be taken by the board on the receipt of a certified copy of the record of conviction. The proceedings under the second subdivision of Section 12 may be taken by the board from the matters within its knowledge, or upon information furnished by any person. All accusations must be in writing, verified by some party familiar with the facts therein charged, and three copies thereof must be filed with the secretary of the board. Upon receiving the accusations the board shall, if it is deemed sufficient, make an order setting the same for hearing and requiring the accused to appear and answer at a specified time and place; and the secretary shall cause a copy of the order and of the accusation to be served upon the accused at least ten (10) days before the day appointed in the order for said hearing. The accused must appear at the time appointed in the order and make his defense to the charges, unless for sufficient cause the board assign another day for that purpose. If the accused does not appear the board may proceed and determine the accusation in his absence. If the accused pleads guilty or refuses to answer the charges, or if upon the hearing thereof the board shall find them or any of them true and sufficiently grave, the license of the practitioner thus found guilty of the charge may be revoked or a fine not exceeding one hundred (\$100) dollars may be imposed. The board and the accused may have the benefit of counsel and the board shall have power to administer oaths, to take depositions of witnesses in the manner provided by law in civil cases and to compel witnesses to attend in person, as in civil cases, by subpoena issued over the signature of the secretary and the seal of the board and in the name of the people of the State of California. Upon the revocation of any license the fact shall be noted upon the records of the board and the license shall be marked as canceled upon the date of the revocation.

SEC. 13. All moneys received under this Act shall be reported to the state controller by the secretary of the board of examiners of chiropody at the beginning of each month for the month preceding, and at the same time such collections shall be paid into the state treasury, and shall be credited to the board of examiners of chiropody contingent fund and shall be drawn upon claims duly audited by the board, and shall be paid in the usual manner. Each member of said board may receive as compensation ten (\$10) dollars for each day actually spent in attending to the duties of his office and mileage at the rate of five (5) cents per mile for all distances actually traveled in going to and from the meeting of the board. Said compensation and expenses shall be paid from the board of examiners of chiropody contingent fund.

SEC. 14. The board of examiners of chiropody shall, on or before the first day of December, make to the governor of the State of California a report of its proceedings for the preceding fiscal year, together with an account of all moneys received and disbursed by the board pursuant to the provisions of this Act.

SEC. 15. Nothing in this Act shall be so construed as to interfere with the rights and privileges of physicians and surgeons in the discharge of their duties.

SEC. 16. Before beginning to practice chiropody in any county in this state every person who shall hereafter be licensed shall, in a book kept by the county clerk for such purpose, and called "a register of chiropodists," register his name, age, office address, the date and number of his license to practice chiropody, and the date of such registration, which registration he shall be entitled to make only upon showing to the county clerk his license; *provided, however*, that said person instead of appearing before the county clerk may make affidavit before any officer authorized by law to administer oaths setting forth all the requirements for registration; and that this affidavit together with the license, or a certified copy thereof, shall be forwarded to the said county clerk for registration; and *provided, further*, that not more than six months shall elapse between the issuance of the license and

the registration thereof. The county clerk shall preserve such affidavit and shall issue to every licentiate duly registering and making such affidavit a certificate of registration in his county, which shall include a transcript of the registration. Such transcript and license may be offered in all courts as primary evidence of the facts therein stated. A copy of such certificate of registration shall be sent by the county clerk to the secretary of the board of examiners of chiropody within five (5) days after it is made. The county clerk's fee for taking such registration and affidavit and issuing such certificate of registration shall be one (\$1) dollar. A chiropodist who has registered to practice chiropody in one county of the state may be registered to practice in any other county therein by presenting to the clerk thereof his original certificate of registration, or a certified copy thereof. The clerk shall thereupon register the applicant in the "register of chiropodists" of the latter county on receipt of a fee of fifty (50) cents, and shall stamp or endorse on such certificate of registration the date and his name preceded by the words "registered also in ----- county," and return the certificate of registration to the applicant. Any failure, neglect or refusal on the part of any person holding such license to register the same with the clerk of said county before beginning to practice, or for a period of six months after the issuance thereof shall *ipso facto* work a forfeiture of his license, and it shall not be restored except upon the payment to the board of examiners of chiropody of twenty-five (\$25) dollars. Any suspension, revocation or reinstatement of a license shall, with the date thereof, be forthwith noted by the county clerk on the margin of the registration thereof upon receipt of notice from the secretary of the board.

Motion carried.

The Speaker appointed Mr. Ryan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 69, with instructions, do now report that the instructions of the Assembly have been carried out.

RYAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF STANDING COMMITTEE:

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same, with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

BOHNETT, Chairman.

Mr. Smith moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guilbertson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated.

By Mr. Gabbert: Assembly Bill No. 2065—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization,

incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

Bill read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 9—An Act to regulate the receiving and keeping of food in cold storage and regulating the sale of said food, and providing a penalty for the infringement and violation of said Act.

Also: Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FITZGERALD, Chairman.

The above reported bills ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to whom was referred Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing cream in creameries of the State—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BYRNES, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 48—An Act to increase the number of judges of the Superior Court of the county of Kern, and to provide for the appointment of an additional judge.

Assembly Bill No. 148—An Act to amend Section 874 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 184—An Act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation.

Assembly Bill No. 255—An Act to amend Section 1584 of the Political Code, relating to the government of school districts by municipal charter.

Assembly Bill No. 294—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Assembly Bill No. 687—An Act to organize and declare valid all proceedings in the San Ysidro Irrigation District.

Also: Assembly Joint Resolution No. 23, relative to a request for permission of the National Government under such terms and conditions as may be necessary to permit an increased number of stock and sheep to graze within the national forest and other federal reservations.

And were presented to the Governor this fourth day of April, 1913, at ten o'clock and forty-five minutes a.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 508—An Act to create the California Highway Commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor.

Assembly Bill No. 1601—An Act to amend Section 702 of the Code of Civil Procedure of the State of California, relating to rate of interest on redemption.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Assembly Bill No. 287—An Act to divide the State of California into fish and game districts, to regulate and license the hunting of wild birds and animals, to provide revenue therefrom, and for game and fish preservation and restoration.

Assembly Bill No. 322—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 306, prohibiting the sale, furnishing or giving away of morphine, codeine, heroin, opium or cocaine, or the salts, compounds or preparations of any thereof, and providing a penalty for its violation.

Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628g, relating to the protection and preservation of perch.

Assembly Bill No. 357—An Act to protect any child or person enrolled or employed in, around or about or in attendance upon any public or private school, or other educational institution, within the State of California, from indiscriminate vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations of certain sections a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911.

Assembly Bill No. 380—An Act providing for the sanitation and disinfection of public buildings, railway coaches and sleeping cars.

Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide for maintenance of county highways improved under bond issues in the counties of the State, and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

Assembly Bill No. 982—An Act to promote the safety of employees of electric light, power, telephone and telegraph plants and electric street railways, and providing a penalty for the violation thereof.

Assembly Bill No. 1095—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes; and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments, and places of amusement, and to provide for the enforcement thereof.

Assembly Bill No. 1140—An Act to amend Section 290a of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depository or trustee or to engage in the business of banking.

Assembly Bill No. 1256—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds.

Assembly Bill No. 1259—An Act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

Assembly Bill No. 1795—An Act making an appropriation to purchase a site on which to erect a state printing office.

Also: Assembly Joint Resolution No. 13—A joint resolution asking the Congress of the United States to enact the Hamill bill (H. R. 9242) known as "the straight

pension" bill for the pensioning of civil service employees of the United States post office department.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk and ordered printed in the Journal:

MR. SPEAKER: The reasons why I have cast my vote against Bill No. 45 is that there has been no demand and desire from the people of San Francisco, and that the city and county of San Francisco is now in debt and bonded for almost its bonded limit, and that there are a great many more improvements being sought by the people of San Francisco which will be a great many years yet before the city and county of San Francisco will be placed in a position to bond itself for municipal control of the water front, and whenever the people of San Francisco desire and demand municipal control of the waterfront of San Francisco, and if I am placed in the position to help in securing municipal control of the water front, I will cheerfully and gladly use my utmost efforts and influence in having the desires and demands of the people of San Francisco accomplished.

VICTOR J. CANEPA.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Dower, Mr. H. M. McDonald was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At three o'clock and forty minutes p.m., on motion of Mr. Smith, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, April 5, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—72.

Quorum present.

LEAVES OF ABSENCE.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

On motion of Mr. Slater, Mr. Cram was granted leave of absence for the day.

On motion of Mr. Bohnett, Mr. Alexander was granted leave of absence until Wednesday, April 9, 1913.

On motion of Mr. Ryan, Messrs. Canepa, Collins, Nolan, Scott, and Walsh were granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

PETITIONS.

The following petitions were received, and ordered printed in the Journal.

By Mr. Killingsworth:

We, the undersigned merchants and taxpayers of the city of Vallejo, do hereby request our representatives in the Legislature, Hon. B. F. Rush and Hon. W. S. Killingsworth, to do their utmost to defeat what is known as the Wyllie bill, which is designed to prevent the sale of liquor within a four-mile radius of any army or naval station.

This law is most pernicious in its effect, and we earnestly protest against its adoption.

DR. HENRY L. HARRIS, D.D.S. (and others).

By Mr. Johnston:

SAN FRANCISCO, CAL., April 1, 1913.

WHEREAS, There is an Act pending before the California Legislature, known as "Senate Bill No. 134" and "Assembly Bill No. 75," requiring cement factories and also their packing houses to be made dustless, and also requiring that Portland cement manufactured in this State shall be packed in dust-proof containers.

Now, therefore, the undersigned contractors of San Francisco, request the Senators and Assemblymen from all the districts throughout California to vote against this measure for the following reasons:

First—It is a physical impossibility to make a cement plant dust-proof, any more than a flour mill, a rice mill, or any other kind of a mill grinding materials to a fine powder. A cement mill is absolutely no more dusty than a crushing plant, and in a good many instances not as dusty.

Second—The only kind of a dust-proof package that could be manufactured would be a metal one, which would so increase the cost of production that it would be sure to curtail the use of cement, and increase the cost of buildings and the cost of paving, sidewalk, sewer work, etc.

Third—California ships about one quarter of its cement output into Oregon, Washington, Nevada and Arizona, and such a package would again so raise the cost that it would be impossible to compete with local manufacturers in these territories, and California needs the business and the money. Furthermore, it would probably so raise the cost as to permit the importation into California of foreign cement from Europe, China and Japan.

Fourth—Hospital records taken from general hospitals, and also from hospitals near cement factories, both in this country and in Europe, show that the dust of cement factories is not injurious to human beings. These records show that men who are employed all the time in the factories manufacturing Portland cement are entirely free from nose, throat and lung diseases.

Fifth—Exactly the same bill was introduced in the Oregon and Washington legislatures, and defeated; therefore, California manufacturers should not be put under this handicap.

(Signed) JOHN SPARGO (and others).

By Mr. Gelder:

To the Honorable Committee on Fish and Game:

We, the undersigned, would like the following laws enacted for the preservation of fish, as well as the protection of fishermen: A five (5) inch mesh for striped bass in the bay of San Francisco as far up as the Vallejo light, and above that a five and one-half (5½) inch mesh.

The reason for this law is that the bass in the bay are slim, they have no big

bellies full of eggs as they have when they get up to the mouth of the San Joaquin River. The river fishermen ask for a five and one half (5½) inch mesh because they do not want us to catch them till they get up the river, when they have big bellies from the eggs and milt and they can catch fish of the same length and shorter that goes through our net in the bay on account of not having eggs; besides the river fishermen use a five and one half (5½) inch and six (6) inch mesh for catching shad, which fish are not caught in the bay; there are hardly any fish but striped bass left in the bay, as the bass have destroyed the silver perch (formerly very numerous), smelt and other small fish. Bass between 3 and 4½ pounds are the most salable, while 5-pound fish or over are too large for a family and too small to cut up; there is too great a waste in cutting up striped bass.

For these reasons we want the five (5) inch mesh in the bay, so that we can make a living and support our families.

MARTIN M. SAMSON (and others).

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Bill No. 1005—An Act to add a new section to the Political Code of the State of California, to be numbered 1097a, relating to elections and the registration of voters.

Also: Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Bill No. 933—An Act to amend Section 1696 of the Political Code of the State of California, relating to the duties of teachers.

Also: Senate Bill No. 947—An Act to amend Section 3898 of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

Also: Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library, and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Also: Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 1410a, relating to the water of all natural streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410a, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Also: Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses," approved March 15, 1899, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States,' approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by amending Section 4 thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 3, 1913, adopted Senate Concurrent Assembly No. 13—A resolution proposing to the people of the State of California an amendment to Section 13½ of Article XI of the Constitution of the State of California, relating to the place of payment of bonds, and the interest thereon, of counties, cities and counties, cities, municipalities, irrigation districts and other public corporations, and to the money in which such bonds and interest may be made payable.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 2, 1913, adopted Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3a.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 50—An Act to declare the Sonora and Mono road, in Tuolumne County, a state highway.

Also: Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Also: Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Also: Senate Bill No. 263—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes, and validating and confirming grants of such lands made by such municipal corporations to the United States.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of San Luis Obispo, in the county of San Luis Obispo, State of California, which was voted for and ratified by the qualified electors of said city at a special municipal election held therein for that purpose on the eighteenth day of March, 1913.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1005 read first time, and referred to Committee on Elections.

Senate Bill No. 1026 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 933 read first time, and referred to Committee on Education.

Senate Bill No. 947 read first time, and referred to Committee on Judiciary.

Senate Bill No. 873 read first time, and referred to Committee on Universities.

Senate Bill No. 412 read first time, and referred to Committee on Conservation.

Senate Bill No. 843 read first time, and referred to Committee on Conservation.

Senate Bill No. 413 read first time, and referred to Committee on Military Affairs.

Senate Constitutional Amendment No. 13 read, and referred to Committee on Constitutional Amendments.

Senate Constitutional Amendment No. 66 read, and referred to Committee on Constitutional Amendments.

Senate Bill No. 50 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 916 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1492 read first time, and referred to Committee on Judiciary.

Senate Bill No. 263 read first time, and referred to Committee on Commerce and Navigation.

Assembly Concurrent Resolution No. 25 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 734?"

On page 2, line 15, strike out the word "views", and insert in lieu thereof the word "choice".

The roll was called, and Senate amendment to Assembly Bill No. 734 was concurred in by the following vote:

AYES—MESSRS. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Chandler, Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Palmer:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 1 of an Act entitled "An Act to provide for the alterations of the boundaries of, and for annexation of territory to, incorporated towns and cities, and for the incorporation of such annexed territory in, and as a part of such municipalities, and for the districting, government," etc.

Referred to Committee on Introduction of Bills.

By Mr. Ellis:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act providing how workmen may pay fines imposed for delinquencies at the rate of not less than two dollars a week.

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 1401 of the Civil Code of the State of California, relating to community property.

Referred to Committee on Introduction of Bills.

By Mr. Farwell:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

MR. SPEAKER: Your Committee on Free Conference, concerning Assembly Bill No. 68, entitled "An Act to amend an Act entitled 'An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records,' approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter," beg to report that we have met a like committee of the Senate, consisting of Senators Kehoe, Shanahan and Benson, and to further report that such Free Conference Committee has agreed that said Assembly Bill No. 68 be amended in the following particulars:

Strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Section 18 of an Act entitled 'An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records, approved June 16, 1906, as amended by an Act approved March 6, 1909, as amended by an Act approved February 3, 1911,' is hereby repealed, it being the intention of the Legislature of the State of California to remove the limit of time within which actions may be commenced under the provisions of this Act."

Also: By amending the title so that it shall read: "An Act to amend an Act entitled 'An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records, approved June 16, 1906, as amended by an Act approved March 6, 1909, as amended by an Act approved February 3, 1911,' so as to repeal Section 18 thereof, relating to the time within which actions may be commenced.

SCHMITT,
SUTHERLAND,
BRADFORD,
Committee.

Mr. Schmitt moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McCarthy, McDonald, Moorhouse, Morgensorn, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, White, Woodley, and Mr. Speaker—50.

NOES—None.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until next legislative day.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½ of Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

During the reading of the constitutional amendment, the following amendments were submitted by the committee:

On page 1, line 3, of the title, strike out the figures "7½", and insert in lieu thereof the following: "seven and one half".

Also: On page 1, line 5, strike out "section 7½", and insert the following: "sections six and seven and one half".

Also: On page 1, line 3, of the title, between the words "amending" and "section", insert the following: "Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations; and also by amending".

Also: Between lines 6 and 7, on page 1, insert the following:

"Section 6. Corporations for municipal purposes shall not be created by special laws; but the legislature shall, by general laws, provide for the incorporation, organization and classification, in proportion to population, of cities and towns, which laws may be altered, amended, or repealed; and the legislature may by general laws, provide for the performance by county officers of certain of the municipal functions of cities and towns so incorporated, whenever a majority of the electors of any such city or town voting at a general or special election shall so determine. Cities and towns heretofore organized or incorporated may become organized under the general laws passed for that purpose, whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith. Cities and towns hereafter organized under charters framed and adopted by authority of section eight of this article are hereby empowered, and cities and towns heretofore organized by authority of said section eight may amend their charters in the manner authorized by said section eight so as to become likewise empowered hereunder, to make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters, and in respect to other matters they shall be subject to and controlled by general laws. Cities and towns heretofore or hereafter organized by authority of section eight of this article may, by charter provision or amendment, provide for the performance by county officers of certain of their municipal functions, whenever the discharge of such municipal functions by county officers is authorized by general laws or by the provisions of a county charter framed and adopted by authority of section seven and one half of this article."

Also: Strike out in lines 10 and 11, on page 1, the words "relating to the matters hereinafter in this section specified, and none other," and substitute therefor the following words: "and relating to matters authorized by provisions of the Constitution."

Also: Strike out the following words, in lines 33, 34, 35 and 36, on page 7: "provided, that the provisions of such charters relating to the powers and duties of boards of supervisors and all other county officers shall be subject to and controlled by general laws."

Also: Strike out paragraph 43, on pages 7 and 8, and substitute therefor the following:

"43. For the assumption and discharge by county officers of certain of the municipal functions of the cities and towns within the county, whenever, in the case of cities and towns incorporated under general laws, the discharge by county officers of such municipal functions is authorized by general law, or whenever, in the case of cities and towns organized under section eight of this article, the discharge by county officers of such municipal functions is authorized by provisions of the charters, or by amendments thereto, of such cities or towns."

Also: Insert between lines 22 and 23, on page 8, the following paragraph:

The legislature may by general laws confer and impose on boards of supervisors

and all other county officers powers and duties in addition to those provided by charters under this section."

Also: In line 14, on page 10, strike out all after the word "provided", and also strike out all of lines 15 to 20, both inclusive, and insert in lieu thereof a period (.).

Amendments adopted.

Assembly Constitutional Amendment No. 60 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 830—An Act to amend Section 4041a of the Political Code of the State of California, by adding a subsection thereto, to be numbered Subsection 20a.

During third reading of the bill, Mr. Ellis moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all after the words "An Act", and insert in lieu thereof the following:
"To amend Section 4041 of the Political Code of the State of California, relating to the general powers of boards of supervisors.

The people of the State of California do enact as follows:

SECTION 1. Section 4041 of the Political Code of the State of California is hereby amended to read as follows:

Sec. 4041. The boards of supervisors, in their respective counties, shall have jurisdiction and power, under such limitations and restrictions as are prescribed by law:

1. To supervise the official conduct of all county officers, and officers of all districts and other subdivisions of the county charged with the assessing, collecting, safe-keeping, management, or disbursement of the public revenues; to see that they faithfully perform their duties, direct prosecutions for delinquencies, and, when necessary, require them to renew their official bonds, make reports and present their books and accounts for inspection.

2. To divide the counties into townships, election, school, road, supervisor, sanitary, and other districts required by law, change the same, and create others, as convenience requires.

3. To establish, abolish, and change election precincts, and to appoint inspectors, clerks and judges of election, canvass all election returns, declare the result, and order the county clerk to issue certificates thereof; but no election precinct shall be established or abolished, or the boundaries of any precinct changed within ninety days prior to any election.

4. To lay out, maintain, control, construct, repair, and manage public roads, turnpikes, ferries, wharves, chutes, and other shipping facilities and bridges within the county, unless otherwise provided by law, and to grant franchises and licenses to collect tolls thereon; *provided*, where the cost of the construction of any bridge, wharf, chute, or other shipping facilities that may be built under the provisions of this subdivision exceeds the sum of five hundred dollars, they must cause to be prepared and must adopt plans and specifications, strain sheets, and working details, and must advertise for bids for the construction of such bridge, wharves, chutes, or other shipping facilities, unless otherwise provided by law, in accordance with the plans and specifications so adopted:

All bidders shall be afforded opportunity to examine such plans and specifications, and said board shall award the contract to the lowest responsible bidder, and the plans and specifications so adopted shall be attached to and become a part of the contract; and the person or corporation to whom the contract is awarded shall be required to execute a bond, to be approved by said board, for the faithful performance of such contract; *provided*, that after the submission of the bids as herein provided, the board of supervisors being advised by the county surveyor that the work can be done for a sum less than the lowest responsible bid, it shall then be their privilege to reject all bids and to order the work done or structure built by day's work, under the supervision and control of said surveyor; *provided, further*, that the surveyor in such cases shall be held personally responsible under his official bond, to construct such bridge or structure, according to his plans and specifications, at a cost not to exceed the amount of the lowest responsible bid received; *provided*, that the road commissioners or road overseers in their respective districts shall employ all labor required and direct the conduct of work of any kind upon any and all public roads; *provided, further*, that in cases of great emergency, by the unanimous consent of the whole board, they may proceed at once to replace or repair any and all bridges and structures without notice.

5. To construct or lease, officer and maintain, hospitals and almshouses, or otherwise, in their discretion, provide for the care and maintenance of the indigent sick or dependent poor of the county; and for such purposes to levy the necessary property or poll taxes, or both. The board of supervisors shall appoint some suitable person to take care of and maintain such hospitals and almshouses, and shall also appoint

some suitable graduate or graduates in medicine to attend to such indigent sick or dependent poor, and to the patients in such hospitals and almshouses. The board shall not let the care, maintenance, or attendance of such indigent sick or dependent poor by contract to the lowest bidder.

6. To provide a farm, in connection with the county hospital, or almshouse, and make regulations for working the same.

7. To purchase, receive by donation, lease, or otherwise acquire real or personal property or water rights necessary for the use of the county; to purchase, receive by donation, or otherwise acquire real property for public pleasure grounds, or public parks, and to improve, preserve, take care of, manage and control the same; to purchase, receive by donation, lease, or otherwise acquire real property upon which to sink wells to obtain water for sprinkling roads and other county purposes, and to erect thereon tanks and reservoirs for the storage of water for such purposes, and to erect pumping apparatus for obtaining the same, to preserve, take care of, and manage and control the same; but no purchase of real property shall be made unless a notice of the intention of the board to make such purchase, describing the property to be purchased, the price to be paid therefor, from whom it is proposed to be purchased, and fixing the time when the board will meet to consummate such purchase, has been published for at least three weeks in some newspaper of general circulation, published in the county; or if none be published in the county, then has been posted at least three weeks prior to the time when the board meets to consummate such purchase, in at least three public places in each supervisor district.

8. To cause to be erected, or rebuilt, or furnished, a courthouse, jail, hospital, historical museum, art gallery, and such other public buildings as may be necessary, or to provide suitable buildings for such purposes. None of the aforesaid buildings shall be erected or constructed until the plans and specifications have been made therefor and adopted by the board. All such buildings must be erected by contract, let to the lowest responsible bidder, after notice by publication in a newspaper of general circulation published in such county, for at least thirty days. In case there is no newspaper published in such county, then such notice shall be given by posting in three public places.

9. To sell at public auction, at the courthouse door, or at such other place within the county as the board may, by a four-fifths vote, order, after thirty days notice, given either by publication in a newspaper published in the county or by posting in five public places in the county, and convey to the highest bidder for cash, any property belonging to the county not required for public use, paying the proceeds into the county treasury for the use, of the county; *provided*, if in the unanimous judgment of the board, the property does not exceed in value the sum of seventy-five dollars, or if it be a product of the county farm, the same may be sold at private sale, without advertising, by any member of the board empowered for that purpose by a majority of the board.

10. To examine and audit, at least every twelve months, the accounts of all officers having the care, management, collection, or disbursement of moneys belonging to the county, or moneys received or disbursed by them under the authority of law.

11. To examine, settle, and allow all accounts legally chargeable against the county, except salaries of officers, and such demands as are authorized by law to be allowed by some other person or tribunal, and order warrants to be drawn on county treasurer therefor.

12. To levy taxes upon the taxable property of their respective counties for all county purposes and also upon the taxable property of any district, for the construction and repair of roads and highways and other district purposes; *provided*, that no tax shall be levied upon any district until the proposition to levy the same has been submitted to the qualified electors of such district and received a majority of all the legal votes cast upon such proposition.

13. To acquire and take by purchase, condemnation, or otherwise, land for the uses and purposes of public boulevards; to lay out, establish and improve public boulevards, and to incur a bonded indebtedness for any of such purposes; *provided*, that no such indebtedness shall be incurred for any of such purposes until after the question of the issue of bonds therefor shall have been submitted to the qualified electors of the county, at a special election called for that purpose and two thirds of the electors of the county voting at such election shall have voted in favor of issuing such bonds; said election to be called and held and said bonds, if authorized, to be issued, sold and made payable in the manner and form prescribed by section four thousand and eighty-eight. Said boards shall also have power to maintain public boulevards, established and laid out under the provisions of this title, and to make and enforce rules and regulations for the protection, management, control and use of such boulevards.

14. To maintain, regulate, and govern public pounds, fix the limits within which animals shall not run at large, and appoint poundkeepers, who shall be paid out of the fine imposed and collected from the owners of impounded animals, and from no other source.

15. To equalize assessments.

16. To direct and control the prosecution and defense of all suits to which the county is a party, and, by a two-thirds vote of all the members, may employ counsel to assist the district attorney in conducting the same.

17. To insure the county buildings and other property in the name of and for the benefit of the county.

18. To establish a salary fund, and such other county funds as they may deem necessary for the proper transaction of the business of the county, and to transfer moneys from one fund to another, as the public interests may require.

19. To fill, by appointment, all vacancies that may occur in any office filled by the appointment of the board of supervisors and elective county or township officers, except in those of judge of the superior court and supervisor, the appointee to hold office for the unexpired term or until the next general election.

19a. To employ the copyists necessary to reproduce any of the county records that may be in danger of destruction by age, obliteration, or constant use in any of the county offices.

19b. To employ a purchasing agent whose duties shall be to purchase for the county and the offices thereof, all stationery, clothing, bedding, groceries, provisions, drugs, medicines and all other supplies, the same to be purchased only upon a proper requisition therefor. Also to employ for said purchasing agent such assistants as may be necessary for him to properly fulfill his duties.

20. To make and enforce such rules and regulations for the government of their body, the preservation of order, and the transaction of business, as may be necessary, and the supervisors may attend annual state meetings of the state supervisors' association and shall be allowed their actual traveling expenses, in going to and from attendance upon any such state association meetings.

21. To adopt a seal for the board, a description and impression of which must be filed in the office of the county clerk and the secretary of state.

22. To license, in the exercise of their police powers, and for the purpose of regulation, as herein provided, and not otherwise, all and every kind of business not prohibited by law, and transacted and carried on within the limits of their respective jurisdictions, and all shows, exhibitions, and lawful games carried on therein, to fix the rates of license tax upon the same, and to provide for the collection of the same by suit or otherwise; *provided*, that every honorably discharged soldier, sailor, or marine of the United States, who is unable to obtain a livelihood by manual labor, shall have the right to hawk, peddle and vend any goods, wares or merchandise, except spirituous, malt, vinous or other intoxicating liquor, without payment of any license, tax or fee whatsoever, whether municipal, county or state, and the board of supervisors or legislative body shall issue to such soldier, sailor or marine, without cost, a license therefor; *provided, however*, no license can be collected, or any penalty for the non-payment thereof enforced against any commercial traveler whose business is limited to the goods, wares and merchandise sold or dealt in in this state at wholesale.

23. To provide for the destruction of gophers, squirrels, other wild animals, noxious weeds, and insects injurious to fruit or fruit trees, or vines, or vegetable or plant life.

24. To provide for the prevention of injuries to sheep by dogs, and to tax dogs and to direct the application of the tax.

25. To provide by ordinances, not in conflict with the general laws of the state, for the protection of fish and game, and may shorten the season for the taking or killing of fish and game, within the dates fixed by the general state laws, but shall not lengthen the same.

26. To provide for the working of prisoners confined in the county jail under judgment of conviction of misdemeanor, under the direction of some responsible person, to be appointed by the sheriff, whose compensation shall not exceed one hundred dollars per month, upon the public grounds, roads, streets, alleys, highways, or public buildings, or in such other places as may be deemed advisable, for the benefit of the county.

27. To provide for the burying of the indigent dead.

28. To make and enforce, within the limits of their county, all such local police, sanitary, and other regulations as are not in conflict with general laws.

29. To adopt such rules and regulations, within their respective counties, with regard to keeping and storing of every description of gunpowder, Hercules powder, giant powder, or other explosive or combustible material, as the safety and protection of the lives and property of individuals may require.

30. To appropriate from the general fund of the county, unless otherwise in this title provided not to exceed, in counties of the first and second class, the sum of three thousand dollars, and in all other counties the sum of two thousand dollars in any one year, to aid in or carry on the work of inducing immigration thereto, or for the purpose of exhibiting or advertising the agricultural, mineral, manufacturing, or other resources of the county.

31. To enforce, by ordinance, within the limits of their counties, all such regulations concerning the size of wagons and vehicles of all kinds to be used on the roads or highways, and the width of tires on the same, as are not in conflict with general laws.

32. To grant licenses and franchises for constructing, keeping and taking tolls on roads, bridges, ferries, wharves, chutes, booms, and piers, and to grant franchises along and over the public roads and highways for all lawful purposes, upon such terms and conditions and restrictions as in their judgment may be necessary and proper, and in such manner as to present the least possible obstruction and inconvenience to the traveling public.

33. To grant, on such terms, conditions, and restrictions as in their judgment may be necessary and proper, licenses and franchises for taking tolls on the public roads or highways, whenever in their judgment the expense necessary to operate or maintain such public roads or highways as free public highways is too great to justify the county in so operating or maintaining them. It shall always be a condition attached to the granting of such licenses and franchises, that such roads or highways shall be kept in reasonable repair by the person or persons to whom such licenses or franchises may be granted.

34. To enact ordinances and regulations for the construction, alteration, repair, and control of all public roads and highways in the county, unless otherwise provided by law.

35. To levy a special road-fund tax, not to exceed two (2) mills on the one dollar of assessed valuation, on all the property in such counties, outside of any incorporated city or town. Such tax shall be in addition to all taxes otherwise provided for, and the fund so created shall be expended for the construction and maintenance of the main public roads or county highways in the several road districts, in proportion to the amount collected from such districts.

36. To levy a special sanitary tax, not to exceed one half ($\frac{1}{2}$) mill on the one dollar of assessed valuation, on all the property in such counties, outside of any incorporated city or town. Such tax shall be in addition to all taxes otherwise provided for, and the fund so created shall be used to prevent the introduction of dangerous, infectious or communicable diseases and to eradicate them if introduced, and for the purpose of general sanitation.

37. To encourage, under such regulations as they may adopt, the planting and preservation of shade and ornamental trees on the public roads and highways, and on and about the public grounds and buildings of the county, and pay to persons planting and cultivating the same for every living tree thus planted at the age of four years, a sum not exceeding one dollar.

38. To provide by ordinance for the organization and government of districts, to protect and preserve the banks of rivers and streams and lands lying contiguous thereto from injuries by overflow or the washing thereof, and to provide for the improvement of said rivers and streams, and prevent the obstruction thereof, and to provide for the assessment, levy, and collection within such districts of a tax therefor.

39. To appropriate a sum not exceeding two cents per one hundred dollars of the assessed valuation of their county in any one year, in addition to any sum which may be chargeable to the county for the repayment of money expended by the state for protection against fire in such counties; for the purpose of protecting forests, brush and grass lands therein, against fire or other injury, and of aiding the state and federal authorities in forestry work.

40. To do and perform all other acts and things required by law not in this title enumerated, or which may be necessary, to the full discharge of the duties of the legislative authority of the county government.

Motion carried.

The Speaker appointed Mr. Ellis as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 830, with instructions, do now report that the instructions of the Assembly have been carried out.

ELLIS, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 508—An Act to create the California highway commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor.

On request of Mr. Chandler, the above Assembly bill was re-referred to Committee on Roads and Highways.

Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1561 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California, to be known as Section 2567a, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1739 passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto, to be known as Section 653e, relating to wages of employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1495 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgestern, Mouser, Murray, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Sections, 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12*a*, 14, 15, 19, 21, 22, 23, 24, 25, 28, 31, 32, 34, 35, 37, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 95, 96, 97, 98, 99, 101, 102, 105, 121, 123, 124, 127, 128, 130, 133, 134, 136, 137, 138 and 145 thereof and by repealing Sections 13, 18, 33, 100, 103 and 104 thereof and by adding new sections thereto, to be numbered Sections 21*a*, 31*a*, 54, 55, 56, 61*a*, 135*a*, 136*a* and 136*b* and by repealing Section 135 thereof and adding a new section thereto, to be numbered Section 135, all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1137 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Griffin, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 399—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, by amending Section 58 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 399 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clark, Wm. C., Ellis, Ferguson, Finnegan, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Shannon, Shartel, Slater, Sutherland, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

SPECIAL ORDER SET.

On motion of Mr. Sutherland, the consideration of Assembly Concurrent Resolution No. 17 was made a special order for Monday, April 7, 1913, at eleven o'clock a.m.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375*b*, relating to the receptacles for gasoline and kerosene.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Ryan, Schmitt, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, White, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 803—An Act to authorize and encourage the establishment of kindergartens in connection with the public schools of California, and providing the manner in which funds for the support of public kindergartens shall be raised.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 803 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Ferguson, Finnegan, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Smith, Strine, Tulloch, Woodley, and Mr. Speaker—44.

NOES—Messrs. Ellis, Nelson, and White—3.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. McDonald, the consideration of Assembly Bill No. 75 was made a special order for Tuesday, April 8, 1913, at eleven o'clock and fifteen minutes a.m.

WITHDRAWAL OF BILL.

Mr. White asked for and was granted unanimous consent to withdraw Assembly Bill No. 1149.

Bill withdrawn, and ordered stricken from the file.

SPECIAL ORDER SET.

On motion of Mr. Bowman, the consideration of Assembly Bill No. 477 was made a special order for two o'clock p.m. of this day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634½, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1459 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Brown, Cary, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Inman, Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Weldon, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1452—An Act to amend Section 628*b* of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1452 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Peairs, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, Weldon, Woodley, and Mr. Speaker—44.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628*g*, relating to the protection and preservation of perch.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 325 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Strine, Tulloch, Woodley, and Mr. Speaker—50.

NOES—None.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Bowman:

In last line of title, before the word "perch", insert the following: "salt water".

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1259—An Act creating a reclamation district, to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1259 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Clark, Wm. C., Ellis, Ferguson, Finnegan, Fitzgerald, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Strine, Sutherland, Tulloch, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST.

Mr. Johnston asked unanimous consent of the Assembly for permission to present a petition, and introduce a concurrent resolution out of order.

Unanimous consent refused.

MOTION.

Mr. Johnston moved that the rules be suspended.

Motion duly seconded.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Brown, Dower, Finnegan, Fitzgerald, Griffin, Guiberson, Guill, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McCarthy, Murray, Nelson, Polsley, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weldon, and White—29.

NOES—Messrs. Ambrose, Benedict, Bohnett, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Roberts, Ryan, Shartel, Smith, Strine, Sutherland, Woodley, and Mr. Speaker—32.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 628 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weldon, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1076 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Griffin, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Strine, Sutherland, Tulloch, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER.

Mr. Inman gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1076 was this day passed.

Mr. Schmitt gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 803 was this day passed.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804b, relating to the cancellation of erroneous assessments.

Also: Assembly Bill No. 433—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Also: Assembly Bill No. 1536—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered 3a, relative to the issuance of a certificate permitting any person, who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Also: Assembly Bill No. 647—An Act to prohibit the use of bran, sawdust, rice, cement, or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Also: Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Also: Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to forms of judgments and notice thereof to be given to litigants.

Also: Assembly Bill No. 568—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Also: Senate Bill No. 124—An Act to amend Section 791 of the Political Code, relating to notaries public.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 737—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to the condemnation of private property for public use and the payment of money therefor.

Also: Assembly Bill No. 100—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 544a, relating to service of civil process

on all corporations or firms other than state, county, municipal, or district corporations doing business in more than one county in this State.

Also: Assembly Bill No. 1846—An Act regulating loans of money on assignment of wages and salaries; fixing a maximum rate of interest, and providing penalties thereof.

Also: Assembly Bill No. 1850—An Act for the relief of purchasers of school lands.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code relating to the right to vote and the registration of voters—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1736—An Act to add a new section to the Penal Code, to be numbered 54c, prohibiting the employment of, or acceptance of compensation by any political workers upon election days, excepting those employed at headquarters—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 316—An Act to amend Section 3491 of the Political Code of the State of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1312—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station, in El Dorado County, to McKinney's, in Placer County—have had the same under consideration,

and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 174—An Act to amend section sixteen hundred twenty-two of the Political Code of the State of California, relating to expenditure of state and county school money.

Also: Senate Bill No. 502—An Act to amend section sixteen hundred seventy-four of the Political Code of the State of California, relating to union school districts.

Also: Senate Bill No. 504—An Act to amend section seventeen hundred forty of the Political Code of the State of California, relating to meetings of high school boards.

Also: Senate Bill No. 506—An Act to amend section eighteen hundred seventy-six of the Political Code of the State of California, relating to contracts by boards of school trustees and city boards of education.

Also: Senate Bill No. 694—An Act to amend section fifteen hundred ninety-seven of the Political Code, relating to the time that polls shall be open at elections in school districts.

Also: Senate Bill No. 1104—An Act to amend section sixteen hundred eighty-five of the Political Code, relating to causes for the suspension or expulsion of school children.

Also: Senate Bill No. 1523—An Act to amend section seventeen hundred fifty-six of the Political Code of the State of California, relating to the maintenance of high school.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STRINE, Vice-Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 1628—An Act to amend Section 1665 of the Political Code of the State of California, relating to including California history in the course of study—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STRINE, Vice-Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 16—An Act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance of the same out of the school fund of the State of California, and providing for the conduct and management of the same—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STRINE, Vice-Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 503—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts or donations from the public—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 1424—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Also: Assembly Bill No. 1427—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Also: Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and further recommend that they be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 1078—An Act making an appropriation to pay the claim of W. J. Burns against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

NOLAN, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV (4), relating to irrigation districts—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 2, 3, 30, 31, 32 and 61 thereof, and to add two new sections to said Act to be numbered 32½ and 54½, said new sections relating respectively to increasing the rate of interest on bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 934—An Act to amend Sections 368, 699 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Also: Assembly Bill No. 917—An Act declaring that the tide lands and submerged lands within the boundaries of the city of Los Angeles are required for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits

in the name of the people of the State of California, for quieting the titles to, and for the recovery of the possession of, said lands.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

INMAN, Chairman.

The above reported bills ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Banking, to whom was referred Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Also: Senate Bill No. 1030—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Also: Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ROBERTS, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d and 626f of the Penal Code of the State of California, relating to the protection of fish and game—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILLE, Chairman.

The above reported bill ordered on file for second reading.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bradford gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 998 was this day passed.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1140—An Act to amend Section 290a of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depository or trustee, or to engage in the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1140 passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Judson, Kingsley, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Roberts, Schmitt, Shartel, Shearer, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1257 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Chandler, Clark, Wm. C., Ellis, Emmons, Ferguson, Finnegan, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, McDonald, Mouser, Murray, Nelson, Palmer, Roberts, Schmitt, Shartel, Shearer, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purpose of the Act and for disbursing the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1463 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Ellis, Ferguson, Finnegan, Ford, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, Mouser, Murray, Nelson, Palmer, Polesley, Roberts, Schmitt, Shearer, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1016—An Act to define and distinguish state highways and state roads, and to designate names for certain state roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1016 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Finnegan,

Ford, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 24—Relative to banking and currency reform.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 24 adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Morgestern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—49.

NOES—None.

Assembly Joint Resolution No. 24 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 24.

Relative to banking and currency reform.

WHEREAS, Banking and currency reform is one of the primary planks in the platforms of all the major political parties; and

WHEREAS, Industrial and commercial interests throughout our entire country, without regard to party affiliation, are hopeful of such immediate legislation as will relieve business of the uncertainty arising out of existing banking and currency laws; and

WHEREAS, We believe banking and currency reform to be commensurate, in matter of importance to the industrial and commercial interests of our country, with the tariff; be it

Resolved by the Assembly of California and the Senate, jointly. That we respectfully urge the President of these United States to send a special message to Congress, at the special session about to convene, which shall have for its object the urgency of such immediate remedial banking and currency legislation as will meet the present and future exigencies of commerce and thereby avoid the possibility of that periodical stress in business to which this country has been too often subjected.

Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with the name and address of the original manufacturer thereof, providing for the enforcement of, and providing for penalties for, the violation of the provisions of this Act.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, strike out the words "or canner", and insert in lieu thereof the following: "canner or distributor".

SPECIAL ORDER SET.

On motion of Mr. Johnston, the consideration of the above motion was made a special order for Monday, April 7, 1913, at eleven o'clock and thirty minutes a.m.

THIRD READING OF SENATE BILLS.

Senate Bill No. 626—An Act appropriating money to pay the expense of maintaining an exhibit of the products of the State of

California at the Universal and International Exposition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year nineteen hundred thirteen.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 626 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—55.

NOES—Mr. Weldon—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1260—An Act to amend Section 1758 of the Political Code of the State of California, relating to the payment of tuition of non-resident pupils attending high schools in the several high schools or in an adjoining county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1260 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RULE SUSPENDED.

Mr. McDonald moved that Rule 69 be suspended.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bagby, Bloodgood, Bohnett, Bradford, Bush, Cary, Clark, Wm. C., Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Nelson, Polesley, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—42.

NOES—Messrs. Beck, Benedict, Bowman, Brown, Byrnes, Clarke, Geo. A., Guiberson, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Mouser, Murray, Palmer, Peairs, Roberts, Schmitt, Weldon, and Woodley—19.

MOTION TO ADJOURN.

Mr. Inman moved that the Assembly adjourn.

Motion lost.

COMMITTEE EXCUSED.

On request of Mr. Johnston, the Committee on Prisons and Reformatories was excused.

MOTION.

Mr. Johnstone moved that those who voted "no" on the motion to suspend Rule 69 be excused.

Motion lost.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 233—An Act to amend an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property," approved February 10, 1903, and amended March 3, 1909, by adding a new section thereto, to be numbered Section 2a, relating to the dissolution of such districts where they have no assets and have no indebtedness not barred by the statute of limitations, and have ceased to be going concerns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 233 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C. Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Tulloch, Wall, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF MOTION TO RECONSIDER POSTPONED.

On request of Mr. Polsley, consideration of the motion to reconsider the vote whereby Assembly Bill No. 1858 was passed was postponed until the next legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Joint Resolution No. 24—Relating to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 24 finally adopted by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Killingsworth, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—46.

NOES—None.

Senate Joint Resolution No. 24 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 24.

Relating to the preservation of the natural conditions of Lake Tahoe, and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

WHEREAS, Lake Tahoe, on account of its great natural beauty, is regarded as a

valuable asset of the State of California by the citizens thereof, and many of such citizens have acquired vested interests on the shores of such lake; and

WHEREAS, The State claims title to the major portion of the flood waters of such lake, which waters it hopes and expects, in the near future, to utilize for the purpose of generating power and of irrigating lands within its borders, and for the domestic uses of its citizens; and

WHEREAS, It has become the declared intention of the reclamation service of the United States to convert the lake into a reservoir for an irrigation system in the State of Nevada, and, to that end, to artificially lower the natural rim of the lake and to widen the outlet channel of the same, thereby making it possible to draw from such lake more water than can be supplied by its average natural rise of two and one half (2½) feet per annum; and

WHEREAS, The plans of the reclamation service, if carried into effect, will infringe upon the vested legal rights of the State of California and its citizens, to their irreparable damage; now, therefore, be it

Resolved by the Senate and Assembly, jointly. That the Legislature of the State of California does hereby protest against any interference on the part of the Federal Government or its agents with the natural conditions of Lake Tahoe; and be it further

Resolved. That the President of the United States be, and he is, hereby, respectfully requested to cause legal proceedings to be instituted in some court of competent jurisdiction in order to determine the respective rights of all persons claiming title to the flood waters of Lake Tahoe, and particularly, to determine the rights of the United States of America, the State of Nevada, the State of California and the Truckee General Electric Company; and be it further

Resolved. That the Attorney General of the State of California be, and he is, hereby, respectfully requested to institute and prosecute as speedily as possible any action in the Supreme Court of the United States on behalf of the State of California, and against the State of Nevada and such other claimants to the use of the waters of Lake Tahoe as may be properly joined as parties, in order to determine the respective rights of such parties to the use of such waters; and be it further

Resolved. That a copy of these resolutions be forwarded to the President of the United States, to the Secretary of the Interior of the United States, to the United States reclamation service, and to each member of the United States Senate and House of Representatives.

Senate Joint Resolution No. 26—Relative to making investigations and experiments as to nature and cure of tuberculosis.

The question being on the adoption of the resolution.

The roll was called and Senate Joint Resolution No. 26 finally adopted by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Killingsworth, Kingsley, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—44.

NOES—Mr. Cary—1.

Senate Joint Resolution No. 26 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 26.

Relative to making investigations and experiments as to nature and cure of tuberculosis.

WHEREAS, It appears that the loss of life and the suffering occasioned by the ravages of tuberculosis in its various forms in the United States are of such magnitude as to make the discovery of adequate means of eradicating that disease a matter of national concern; and

WHEREAS, The greatest facilities, opportunities and inducements should be afforded capable investigators, with a view to discovering some practicable means for its control and cure; therefore, be it

Resolved by the Senate of California and the Assembly, jointly. That we respectfully urge on the Congress of the United States the immediate enactment of such laws, and an appropriation from the treasury of the United States of such sums as may seem advisable to Congress, to afford to properly trained experts, adequate means and opportunities to make the most exhaustive investigations and experiments as to the nature and cure of tuberculosis and as to alleged cures therefor; and that we further urge upon the Congress of the United States an appropriation of an adequate sum, to be given as a reward to the discoverer or discoverers of an effective means of curing tuberculosis, on satisfactory proof of the effectiveness of such discovery, and on a full and complete revelation of the effective means thus

employed, so that the fullest publicity may be given thereto for the general benefit of the medical profession; be it further

Resolved, That each Senator and each Representative in Congress from the State of California be, and he is hereby requested, to use all honorable means to secure the enactment of such legislation; and be it further

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of the Senate to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States and a copy hereof to each member of Congress from the State of California.

SECOND READING OF SENATE BILLS.

Senate Bill No. 525—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 20—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges in and for the city and county of San Francisco, and providing for their compensation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1070—An Act to regulate certain scaffolding or staging for the protection of workmen; requiring that, in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support, such employers shall be subject to the provisions of this Act; fixing penalties for a violation hereof, to be the same as provided in Section 402c of the Penal Code, and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be numbered 2697 and 2698, relating to the abandonment of highways.

Bill read second time, and ordered on file for third reading.

SPECIAL ORDER SET.

On motion of Mr. Sutherland, the consideration of Assembly Joint Resolution No. 18 was made a special order for Monday, April 7, 1913, immediately after the reading of the Journal.

WITHDRAWAL OF BILL.

Mr. Hinkle asked for and was granted unanimous consent to withdraw Assembly Bill No. 281.

Bill withdrawn, and ordered stricken from the file.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1066—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1066 passed by the following vote:

AYES—Messrs. Bagby, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Dower, Emmons, Ferguson, Ford, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Kingsley, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Schmitt, Shannon, Simpson, Slater, Smith, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office and fixing their salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1201 passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bowman, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Sutherland gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1066 was this day passed.

Assembly Bill No. 79—An Act to amend Section 607c of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

During third reading of the bill, Mr. Bradford moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"607c. All fines, penalties and forfeitures imposed and collected in any city or county, or city and county, of this state under the provisions of any law of this state, now or hereafter enacted, relating to or affecting children or animals, in every case where the prosecution was instituted, aided, or conducted by any corporation or society now or hereafter existing, incorporated or organized for the prevention of cruelty to animals or children must, except where otherwise provided, inure to such corporation or society in aid of the purposes for which it was incorporated or organized; *provided, however,* that no such corporation or society, except

those designated each year by the board of supervisors or other governing bodies of the city or city and county or county where such society exists, shall receive such fines, penalties or forfeitures. In addition to said fines, penalties and forfeiture, every such society incorporated and organized for the prevention of cruelty to animals, or for the prevention of cruelty to children, may, in each city, or city and county or county where such society exists, while actively engaged in enforcing the provisions of the laws of this state, now or hereafter enacted, for the prevention of cruelty to animals or children, or arresting or prosecuting offenders thereunder, or preventing cruelty to animals or children be paid, as compensation therefor, from the city or county or city and county general fund by the board of supervisors, or other governing bodies, a sum not exceeding \$500.00 per month in the same manner as other claims against said city or county, or city and county are paid.

Mr. Guill moved that the amendment be printed in the Journal.
Motion carried.

SPECIAL ORDER SET.

On motion of Mr. Sutherland, the consideration of Assembly Bill No. 1518 was made a special order for Monday, April 7, 1913, at two o'clock p.m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 166 passed by the following vote:

AYES—Messrs. Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Pelsley, Shannon, Shartel, Shearer, Slater, Smith, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1256—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1256 passed by the following vote:

AYES—Messrs. Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Pelsley, Roberts, Shannon, Shartel, Simpson, Slater, Smith, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 13—A joint resolution asking the Congress of the United States to enact the Hamill bill (H. R. 9242) known as "the straight pension" bill for the pensioning of civil service employees of the United States Post Office Department.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 13 adopted by the following vote:

AYES—Messrs. Bagby, Benedict, Bohbett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Shannon, Simpson, Slater, Smith, Sutherland, Weldon, Woodley, and Mr. Speaker—45.

NOES—Mr. Polsley—1.

Assembly Joint Resolution No. 13 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 13.

A joint resolution asking the Congress of the United States to enact the Hamill bill (H. R. 9242), known as "the straight pension" bill for the pensioning of civil service employees of the United States Post Office Department.

WHEREAS, At a convention held in the city of Rochester, state of New York, in September, 1911, at which thirty thousand letter carriers employed by the United States Post Office Department, including representatives of the letter carriers from nearly every city and town in California, were represented, resolutions were adopted asking Congress to enact the Hamill "straight pension" bill (H. R. 9242), which provides for a pension to all the civil service employees of the United States Post Office Department under conditions prescribed in the bill; and

WHEREAS, The Legislature of the State of California is in hearty sympathy and accord with the project to pension those faithful servants of the government; therefore, be it

Resolved, by the Senate and Assembly of the State of California, That they heartily recommend to Congress the speedy passage of the said Hamill bill (H. R. 9242) and direct the Senators and request the members of the House of Representatives in Congress from the State of California to give their support to and vote for the said bill; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby instructed to immediately, after their adoption, forward a copy of these resolutions to the President of the Senate of the United States, to the Speaker of the House of Representatives and to the Senators and Representatives in Congress from the State of California.

Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 653e, relating to blacklisting.

During third reading of the bill, Mr. Johnson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 10, strike out the comma following the word "soever", and insert in lieu thereof the following: "misrepresent and thereby".

Also: On page 2, line 7, strike out the word "written".

Also: On page 2, line 8, strike out the words "in writing".

Also: On page 2, line 11, strike out the words "in writing".

Also: On page 2, line 14, strike out the word "written".

Motion carried.

The Speaker appointed Mr. Johnson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1118, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1 of the title, strike out everything after the words "Referred to committee on fish and game", and insert in lieu thereof the following:

"An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

The people of the State of California do enact as follows:

SECTION 1. Section 628 of the Penal Code of the State of California is hereby amended to read as follows:

Section 628. Every person who at any time, offers for shipment or ships, or who receives for shipment or transportation from the State of California to any place in any other state, territory or foreign country, or who has in his possession, for any purpose, any dried shrimp or shrimp shells of shrimp caught or taken in the waters of this state shall be guilty of a misdemeanor; *and be it provided*, that the possession of such dried shrimp or shrimp shells, for any purpose, shall be prima facie evidence that such dried shrimp or shrimp shells are of shrimp which were caught or taken in the waters of this state.

Every person who, between the first day of March and the thirty-first day of October of the same year, both dates inclusive, takes, catches, kills, has in possession, buys, sells, or offers for sale any lobster (crawfish), or who at any time takes, catches, kills, has in possession, buys, sells, or offers for sale any lobster (crawfish) of less than ten and one half inches or more than thirteen and one half inches in length, measured from one extremity to the other and exclusive of legs, claws or feelers, or who shall at any time pickle, can or otherwise preserve any lobster (crawfish) or crab (*Cancer magister*), or who shall at any time sell any lobster (crawfish) or crab (*Cancer magister*), meat not in the shell of such lobster (crawfish) or crab (*Cancer magister*), or who shall bring to shore any part or portion of any lobster (crawfish) or crab (*Cancer magister*) without the remaining portions of such lobster (crawfish) or crab (*Cancer magister*) in such condition that the size of such lobster (crawfish) or crab (*Cancer magister*) can not be measured, shall be guilty of a misdemeanor.

Every person who at any time takes, catches or kills any catfish by means other than with the hook and line used in the manner commonly known as angling, or who at any time has in his possession for sale, or who sells or offers for sale, any catfish of less than eight inches in length, exclusive of the head, or who at any time kills or has in his possession any sturgeon of less than twenty-five pounds in weight, shall be guilty of a misdemeanor.

Every person who, at any time, takes, catches, kills, has in possession, buys, sells, or offers for sale, any crab (*Cancer magister*) of less than seven inches in breadth, measured straight across the back from point to point, or any female crab (*Cancer magister*), or who, between the first day of August and the fifteenth day of November of the same year, both dates inclusive, takes, catches, kills, has in possession, buys, sells, or offers for sale any crab (*Cancer magister*), shall be guilty of a misdemeanor.

Every person who, between the first day of February and the thirtieth day of April of the same year, both dates inclusive, takes, catches, or kills any abalone (*Haliotis*), or who, at any time, takes, catches or kills any red abalone (*Haliotis rufescens*) less than nineteen inches around the outer edge of the shell, or any green abalone (*Haliotis fulgens*) less than eighteen inches around the outer edge of the shell, or any pink abalone (*Haliotis corrugata*) less than sixteen inches around the outer edge of the shell, or any black abalone (*Haliotis crackeradic*) less than fourteen inches around the outer edge of the shell, or who, by any means whatsoever, takes, or catches, any abalone (*Haliotis*) and does not bring the same, naturally attached to the shell and alive, to the shore above highwater mark, or who takes, catches, or kills any abalone (*Haliotis*) for other than food purposes, or who takes, catches, or kills any abalone (*Haliotis*) by the use of a spear or spears, shall be guilty of a misdemeanor.

Every person who, in fish and game district six of this state, uses or assists in using any diving apparatus of any character for the taking or catching of any abalone (*Haliotis*), or who takes, catches, or kills any black abalone (*Haliotis crackeradic*) or who takes, catches, or kills, during any one calendar day, more than ten (10) abalone (*Haliotis*), shall be guilty of a misdemeanor.

None of the provisions of this Act shall apply to lobster (crawfish) or abalone (*Haliotis*) caught or taken without the waters of this state, and bearing, after inspection, such evidence of having been so caught or taken as may be hereafter prescribed by the fish and game commission; *and be it provided*, that all the expense of such inspection shall be borne by the importer of such lobster (crawfish) or abalone (*Haliotis*); *and be it provided, further*, that all lobster (crawfish) or abalone (*Haliotis*) imported into this state shall be of the size prescribed in this section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants, and prescribing their powers and duties.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out everything after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Section six hundred and forty-two of the Political Code of the State of California is hereby amended to read as follows:

642. It is the duty of the fish and game commissioners:

1. To see that the laws for the preservation of fish and game are strictly enforced; and for that purpose they may, from time to time, employ such assistance as they shall deem necessary, which persons so appointed as assistants shall be public officers and shall have all the powers and authority of sheriffs or other peace officers to make arrests for violation of such laws, and to serve all process and notices throughout the state.

The fish and game commissioners or their assistants shall seize and take possession of any and all game or fish or any parts thereof which have been caught, taken, killed, or had in possession, or under control, or sold or offered for sale, or shipped, or offered for shipment, contrary to any of the laws of this state, and all such game, fish or any part thereof which may be so seized and taken possession of by the fish and game commissioners or their assistants shall be donated by them to some charitable or public institution.

2. To conduct such scientific investigations of the life history of the wild birds, wild mammals and fishes of the state as in the board's opinion may be necessary to the proper conservation of such wild birds, wild mammals and fishes.

3. To inform and educate the public as the board may deem necessary or advisable concerning the nature and value of the wild birds, wild mammals and fishes of the state, and of the need of properly conserving same.

4. To establish and maintain fish breederies and to acquire by purchase, gift or lease or otherwise such land as may be deemed necessary for the purpose of establishing state fish breederies for stocking the waters of this state with foreign and native fish.

5. To purchase and import the spawn or ova of fish suitable for food.

6. To stock with such spawn the waters of this state.

7. To employ persons skilled in fish and game breeding and conservation, and such other employees as may be necessary to assist them in their duties.

8. To furnish plans for and to direct and compel the construction and repair of fish ladders and ways upon dams and obstructions.

9. To provide for the importation of game birds and game animals and for the propagation, distribution and protection of imported or domestic game birds and animals, and for that purpose to acquire by lease or otherwise such lands as may be deemed necessary for the purpose of establishing a state game farm or state game farms, and to distribute the output of such game farm or farms on public lands, or where, in the judgment of the fish and game commissioners, such game birds and game animals will receive adequate protection.

10. To report biennially to the governor a statement of all their transactions and disbursements.

SEC. 2. All Acts and parts of Acts in conflict with this Act are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1 of the title, strike out everything after the enacting clause, and insert the following:

"SECTION 1. Section 632 of the Penal Code of the State of California is hereby amended to read as follows:

Section 632. Every person who, in game district one, between the thirtieth day of November and the first day of May of the year following, buys, sells, offers for sale, takes, catches, kills, or has in his possession, any variety of trout; or who takes, catches, kills, or has in his possession during any one calendar day more than fifty trout, or ten pounds and one fish, or one fish weighing ten pounds or over, or who takes, catches, kills or has in his possession any trout taken except with hook

and line and in the manner commonly known as angling: *provided, further*, that in game district two, every person who, between the thirty-first day of October and the sixteenth day of April of the year following, buys, sells, offers for sale, takes, catches, kills, or has in his possession any variety of trout except steelhead trout, or who takes, catches, kills or has in his possession during any one calendar day more than fifty trout, except steelhead trout, or ten pounds and one fish, or one fish, weighing ten pounds or over, or who takes, catches, kills, or has in his possession any trout other than steelhead trout taken except with hook and line and in the manner commonly known as angling: *provided, further*, that in game district three and seven every person who, between the thirty-first day of October and the first day of May of the following year, buys, sells, offers for sale, takes, catches, kills, or has in his possession, any variety of trout, or who at any time takes, catches, kills, or has in his possession during any one calendar day, trout other than *Salmo mykiss henshawi* and *Salmo tahoensis* (also known as *Salmo regalis*), both species known as Tahoe trout, or black spotted trout, the total weight of which exceeds ten pounds and one fish, or one fish weighing ten pounds or over, or who takes, catches, kills, or has in his possession any trout taken except with hook and line and in the manner commonly known as angling: *provided, further*, that in game district three, every person who, between the thirty-first day of October and the first day of August of the year following, buys, sells, offers for sale, takes, catches, kills, or has in his possession any trout taken within 300 feet of the mouth of any stream flowing into any lake in game district three; *provided*, that trout cannot be taken within 2,500 feet of the mouth of any stream flowing into Lake Bigler (Tahoe), from the mouth of any stream in any direction in the lake, or who takes, catches, or kills, or has in his possession any trout taken from any stream flowing into Lake Bigler (Tahoe) two miles from its mouth towards its source, between May 1st and August 1st: *provided, further*, that it shall be lawful to sell *Salmo mykiss henshawi*, *Salmo tahoensis* (also known as the *Salmo regalis*), both species commonly known as cutthroat trout, Tahoe trout, or black spotted trout, of not less than twelve inches in length; *provided*, that any person who buys, sells, offers for sale, or has in his possession more than twenty *Salmo mykiss henshawi*, *Salmo tahoensis* (also known as *Salmo regalis*), both species known as Tahoe trout, cutthroat trout or black spotted trout, in any one calendar day; *provided, further*, that in game district four every person who, between the thirtieth day of November and the first day of May of the year following buys, sells, takes, catches, kills, or has in his possession any variety of trout, except steelhead trout; or who at any time takes, catches, kills, buys, sells, offers for sale, or has in his possession, during any one calendar day, more than fifty trout, except steelhead trout, or ten pounds and one fish, or one fish weighing ten pounds or over, or who takes, catches, kills, or has in his possession any trout taken with hook and line and in the manner commonly known as angling; *provided, further*, that in game districts five and six, every person who, between the thirty-first day of October and the first day of April of the following year, buys, sells, takes, catches, kills, or has in his possession any variety of trout except steelhead trout, every person who buys, sells takes, catches, kills, or has in his possession any variety of trout except steelhead trout, or who at any time, takes, catches, or kills any trout except with hook and line in the manner commonly known as angling, or who at any time takes, catches or kills, or has in his possession during any one calendar day more than fifty trout, or ten pounds and one fish, or one fish weighing ten pounds or over, other than steelhead trout. The violation of any of the provisions of this section is hereby declared a misdemeanor, and every person found guilty of any violations of any of the provisions of this Act must be fined in a sum not less than twenty-five dollars, nor more than five hundred dollars, or be imprisoned in the county jail in the county in which the conviction shall be had not less than ten days nor more than six months, or by both such fine and imprisonment; and all fines and forfeitures collected for any violation of any of the provisions of this section must be paid into the state treasury to the credit of the support and maintenance of hatcheries fund. It shall be unlawful for any person to take, catch, kill, or have in possession, in any district in this state, any white-fish during the time it is unlawful to catch, kill, or have in possession any trout in such district. Nothing in this section prohibits the fish and game commission of this state from taking at all times such trout as they deem necessary for purposes of propagation or for scientific purposes.

Section 2. Section 632½ of the Penal Code of the State of California is hereby amended to read as follows:

632½. Every person who, between the first day of November and the first day of April of the year following, takes, catches, kills, destroys, or has in his possession, taken above tide water, any steelhead trout: every person who between the first day of April and the thirty-first day of October of the same year, takes, catches, kills, destroys, or has in his possession any steelhead trout taken above tide water, which have been caught or killed except with hook and line, and in the manner commonly known as angling: every person who between the first day of February and the twentieth day of November of the same year, buys, sells, offers, or exposes for sale, any steelhead trout: every person who, at any time, takes, catches, kills, destroys, or has in his possession any steelhead trout taken in the waters of the

state, which have been taken, caught, or killed, except with hook and line and in the manner commonly known as angling, is guilty of a misdemeanor; every person who, during any one calendar day, takes, catches, kills, destroys, or has in his possession, more than fifty steelhead trout, or ten pounds and one fish, or one fish weighing ten pounds or over, except as hereafter provided; *provided*, that in game district two, every person who, between October thirty-first and April the fifteenth of the following year, takes, catches, kills or destroys, or has in his possession any steelhead trout, taken above tide water, except that steelhead trout two pounds in weight or over may be taken with hook and line in the manner commonly known as angling, between January first and March first of the same year; *provided*, that it shall be lawful to take, catch, kill and have in possession any steelhead trout taken in tide water in Eel River with seine or gill nets, the meshes of which are, when down closely together and measured inside the knot, six and one half inches or more in length, between the twenty-third day of October and the first day of February of the year following; *provided, further*, that in game districts five and six, every person who, between the thirty-first day of October and the first day of April of the following year, takes, catches, kills, or has in his possession any steelhead trout; every person who during any one calendar day takes, catches, kills, destroys, or has in his possession, more than fifty steelhead trout; or ten pounds and one fish, or one fish weighing ten pounds or over, is guilty of a misdemeanor; *provided, further*, except in Bear Valley Lake, San Bernardino County, every person may during the open season take, catch, kill, or destroy, or have in his possession, steelhead trout, not to exceed thirty pounds in weight and one fish; *provided, further*, that where steelhead trout have been or may be planted in streams that do not have a run of steelhead trout direct from the ocean or salt water bays, the same law shall apply to them, as to all other trout, except where they are specifically mentioned in this Act. Nothing herein shall apply to domestically reared steelhead trout. The violation of any of the provisions of this section is hereby declared a misdemeanor, and every person found guilty of any violation of this Act shall be fined in a sum not less than twenty (\$20) dollars, or be imprisoned in the county jail in the county in which the conviction shall be had, not less than ten days or by both such fine and imprisonment, and all fines and forfeitures collected for any violation of any of the provisions of this section must be paid into the state treasury to the credit of the support and maintenance of hatcheries fund. For the purpose of this Act the term commonly known as angling, shall mean the taking of trout by a hook in the mouth. Nothing in this section prohibits the fish and game commission of this state from taking at all times such trout as they deem necessary for the purpose of propagation or for scientific purposes.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 6—An Act to add a new section to the Penal Code of the State of California, to be numbered 631*d*, providing for the breeding and sale of American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, bob white quail, California valley and mountain quail, and all varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports; for the fencing of the preserves and for the revocation of licenses.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 21, strike out "elk or".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 31, strike out "elk."

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 2, strike out "elk."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 5, strike out the words "elk or".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 9, strike out the words "elk or".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 14, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 19, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 20, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 22, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 27, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 32, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 12.

On page 3, line 34, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 13.

On page 3, line 36, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 14.

On page 4, line 1, strike out the word "elk."

Amendment adopted.

AMENDMENT No. 15.

On page 4, strike out the words "elk or," in lines 12, 15 and 20.

Amendment adopted.

AMENDMENT No. 16.

On page 4, strike out the word "elk", in lines 32 and 35.

Amendment adopted.

AMENDMENT No. 17.

On page 5, line 4, after the word "thereof", insert the following:

"SEC. 7. Any person to whom such license shall have been issued may sell and ship alive within this state such elk, and all common carriers and transportation companies may receive and carry within the state such live elk as herein set forth, upon such terms and conditions as the said commissioners may prescribe.

SEC. 8. For the purpose of this Act, it shall be lawful for the fish and game commission to trap and take alive any of the birds or animals mentioned in this of any of such birds or animals in this state, at a price to be fixed by the fish and game commission; *provided, further,* that no birds or animals mentioned in this

Act shall be sold to any person until such person shall comply with all the requirements of this Act.

SEC. 9. All moneys received from the sale of any birds or animals, or tags provided for in this Act, and all fines and forfeitures imposed and collected for any violation of the provisions of this Act shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

AMENDMENT No. 18.

On page 5, line 5, strike out the words "SEC. 7", and insert in lieu thereof the following: "SEC. 10".

Amendment adopted.

AMENDMENT No. 19.

On page 5, line 11, strike out the numeral "8", and insert in lieu thereof the following: "11".

Amendment adopted.

AMENDMENT No. 20.

On page 5, line 17, strike out the numeral "9", and insert in lieu thereof the following: "12".

Amendment adopted.

AMENDMENT No. 21.

On page 5, line 22, strike out the numerals "10", and insert the following: "13".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 514—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 11, after the comma after the word "institution", insert the words "not in excess of".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 12, after the comma after the word "child", insert the words "not in excess of".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 1, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 37, after the period insert the following: "In addition an advisory committee of three persons serving without pay or expense to the state may be appointed by the board of control, to act in any county in conjunction with the children's agents."

Amendment adopted.

AMENDMENT No. 5.

On page five, line 4, strike out the word "five", and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 420—An Act defining and regulating the carrying for sale, endeavoring to sell, or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stables or tent tops, and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 3, line 8, strike out the word "company", and insert in lieu thereof the word "firm".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 3, line 13, strike out the word "thereon", and insert in lieu thereof the words "on each bolt thereof".

Amendment adopted.

AMENDMENT No. 3.

On page 2, Section 4, line 9, strike out the word "thereon," and insert in lieu thereof the words "On each bolt thereof".

Amendment adopted.

AMENDMENT No. 4.

On page 2, Section 7, line 29, strike out the word "company," and insert in lieu thereof the word "firm".

Amendment adopted.

AMENDMENT No. 5.

On page 2, Section 7, line 31, strike out all words after the word "misdemeanor," also all of lines 32, 33, 34 and 35, and insert in lieu thereof a period after the word "misdemeanor."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control, subject to the provisions of the Political Code of the State of California and to other laws of said state relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1161—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1954—An Act relating to exterior advertising, as

in this Act defined, declaring the prohibition of the use of property for such purpose a public use, providing for the acquisition of such use, and prohibiting exterior advertising on property as to which such use has been acquired.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 599—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out the word "The," before the word "assessed," on line 8, page 3, and insert in lieu thereof the following: "The actual value of its tangible property on the first Monday in March of said year and the".

Amendment adopted.

AMENDMENT No. 2.

Strike out all of paragraph 10 on page 4, and insert in lieu thereof the following:

"10. Such other matters as the state board of equalization may deem necessary in order to enable it to assess and levy the taxes provided for in section fourteen of article thirteen of the constitution of this state. The state board of equalization shall ascertain and determine from the foregoing reports, or from the best information it can obtain, the actual cash value of such franchises other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this state, and the actual exercise of the right to do business as a corporation in this state when such right is exercised by a corporation incorporated under the laws of any other state or country. The state board of equalization shall ascertain and determine from the foregoing reports or from the best information it can obtain, the aggregate market value, and if there be no market value, then the actual value of the shares of capital stock and the actual value of the tangible property of all corporations, exercising the right to be a corporation and to do business as a corporation under the laws of this state and of all corporations exercising the right to do business as a corporation in this state when such right is exercised by a corporation incorporated under the laws of any other state or country. The actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this state and the actual cash value of the actual exercise of the right to do business as a corporation in this state when such right is exercised by a corporation incorporated under the laws of any other state or country shall be ascertained and determined by the state board of equalization in the manner following, and in no other manner, that is to say, by taking the aggregate market value and if there be no market value then the actual value of all the shares of capital stock issued by the corporation, adding thereto all bonded indebtedness of said corporation and deducting therefrom the actual value of its tangible property; *provided*, that in any case the assessed value differs from the actual value, then the

actual value shall prevail for the purposes of such deduction: *and provided, further,* that in the event such company is engaged in interstate or foreign commerce or is actually exercising its right in some other state or country to be a corporation and to do business as a corporation incorporated under the laws of such other state or country or of some other state or country or is actually exercising its right to do business as a corporation in some other state or country when such right is exercised by a corporation incorporated under the laws of this state, then the sum, if any, remaining after making such deduction shall be apportioned between this state on the one hand and such other state or states or country or countries on the other hand and its value assessable in this state shall be diminished and adjusted accordingly. The taxes upon each franchise mentioned in this section shall be assessed and levied in accordance with the provisions of subdivision *d* of section fourteen of article thirteen of the Constitution of this State.

This Act, being necessary for the public peace, health and safety shall take effect immediately, and the method of ascertaining the value of a franchise under this Act shall apply to the value of the franchises ascertained and determined as of the first Monday of March, 1913."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 644—An Act granting to the town of Emeryville the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the town of Emeryville, and regulating the management, use, and control thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, add a new section, to be known as Section 2:

"SEC. 2. The foregoing conveyance is made upon the condition that the town of Emeryville shall, within five years from the approval of this Act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this state or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than fifty thousand dollars, and shall, within five years after the approval of this Act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than fifty thousand dollars shall be expended thereon within five years from the approval of this Act, exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this Act conveyed to the town of Emeryville shall revert to the State of California."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of and within two miles of the boundaries of said city.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, add after line 11, the following:

"SEC. 2. The foregoing conveyance is made upon the condition that the city of Arcata shall, within five years from the approval of this Act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this state or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than one hundred thousand dollars, and shall, within five years after the approval of this Act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than one hundred thousand dollars shall be expended thereon within five years from the approval of this Act, exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not

prosecuted and completed as and in the manner herein provided, then the lands by this Act conveyed to the city of Arcata shall revert to the State of California."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof.

During second reading of the bill, the following amendment was submitted by the committee:

Amend said bill by adding thereto a new section as follows:

"SEC. 2. The foregoing conveyance is made upon the condition that the city of South San Francisco shall, within five years from the approval of this Act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this state or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than two hundred and fifty thousand dollars, and shall, within five years after the approval of this Act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than two hundred and fifty thousand dollars shall be expended thereon within five years from the approval of this Act exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this Act conveyed to the city of South San Francisco shall revert to the State of California."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3804a, relating to the approval or rejection of claims for refund of taxes, penalties and costs by boards of supervisors.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 1875—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by Section 8 of Article XI of the Constitution with respect to the assessment of property in such cities for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said Acts, has forfeited either its charter or right to do business in this State.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 573—An Act to amend an Act entitled “An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor,” which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending Sections 2, 3, 4, 5, 6, and 7½ thereof, by adding a new section thereto, to be known and numbered as Section 6½, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, Section 3, line 24, strike out the period after the word “Act”, and insert in lieu thereof a semicolon, and add the following: “*provided*, that nothing in this Act shall be construed as authorizing the state veterinarian or any of his deputies to impose quarantine restrictions upon any animal in this state affected with bovine tuberculosis.”

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 890—An Act to amend an Act entitled “An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto,” approved March 25, 1909, by amending Section 1 of said Act so as to make said Act applicable to all jails and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 897—An Act to amend Section 1408 of the Political Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking authentication and filing of transcript of testimony and recognizances in coroners’ inquests, and providing for the appointment of a shorthand reporter for such purpose, and for fees in payment therefor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 767—An Act to amend Section 995 of the Penal Code of the State of California, relating to motions to set aside indictments and informations.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 768—An Act to amend Section 988 of the Penal Code of the State of California, relating to arraignment of defendant on indictment or information.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 769—An Act to amend Section 925 of the Penal Code of the State of California, relating to proceedings before the grand jury, to the persons who may be present at the sessions of such grand jury and the records of testimony taken at such sessions.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1963—An Act to amend Section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out all of line 20, after the word "exceeding", all of line 21, and the words "all premiums paid thereon" in line 1, page 2, and insert in lieu thereof the following: "forty-five hundred dollars on any one risk, and no risk of more than thirty-five hundred dollars shall be binding until risks to the amount of two hundred thousand dollars have been written and all premiums paid thereon, and no risk of more than fifteen hundred dollars shall be binding until risks to the amount of one hundred thousand dollars have been written and all premiums paid thereon, and no risk of any amount shall be binding until risks to the amount of seventy-five thousand dollars have been written and all premiums paid thereon."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 12, strike out the word "and".

Also: On page 3, line 12, after the word "fourth", add the following, "fifth and sixth".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1726—An Act to amend Section 4178 of the Political Code of the State of California, relating to the duties of county clerks.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, Section 1, line 4, after the word "of", strike out the word "acrocding", and insert in lieu thereof the word "according".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 550—An Act to amend Section 4028 of the Political Code of the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 693—An Act to amend an Act entitled "An Act to provide for the organization of and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof, relating to the period of redemption and to certain proceedings respecting the validity of deeds to purchasers upon delinquent sales.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out lines 4, 5, 6 and 7 and all the first part of line 8 down to and including the word "delivered", and insert in lieu thereof the following:

"Section 47. A redemption of the property sold may be made by the owner, or by any person in interest, within the time hereinafter limited as to any and all delinquent sales made after this Act takes effect, including all such sales made at any time in the year nineteen hundred and thirteen; and such redemption may be made at any time after the expiration of said limitation, provided a deed has not already been made and delivered. In all cases in which the aggregate amount unpaid and delinquent upon any assessment exceeds fifteen per centum of the total sum to be raised by the assessment in respect to which any given sale is made as such delinquent amount is shown by the published or advertised notice of delinquent sale, which shall be taken as prima facie correct, then the period of redemption hereinbefore referred to in this section shall be limited to one year from the date of said sale; in all other cases said period of redemption shall be limited to five years from the date of such sale. If any certificate of sale issued upon a delinquent sale to which the provisions hereof are applicable shall specify a time for redemption, or a time when a deed thereunder shall be due the purchaser, different from that herein provided, such specification shall be disregarded and a deed shall be issued validly upon the expiration of the period herein provided."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 12, strike out the words "or his assignees", and insert in lieu thereof the following: "or his heirs, assigns or successors in interest".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 13, strike out the word "assignee", and insert in lieu thereof the following: "heirs, assigns or successors in interest".

Amendment adopted.

AMENDMENT No. 4.

On page 2, strike out all from and including line 22, down to and including line 6, on page 5.

Amendment adopted.

AMENDMENT No. 5.

On page 5, line 7, strike out the letter "b", and the period at the beginning of said line.

Amendment adopted.

AMENDMENT No. 6.

On page 5, line 13, strike out the word "three", and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT No. 7.

On page 5, line 17, strike out the word "three", and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT No. 8.

On page 5, line 19, strike out the letter "c", and the period at the beginning of said line.

Amendment adopted.

AMENDMENT No. 9.

On page 5, line 34, strike out the words "one year period", and insert in lieu thereof the word "periods".

Amendment adopted.

AMENDMENT No. 10.

On page 5, line 35, strike out the word "taxes", and insert in lieu thereof the word "assessments".

Amendment adopted.

AMENDMENT No. 11.

On page 5, line 37, strike out the word "taxes", and insert in lieu thereof the word "assessments".

Amendment adopted.

AMENDMENT No. 12.

On page 6, line 9, strike out the word "taxes", and insert in lieu thereof the word "assessments".

Amendment adopted.

AMENDMENT No. 13.

On page 6, strike out all from and after the word "one", in line 10, down to and including the word "in", in line 11, and insert the following: "the time applicable thereto, as to".

Amendment adopted.

AMENDMENT No. 14.

On page 6, line 12, after the word "period", insert a comma.

Amendment adopted.

AMENDMENT No. 15.

In the title, strike out all from and after the word "relating", in line 7, down to and including the last word in said title, and insert in lieu thereof the following: "relating to the period of redemption; to certain proceedings to obtain deeds upon delinquent sales, and prescribing a limit of time within, and conditions upon, which action may be brought to set aside such deeds."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing cream in creameries of the State.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, after the word "testing", where it appears in the title, insert the words "milk or".

Amendment adopted.

AMENDMENT No. 2.

On page 1, after the word "creameries", where it appears in the title, insert the words "cheese factories, condenseries, milk depots and other factories of dairy products".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 2, after the word "testing", insert the words "milk or".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 3, after the word "creameries", insert the words "cheese factories, condenseries, milk depots and other factories of dairy products".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 4, after the word "test", insert the words "milk or".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 4, after the word "creamery", insert the words "cheese factory, condensery, milk depot or other factory of dairy products".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 6, after the word "of", insert the words "milk or".

Amendment adopted.

AMENDMENT No. 8.

On page 1, line 7, after the word "test", insert the words "milk or".

Amendment adopted.

AMENDMENT No. 9.

On page 1, line 9, after the word "test", insert the words "milk or".

Amendment adopted.

AMENDMENT No. 10.

On page 1, line 9, after the word "creamery", insert the words "cheese factory, condensery, milk depot or other factory of dairy products".

Amendment adopted.

AMENDMENT No. 11.

On page 1, line 10, strike out all in lines 10 and 11 and insert in lieu thereof the following: "The fee for giving such examination and for issuing such certificate shall be one dollar which shall be added to the appropriation made for the support of the State Dairy Bureau. The certificate shall be conspicuously displayed in the creamery, cheese factory, condensery, milk depot or other factory in which the holder of such certificate is testing such milk or cream".

Amendment adopted.

AMENDMENT No. 12.

On page 1, line 12, after the word "test," at the end of line, insert the words "milk or".

Amendment adopted.

AMENDMENT No. 13.

On page 1, line 13, after the word "creamery," insert the words "cheese factory, condensery, milk depot or other factory of dairy products".

Amendment adopted.

AMENDMENT No. 14.

On page 1, line 14, after the words "by the," insert the word "state".

Amendment adopted.

AMENDMENT No. 15.

On page 1, line 16, strike out the words "one hundred dollars," and insert in lieu thereof the words "twenty-five dollars or more than one hundred dollars".

Amendment adopted.

AMENDMENT No. 16.

On page 1, line 17, after the word "The," insert the word "state".

Amendment adopted.

AMENDMENT No. 17.

"SEC. 4. One half of all the fines imposed for the violation of any of the provisions of this Act shall be paid to the county in which the fine was imposed. The other one half shall be paid to the State Treasurer and shall become part of and is hereby appropriated to the State School Fund."

Amendment adopted.

AMENDMENT NO. 18.

"SEC. 5. It shall be the duty of the district attorney of any county of this state, upon the application of the State Dairy Bureau, or its agent or secretary, or any of its inspectors or assistant agents, to attend to the prosecution in the name of the people, of any action brought for the violation of any of the provisions of this Act within his county."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 9.—An Act to regulate the receiving and keeping of food in cold storage, and regulating the sale of said food, and providing a penalty for the infringement and violation of said Act.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 418.—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties therefor.

Bill read second time, and ordered to engrossment and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 101.—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Assembly Bill No. 795.—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known as Section 196a, relating to the support and education of an illegitimate child.

Assembly Bill No. 1181.—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903.

Assembly Bill No. 1194.—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Assembly Bill No. 1698.—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Assembly Bill No. 2034.—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1600": providing for the management and control thereof, and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

Assembly Joint Resolution No. 25.—Relative to the protection of the raisin and dried fruit industry, in the enactment by Congress of laws affecting tariffs on imports into the United States.

And report that the same have been correctly engrossed.

EMMONS, Vice-Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 234.—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Assembly Bill No. 1228.—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in con-

nection with the care and disposition of the dead, and providing penalties for the violation thereof.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds.

Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

And report that the same have been correctly re-engrossed.

EMMONS, Vice-Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 33—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 326—An Act to amend Section 852 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 328—An Act to amend Section 876 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 329—An Act to amend section seven hundred fifty-seven and eight hundred fifty-seven of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 485—An Act to add a new section to the Code of Civil Procedure to be numbered section eighteen hundred and ten b, relating to contracts for attorney's fees made by and for the benefit of minors, to the fixing of such fees by the courts wherever judgments shall be recovered by or on behalf of minors, and to the payment of judgments for money to the guardian of minors.

Assembly Bill No. 696—An Act to amend section seventeen hundred twenty-three of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads on owner's death in certain cases.

And were presented to the Governor, this fifth day of April, 1913, at one o'clock and forty-five minutes p.m.

EMMONS, Vice-Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Murray, Mrs. J. Schneider and Miss L. Schmeiser were granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At four o'clock and forty-five minutes p.m., on motion of Mr. Brown, the Assembly was declared adjourned until ten o'clock a.m. of Monday, April 7, 1913.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, April 7, 1913.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A.,

Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—77.

Quorum present.

LEAVE OF ABSENCE.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Gates, the further reading was dispensed with.

SPECIAL ORDER.

The reading of the Journal having been dispensed with, the special order heretofore set for this time was taken up for consideration.

Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

During the consideration of the resolution, Mr. Weisel moved that the Speaker appoint a select committee of one to amend the resolution as follows:

On page 2, beginning on line 25, strike out the words "materially check its present rapid development", and insert in lieu thereof the following: "unnecessarily retard its development".

Motion lost.

Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the resolution as follows:

On page 2, line 9, between lines 9 and 10, insert the following:
"WHEREAS, California and other Pacific slope states have thousands of acres suited only to sugar beet culture, and admirably adapted to such culture; and"

Motion lost.

Mr. Simpson moved that the Speaker appoint a select committee of one to amend the resolution as follows:

On page 2, line 24, strike out all after the semicolon, and all of lines 25 and 26, and insert in lieu thereof the following: "and that the principle governing the revision of the tariff in this regard be that the tariff should equalize the difference between the cost of production of sugar at home and abroad".

Motion carried.

The Speaker appointed Mr. Simpson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Joint Resolution No. 18, with instructions, do now report that the instructions of the Assembly have been carried out.

SIMPSON, Select Committee.

Report of select committee and amendment adopted.

Mr. Inman moved that the Speaker appoint a select committee of one to amend the resolution as follows:

On page 2, line 16, strike out "now, therefore," and insert in lieu thereof the following: "Whereas, other industries producing hides, wool, lemons, oranges, lumber, cattle, sheep, olives, olive oil and wine will be seriously affected if the duty thereon is taken off or materially reduced; now, therefore".

Also: On page 2, line 23, strike out "beet sugar industry," and insert in lieu thereof the following: "the said industries".

Motion lost.

SUSPENSION OF RULES.

Mr. Sutherland moved that the rules be suspended, and that Assembly Joint Resolution No. 18, as amended, be taken up for adoption.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—60.

NOES—Messrs. Dower, Finnegan, Ford, Griffin, Libby, McCarthy, Shannon, Shearer, and Wall—9.

The question being on the adoption of the resolution as amended.

The roll was called, and Assembly Joint Resolution No. 18 adopted by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, and Mr. Speaker—53.

NOES—Messrs. Ambrose, Bradford, Dower, Finnegan, Ford, Guill, Inman, Libby, McCarthy, Richardson, Shannon, Shearer, Slater, and Wall—14.

Assembly Joint Resolution No. 18 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 18.

Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

WHEREAS, In the process of tariff revision by Congress, the indicated tendency is toward an abolition of all duties on imported sugar; and

WHEREAS, Such a policy would be calamitous to the cane and beet sugar industry of the nation at large, and especially to the beet sugar business of the State of California, which produces 165,000 tons per annum, or one quarter of the beet sugar output of the United States; and

WHEREAS, The annual consumption of sugar in our country is now 3,500,000 tons per annum supplied, viz.:

From domestic cane grown in Porto Rico, Louisiana	
and Sandwich Islands-----	1,100,000 tons
From beet sugar manufactured in sixteen states-----	650,000 tons
	<hr/>
	1,750,000 tons

the balance being purchased from foreign countries and refined by a few corporations on the Atlantic seaboard who are clamoring for "free sugar" in order that they may check the further invasion of their markets by the constantly growing beet sugar industry; and

WHEREAS, Our nation's beet sugar output has increased from 40,000 tons in 1897 to 650,000 tons in 1912—a rate of increase greater than can be shown in any country in Europe during an equal period of time; while our cane-producing districts have apparently reached the limit of their productivity; and

WHEREAS, This country should, and can, become self-supplying in the matter of

sugar through the development of the beet sugar industry, now involving the use of only 450,000 acres of land against 274,000,000 acres adapted to the cultivation of the sugar beet; and

WHEREAS, The development of the industry is checked by the menace of a free sugar bill, which will subject this product to competition with cane and beet sugar produced under the low wage conditions in the tropics and Europe, and at prices delivered at our seaboard lower than, under our conditions, is paid to the farmers of our state for the sugar in the beet, before it is manufactured; now, therefore,

Resolved, That the Legislature of the State of California (a majority of all members elected to the Senate and Assembly voting for the adoption of this resolution, and concurring therein), requests the Senate and House of Representatives of Congress at Washington, and the President of the United States, that due regard be had, in the consideration of tariff revision, for the claims of the beet sugar industry, which is so full of promise to our nation; and that the principle governing the revision of the tariff in this regard be that the tariff should equalize the difference between the cost of production of sugar at home and abroad.

Resolved, That a copy of these resolutions be forwarded to each of the members of Congress from the State of California, to be presented to the President and Congress.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Stuckenbruck:

WHEREAS, The alien ownership of land in California is a menace to our civilization, a detriment to the fullest development of our boundless resources, and a blemish on the fair name of our beloved State; and,

WHEREAS, The alien ownership of land is contrary to established rules of nearly all civilized nations of the world; and

WHEREAS, There are now pending, before the Legislature of California, certain bills which will, if enacted into laws, prevent the ownership of land by aliens;

Resolved, That we, the people of northern San Joaquin County, do urge the immediate enactment of such laws as will prevent the ownership of land in the State of California by any alien.

Done in mass meeting in the city of Lodi this fifth day of April, 1913.

J. M. McMAHON,
Chairman of the meeting.

J. E. HOPKINS, Secretary.

SPECIAL ORDERS RESET.

On motion of Mr. Sutherland, the consideration of Assembly Joint Resolution No. 17 was made a special order for Tuesday, April 8, 1913, at two o'clock and fifteen minutes p.m.

On motion of Mr. Bowman, the consideration of Assembly Bill No. 477 was made a special order for this afternoon.

RESOLUTION.

The following resolution was offered:

By Mr. Smith:

Resolved, That the name of Clara Christiansen, heretofore employed as a stenographer at a per diem of five dollars, be stricken from the roll, to date from and include April 6, 1913; and

Resolved, That Miss O. M. Libby be and she is hereby appointed and employed as a committee clerk at a per diem of four dollars, to date from and include April 7, 1913, and the Controller is hereby authorized and directed to draw his warrant upon the appropriation for the pay of officers and employees of the Assembly for the said per diem, in her favor, and the State Treasurer is hereby directed to pay the same.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman,

Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—56.

NOES—None.

HOOR OF RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until the business before the House was disposed of.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 1120—An Act to amend Section 1696 of the Political Code of the State of California, relating to making report, transfer, attendance in the public schools of the State of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STRINE, Vice-Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 789—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway—have had the same under consideration, and respectfully report the same back, with amendments, and recommended that it do pass as amended, and be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 594—An Act making an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts: the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled "An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term "boulevard," approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909," approved May 1, 1911; said amendment pertaining to the definition of the term boulevard, and use of said boulevards—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the "Alpine State Highway"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 620—An Act to provide for the organization and government of publicity districts in the State of California, and to provide for the expenses thereof, and to encourage the development of and settlement upon agricultural lands in the State of California, and for disseminating facts, knowledge and information in relation to the natural resources and possibilities of lands in certain districts and for the levying of assessments upon such lands to pay the expenses of conducting and operating such publicity districts.

Also: Assembly Bill No. 828—An Act to amend Section 1 of an Act entitled "An Act to promote the agricultural interests of the State of California by providing county inspectors of apiaries and defining their duties, and providing for their compensation, and repealing the Act entitled 'An Act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and protection of bee culture,' approved March 13, 1883", approved February 20, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

JUDSON, Chairman.

The above reported bills ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 2011—An Act providing for the appointment of an additional deputy by the State Commissioner of Horticulture, to be known as the State Bee Inspector, and prescribing the qualifications, duties, powers and compensation of said officer, and to appropriate money to carry out the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

JUDSON, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 1410a, relating to the water of all natural

streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be, and he is hereby authorized and directed, to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as is necessary to carry on the expense of the mailing department, said amount not to exceed the sum of five hundred (\$500) dollars, and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuek, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Woodley, and Mr. Speaker—52.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be, and he is hereby, authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of seven hundred fourteen and seventy-three hundredths (\$714.73) dollars in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, the same being for the payment of the following bills attached:

The Fred Warren Transfer Co.....	\$1 00
Kilgore & Tracy.....	4 05
Wasserman & Gattman.....	9 50
Wahl Stationery Co.....	365 38
The Pacific Telephone & Telegraph Co.....	29 45
Whiskey Hill Water Co.....	75
Owl Drug Co.....	1 05
Sleeper & Steyer.....	1 50
Bender-Moss Co., Inc.....	80 00
Wahl Stationery Co.....	33 60
D. Falkner (carpenter work).....	188 45
Total	\$714.73

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shearer, Smith, Weisel, Weldon, and Mr. Speaker—42.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be, and he is hereby, directed to draw his warrant upon the proper fund in favor of L. B. Mallory, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of three hundred and twenty-two dollars and seventy-three cents (\$322.73), said amount being for the payment of the following bills attached:

W. F. Purnell—		
2 loose-leaf books and fillers-----	\$8 24	
1 gavel-----	50	
2 transfer cases and fillers-----	6 66	
5 tin boxes, at 75 cents-----	3 75	
6 sponge mucilage-----	1 00	
		\$20 15
H. S. Crocker Co.—		
1 letter scale-----	\$3 38	
1 letter scale (small)-----	2 25	
		5 63
Wm. Carragher—		
Lettering boxes-----		2 25
Wm. A. Langley—		
Repairing post office box locks and making 172 keys, Assembly post office-----		68 35
A. A. Van Voorhies—		
1 gross laces-----		55
		\$96 93

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Clark, Wm. C., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Murray, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of L. B. Mallory, Chief Clerk, for the sum of two hundred and thirty dollars and fifty-six cents (\$230.56) out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, being in payment of the Assembly's portion (one half) of the following bills attached:

W. F. Purnell—		One half.
4 dozen Shannon board files-----	\$16 64	\$8 32
8 dozen Shannon board files-----	33 60	16 80
7 record books-----	1 75	87
2 dozen clipboards-----	6 00	3 00
4 dozen Shannon board files-----	16 64	8 32
8½ dozen Shannon board files-----	34 67	17 34
1 dozen perforators-----	2 32	1 16
1 dozen shears, 10-inch-----	8 60	4 30
1 dozen minute books-----	2 00	1 00
Pacific Coast Paper Co.—		
100 boxes of typewriter paper, 8½ x 13-----	53 00	26 50
Sacramento Chemical Company—		
2 hand sprayers for entomocide-----	1 20	60
Schwabacher-Frey Stationery Co.—		
200 boxes Gem clips-----	5 00	2 50
4 dozen quarts paste-----	19 20	9 60
3,000 Dennison's fasteners, No. 24R-----	3 38	1 69
1 gross Falcon files-----	54 00	27 00

Richardson-Case Paper Co.—		One half.
25 boxes typewriter paper, letter size-----	\$9 75	\$4 87
25 boxes typewriter paper, onion skin legal.---	10 25	5 13
1 gross No. 12 twine-----	11 52	5 76
$\frac{1}{2}$ gross No. 18 twine-----	5 04	2 52
1 gross No. 36 twine-----	10 20	5 10
1 gross spring twine-----	18 72	9 36
Brown & Power Stationery Co.—		
50 dozen Manila pads, legal-----	39 00	19 50
1 dozen boxes Dennison's fasteners, No. 22R---	72	36
Payot, Stratford & Kerr—		
1 gross reporters' note books-----	20 88	10 44
Pacific Hardware & Steel Co.—		
3 dozen shears, 12-inch-----	30 60	15 30
Thomson-Diggs Co.—		
1 dozen shears, 10-inch-----	10 80	5 40
Pacific Telephone & Telegraph Co.—		
Installing switchboard for Legislature-----	1 68	84
H. S. Crocker Co.—		
4 gross thumb tacks-----	3 36	1 68
1 case Scot tissue towels-----	12 50	6 25
3 fixtures for same-----	2 25	1 12
4 gross thumb tacks-----	3 36	1 68
1 case Scot tissue towels-----	12 50	6 25
Total -----	\$461 13	\$230 56

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Clark, Wm. C., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Strine, Stuckenbruck, Sutherland, Tulloch, and Mr. Speaker—47.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of Wells Fargo & Co. Express for the sum of two hundred sixteen and 58/100 dollars (\$216.58), said amount to pay for expressage on printed matter sent out to various sections of California and elsewhere, as per itemized bill attached, and the State Treasurer is hereby directed to pay the same—has had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Canepa, Clark, Wm. C., Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Green, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Wall, Weldon, and Mr. Speaker—39.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly

in favor of Wells Fargo & Co. Express for the sum of seventy-eight and 98/100 dollars (\$78.98), said amount being one half of the expense of expressing the Blue Book to various places as per itemized bill attached—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Byrnes, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hinkle, Inman, Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Woodley, and Mr. Speaker—45.

NOES—None.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received, and ordered printed in the Journal:

To the Senate and Assembly of the State of California:

We, your committee appointed pursuant to Concurrent Resolution No. 11, introduced on the 27th day of January, 1913, and calling for a committee of five members of the Assembly and five members of the Senate to ascertain the advisability of submitting to the people of the State the question of bonding the State for the purpose of making needed additions to the Capitol, asylums, hospitals and other public institutions of the State, beg leave to report as follows:

At a meeting of this joint committee held on the fourth day of March, 1913, a sub-committee, consisting of Senators Strobbridge, chairman of the Finance Committee of the Senate, and W. F. Chandler, chairman of the Ways and Means Committee of the Assembly, was instructed to visit the state institutions during the constitutional recess, and this committee herewith submits the report of said sub-committee which your committee has adopted and herewith presents, to wit:

"Lack of time prevented our visiting all the state buildings. We have, however, visited the five asylums located at Patten, Agnews, Stockton, Napa and Ukiah, the reform school at Whittier, the prisons at Folsom and San Quentin, the Sonoma State Home, the Home for the Adult Blind, the California Institution for the Deaf and the Blind, the Home for the Feeble-Minded, the Veterans' Home, Scripps' Biological Institute at San Diego, the normal schools at Los Angeles, San Diego, Santa Barbara, San Jose and San Francisco, the Polytechnic School at San Luis Obispo, the University at Berkeley, the University Farm at Davis and the agricultural buildings at the State Fair grounds.

"We find all of these institutions under excellent supervision and the persons in charge are doing good work. Many of these institutions are outgrown and are badly overcrowded, particularly the asylums, the Sonoma State Home and the Veterans' Home. Additional room should be provided as soon as possible.

"We believe that a board of not to exceed three members should be created, to have full supervision over all the asylums, prisons and reform schools, instead of a local board for each one as at present.

"We also suggest that each institution should have a definite plan of building to be followed in the future and that, as far as practicable, all buildings should be of a permanent character.

"The buildings at the Whittier reform school are in very bad condition. The manual training department amounts to practically nothing, and we believe that the Legislature has been negligent in not providing better training facilities for these boys and girls. If we expect to reform these young people we must give them something to do.

"Owing to the unfavorable location of this institution, we suggest that a new site be secured and, as soon as convenient, this school be transferred to the new site and the property where the institution is now located be disposed of.

"There should be another hospital constructed in Southern California to relieve the overcrowded condition at Patten.

"The Veterans' Home and the Sonoma State Home are both badly overcrowded and the wooden structures at the former should be replaced with permanent fireproof buildings.

"We believe that if the State intends to maintain an agricultural department of the State University it should be maintained on a scale that will be a credit to the State and such as will place this State at least on a parity with other states of the Union in this line of work.

"If this policy is followed it will require a large annual appropriation, and we hope future legislatures will be able to make such appropriations.

"We believe all of these improvements and betterments can be made without bonding the State for the purpose of raising the money.

"If our present tax system is not adequate to meet the requirements of the State, we believe it better to levy an *ad valorem* tax sufficient to put all of our state institutions on a permanent, adequate base, and in so doing to anticipate the future growth of the State.

"We recommend that a bond issue for the purpose of making needed additions and improvements to the State Capitol be submitted to a vote of the people, and we further recommend that the question of the erection of a state building in the civic center of San Francisco also be submitted to a vote of the people."

Respectfully submitted.

CHANDLER, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 810—An Act to amend Section 449a of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Also: Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

Also: Senate Bill No. 971—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

Also: Senate Bill No. 1112—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts therefor and declarations of the payment or performance thereof, and to authorize their recordation in the office of the Secretary of State.

Also: Senate Bill No. 615—An Act to amend Section 685 of the Code of Civil Procedure of the State of California, by providing a limitation within which execution may be issued upon money judgments.

Also: Senate Bill No. 863—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpoena.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 810 read first time, and referred to Committee on Judiciary.

Senate Bill No. 679 read first time, and referred to Committee on County Government.

Senate Bill No. 577 read first time, and referred to Committee on Judiciary.

Senate Bill No. 971 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 1112 read first time, and referred to Committee on Corporations.

Senate Bill No. 615 read first time, and referred to Committee on Judiciary.

Senate Bill No. 863 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Also: Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States, of certain lands erroneously conveyed or patented to said State by said Government," approved May 1, 1911.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1624—An Act to amend Section 3398 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the State for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended also providing that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken, and also relating to amending or correcting selections, reselections, amended selections, designations and redesignations.

Also: Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending Section 1 thereof, relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Also: Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteenth and thirty-sixth sections and providing the fee therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure, relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put, "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 364?"

On page 1, line 5, strike out the words "including herein".

The roll was called, and Senate amendment to Assembly Bill No. 364 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Shearer, Slater, Smith, Strine, Sutherland, Weisel, and Mr. Speaker—47.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Joint Resolution No. 20—Relative to a federal income tax—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put, "Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 20?"

In line —, strike out the words "will shortly be ratified by", and insert in lieu thereof the following: "has been duly ratified by the legislatures of three fourths of".

The roll was called, and Senate amendment to Assembly Joint Resolution No. 20 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shearer, Slater, Smith, Tulloch, Weisel, Weldon, and Mr. Speaker—44.

NOES—None.

Assembly joint resolution ordered to enrollment.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Shannon:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign born resident of this State and providing punishment therefor, and providing for disposition of such shotguns or rifles.

Referred to Committee on Introduction of Bills.

By Mr. Killingsworth:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section No. 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

Referred to Committee on Introduction of Bills.

APPROVAL OF JOURNAL.

On motion of Mr. Bohnett, the Journals of Monday, March 31; Tuesday, April 1; Wednesday, April 2; Thursday, April 3; Friday, April 4, and Saturday, April 5, 1913, were approved as corrected by the Minute Clerk.

COMMUNICATIONS.

The following communications were filed, and ordered printed in the Journal:

WASHINGTON, D. C., April 6, 1913.

L. B. Mallory, Chief Clerk of the Assembly, Sacramento, Cal.:

Please secure data and wire at once probable needs for additional pasture in forests. Presume recent rains have greatly bettered situation. Am following matter with Forester Graves, who needs definite and recent information.

WILLIAM KENT.

Also:

WASHINGTON, D. C., April 7, 1913.

L. B. Mallory, Chief Clerk of the Assembly, Sacramento, Cal.:

Have presented resolution Legislature relative stock grazing on public lands to Chief Forester, who advises that department has matter under consideration and

has issued instructions to District Forester, San Francisco, to investigate and ascertain and report conditions to department. Have filed your resolution with Secretary of Agriculture, with strong favorable indorsement.

GEO. C. PERKINS.

Also:

WASHINGTON, D. C., April 7, 1913.

Hon. L. B. Mallory, Chief Clerk of the Assembly, Sacramento, Cal.:

Your telegram containing resolution as to the necessity of use of forest reserve for stock purposes on account of feed will be taken up with the proper department and relief urged with all possible expedition.

JOHN E. RAKER, M. C.

MOTION.

Mr. Bohnett moved that the rules of order be suspended, and that the second-reading file be considered out of order.

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gates, Guiberson, Guill, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, Mouser, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Strine, Weisel, Woodley, and Mr. Speaker—40.

NOES—Mr. Schmitt—1.

RECESS.

At twelve o'clock and forty minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1736—An Act to add a new section to the Penal Code, to be numbered 54c, prohibiting the employment of, or acceptance of compensation by any political workers upon election days, except those employed at headquarters.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code, relating to the right to vote and the registration of voters.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 7, strike out the words "either gain or".

Amendment adopted.

AMENDMENT No. 2.

Strike out all of Section 2 of the bill.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2064—An Act defining and limiting the right of aliens to acquire title to and own or lease real property in the State of

California, and providing a method for divesting title to lands held by such aliens.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 737—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to the condemnation of private property for public use and the payment of money therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 4, strike out the word "Section".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 100—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 544a, relating to service of civil process on all corporations or firms other than state, county, municipal or district corporations, doing business in more than one county in this State.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, at the beginning of the paragraph and before the word "Any", insert the following: "Every firm or corporation maintaining an office or establishment in more than one county in this State shall designate a person in each of such counties on whom service may be made of writs of attachments and writs of execution directed against any person in the employ of such firm or corporation; *provided*, that if such firm or corporation shall not designate such a person then service of such writs may be made on".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, change the capital "A" in the word "Any" at the beginning of the line to a small "a".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, strike out the words "for any", and insert in lieu thereof the words "of such".

Amendment adopted.

AMENDMENT No. 4.

On page 1, strike out all of lines 5, 6 and 7 and all in line 8 up to and including the word "the" preceding the word "keeping", and insert in lieu thereof the words "who has in his".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 8, strike out the words "of such", and in line 9 the words "agent or manager," and insert in lieu thereof the following: "the accounts of the person against whom service is directed".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 9, change the capital "A" in "And" to a small "a".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 11, after the word "Any", insert the following: "person so designated by such firm or corporation or by".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1846—An Act regulating loans of money on assignment of wages and salaries; fixing a maximum rate of interest, and providing penalties therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 10, strike out the word "twelve", and insert in lieu thereof the word "eighteen".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1850—An Act for the relief of purchasers of school lands.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out all after the words "An Act", and insert in lieu thereof the following:

"To provide for continuing in force certain certificates of purchase of state lands, by extending the time within which interest thereon may be paid.

The people of the State of California do enact as follows:

SECTION 1. When application has been made to purchase lands from this State and payment of the full purchase price or twenty per cent thereof has been made to the treasurer of the proper county for the same and a certificate of purchase was issued on or after May 1, 1911, to the applicant therefor and such applicant has failed to pay the interest on the unpaid balance of the purchase price of such land, said certificate shall be in full force and effect; *provided*, all interest due on the balance of the purchase price is paid to the proper county treasurer on or before December 31, 1913."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 316—An Act to amend Section 3491 of the Political Code of the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out all of the title after the words "An Act", and insert in lieu thereof the following: "to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts."

Amendment adopted.

AMENDMENT No. 2.

Strike out all of Section 1, and insert in lieu thereof the following:

"SECTION 1. Section 3491 of the Political Code of the State of California is hereby amended to read as follows:

3491. In each reclamation district in this State, formed under this code, or any statute, there shall be an election every two years, held at such time and place, in or near the district, and after such notice as the board of supervisors shall direct; *provided*, that the notice shall be not less than one month, and at such election each bona fide owner of lands in the district shall be entitled to vote in person or by proxy, and shall have right to cast one vote for each one dollar's worth of real estate owned by him or her in the district, the value thereof to be deter-

mined from the next preceding assessment roll of the county, and a majority of the votes cast at such election, shall elect. After an assessment has been levied by commissioners, each land owner shall have a right to cast one vote for each one dollar assessed upon his lands according to the next preceding assessment made by the commissioners. In all elections for trustees every owner of real estate shall have the right to cumulate his or her votes, and give one candidate as many votes as the number of trustees to be elected multiplied by the number of dollars' worth of real estate owned by him or her shall equal, or to distribute them on the same principle among as many candidates as he shall think fit. The board of supervisors to which the petition for the formation of the district was presented shall, upon the application of any land owner in the district, appoint a time and place for holding such election, which election shall be held within sixty days from the time of such application; the place shall in all cases be in or near the district. Notice of such election shall be given by publication for not less than one month in a newspaper in each county in which any portion of the lands of the district are situated, if any newspaper is published therein, and if not, then in a newspaper having general circulation in such county. The trustees elected under the provisions of section three thousand four hundred and fifty-two shall hold office until their successors are elected under the provisions of this section. For the purposes of such election the board of supervisors of the county in which the whole or the larger part of the lands of any district are situate, must appoint from the landholders of the district one inspector and two judges of election, who shall constitute a board of election for such district; but in case the board of supervisors fail to appoint, or the persons appointed fail to attend at the time and place appointed for the election, the voters present at the time and place of opening the polls may appoint the board, or supply the place of an absent member thereof. Each member of the board must, upon entering upon his duties, be sworn to a faithful performance thereof by some officer authorized to administer oaths. The board of election must canvass the votes cast and issue certificates of election to the persons elected, and must place the ballots, when canvassed, in an envelope and forward the same, sealed, to the clerk of the board of supervisors. Any legally qualified voter may challenge any vote, and the board of election shall determine, by the oath of the parties or otherwise, as they may think proper, whether or not the person challenged is entitled to vote, and in case of challenge, either one of the board of election is hereby authorized to administer oaths. The polls shall be open from ten a.m. until four p.m. In case of vacancy in the board of trustees, the board of supervisors shall, by appointment, fill such vacancy.

As full compensation for all services rendered by the treasurer of the county of Kings in any reclamation district, he shall be paid one per cent of all assessments paid to him, and he shall deduct from the amount of said assessments so paid to him said one per cent as and for his compensation for all services rendered."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804*b*, relating to the cancellation of erroneous assessments.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 433—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1536—An Act to amend an Act entitled "An Act to create a state board of accountancy, and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered Section 3*a*, relative to the issuing of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 647—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to form of judgments and notice thereof to be given to litigants.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 568—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist, and the State Forester to co-operate with the State Water Commission in said examination: reapportioning money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 16—An Act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance of the same out of the school funds of the State of California, and providing for the conduct and management of the same.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, of the title, insert a comma after the word "maintenance", and strike out all after the word "maintenance" down to and including the words "for the" in line 6 of the title.

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. There is hereby established a civic center at each and every public schoolhouse within the State of California, where the citizens of the respective public school district within said State of California may engage in supervised recreational activities, and where they may meet and discuss, from time to time, as they may desire, any and all subjects and questions which in their judgment, may appertain to the educational, political, economic, artistic and moral interests of the citizens of the respective communities in which they may reside: *provided*, that such use of said public schoolhouse and grounds for said meetings shall in no wise interfere with such use and occupancy of said public schoolhouse and grounds as is now, or hereafter may be required for the purposes of said public schools of the State of California.

SEC. 2. Lighting, heating, janitor service and the services of a special supervising officer when needed, in connection with such use of public school buildings and grounds as set forth in section one of this Act, shall be provided for out of the county or special school funds of the respective school districts in the same manner and by the same authority as such similar services are now provided for.

SEC. 3. The management, direction and control of said civic center shall be vested in the board of trustees or board of education of the school district. Said board of trustees or board of education shall make all needful rules and regulations for conducting said civic center meetings and for such recreational activities as are provided for in section one of this Act; and said board of trustees or board of education may appoint a special supervising officer, who shall have charge of the grounds, preserve order, protect the school property and do all things necessary in the capacity of a peace officer to carry out the provisions and the intents and purposes of this Act.

SEC. 4. All of said recreational activities, meetings, lectures and entertainments of whatsoever nature held under the provisions of this Act shall be free to the public, and shall be of such character and quality as shall tend in the judgment of the board of trustees, to enlighten and strengthen the intellectual, physical and moral welfare of the citizens of the community: *provided*, that a reasonable admission fee may be charged for entertainments when the proceeds thereof shall be expended for the benefit of the school."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d* and 626*f* of the Penal Code of the State of California, relating to the protection of fish and game.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1 of the printed bill, strike out everything after the enacting clause and insert the following:

"SECTION 1. Section 626 of the Penal Code of the State of California is hereby amended to read as follows:

"626. Every person who, between the fifteenth day of February and the first day of October inclusive of any year, hunts, pursues, takes, kills or destroys, or has in his possession any kind of wild duck; or who between the fifteen day of February and the first day of October inclusive of any year, hunts, pursues, takes, kills, or destroys or has in his possession any Wilson snipe, or who in game district one of the State of California between the fifteenth day of February and the fifteenth day of September, inclusive, of any year, hunts, pursues, takes, kills or destroys or has in his possession any valley or desert quail, or who in game districts two, three, four and five of the State of California, between the fifteenth day of February and the fifteenth day of October inclusive of any year, hunts, pursues, takes, kills or destroys or has in his possession any desert or valley quail or who in game districts number six and seven of the State of California between the first day of December and the first day of October inclusive of the following year, hunts, pursues, takes, kills or destroys or has in his possession any valley or desert quail; or who, between the thirtieth day of November and the first day of September inclusive of the following year hunts, pursues, takes, kills or destroys or has in his possession any mountain quail, grouse, or sage hen; or who between the first day of April and the thirty-first day of May inclusive of any year hunts, pursues, takes, kills or has in his possession any cotton-tail rabbit or any bush rabbit or who at any time hunts, pursues, takes, kills or has in his possession any rail, ibis, plover, curlew or other shore bird is guilty of a misdemeanor.

SECTION 2. Section 626*a* of the Penal Code of the State of California is hereby amended to read as follows:

626*a*. Every person who in game districts one, two, three, five, six and seven of the State of California between the thirtieth day of September and the first day of August inclusive of the year following, hunts, pursues, takes, kills or destroys, or has in his possession any dove, or who in game district four of the State of California between the thirtieth day of September and the fifteenth day of August inclusive of the following year hunts, pursues, takes, kills, or destroys or has in his possession any dove is guilty of a misdemeanor.

SECTION 3. Section 626*d* of the Penal Code of the State of California is hereby amended to read as follows:

"626*d*. Every person who during any one calendar day takes, kills, or destroys, or has in his possession or in the possession of any other person or transportation company or common carrier or cold storage company, for his use or benefit more than fifteen wild ducks or black sea brant, or valley or desert quail, or Wilson snipe or more than twenty doves, or more than ten mountain quail, or more than

four grouse, or sage hens, is guilty of a misdemeanor; *provided, further*, that any person who between sunrise of one Sunday and sunrise of the following Sunday takes, kills or destroys or has in his possession, more than thirty wild ducks, or black sea brant, or valley or desert quail, or Wilson snipe, or more than forty doves, or more than twenty mountain quail, or more than eight grouse, or sage hens, is guilty of a misdemeanor.

SECTION 4. Section 626f of the Penal Code of the State of California is hereby amended to read as follows:

626f. Every person who in game districts one, and three of the State of California between the sixteenth day of October and the fifteenth day of August inclusive of the year following hunts, pursues, takes, kills, or destroys or has in his possession whether taken or killed in the State of California or shipped into the State from any other state, or territory or foreign country, any male deer or deer meat or who in game districts two and five of the State of California between October first and July thirty-first inclusive of the year following hunts, pursues, takes kills or destroys or has in his possession, whether taken or killed in the State of California or shipped in the state from any other state or territory or foreign country, any male deer or deer meat, or who in game districts four and seven of the State of California between November first and August thirty-first inclusive of the year following, hunts, pursues, takes, kills or destroys or has in his possession, whether taken or killed in the State of California or shipped in the state from any other state or territory or foreign country any male deer or deer meat, or who in game district number six between the sixteenth day of September and the fifteenth day of August inclusive of the year following hunts, pursues, takes, kills or destroys, or has in his possession, whether taken or killed in the State of California, or shipped in the state from any other state, territory or foreign country, any male deer or deer meat, is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 503—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts or donations from the public.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 19, strike out the period after the word "purpose", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 19, after the comma after the word "purpose", insert the following: "or to societies duly organized for the prevention of cruelty to children or animals".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 2, 3, 30, 31, 32, and 61 thereof, and to add two new sections to said Act, to be numbered 32½ and 54½, said new sections relating respectively to increasing the rate of interest on bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 8, in line 13, strike out the word "ten", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT No. 2.

On page 8, strike out all from and after the word "at" in line 14 down to and including the word "bonds" in line 29 on said page and insert in lieu thereof the following: "At the expiration of twenty-one years from the date of any issue of said bonds, two per centum of the whole amount of such issue; at the expiration of twenty-two years from said date, two per centum of the whole amount of such issue; at the expiration of twenty-three years from said date, three per centum of the whole amount of such issue; at the expiration of twenty-four years from said date, three per centum of the whole amount of such issue; at the expiration of twenty-five years from said date, four per centum of the whole amount of such issue; at the expiration of twenty-six years from said date, four per centum of the whole amount of such issue; at the expiration of twenty-seven years from said date, four per centum of the whole amount of such issue; at the expiration of twenty-eight years from said date, four per centum of the whole amount of such issue; at the expiration of twenty-nine years from said date, five per centum of the whole amount of such issue; at the expiration of thirty years from said date, five per centum of the whole amount of such issue; at the expiration of thirty-one years from said date, five per centum of the whole amount of such issue; at the expiration of thirty-two years from said date, five per centum of the whole amount of such issue; at the expiration of thirty-three years from said date, six per centum of the whole amount of such issue; at the expiration of thirty-four years from said date, six per centum of the whole amount of such issue; at the expiration of thirty-five years from said date, six per centum of the whole amount of such issue; at the expiration of thirty-six years from said date, six per centum of the whole amount of such issue; at the expiration of thirty-seven years from said date, seven per centum of the whole amount of such issue; at the expiration of thirty-eight years from said date, seven per centum of the whole amount of such issue; at the expiration of thirty-nine years from said date, eight per cent of the whole amount of such issue; at the expiration of forty years from said date, eight per centum of the whole amount of such issue; *provided*, that the bonds of any issue may be made payable at earlier dates than are specified herein, if the percentages herein prescribed are retained for the respective series and if the proposed dates of maturity of the respective series are specified in the petition and in the notices of the election provided for in Section 30 of this Act".

Amendment adopted.

AMENDMENT No. 3.

On page 9, strike out all from and after the word "at" in line 1, down to and including the word "annum" in line 3, and insert in lieu thereof the following: "at the rate of five per cent per annum".

Amendment adopted.

AMENDMENT No. 4.

On page 9, strike out the words "five hundred" in line 7, and insert in lieu thereof the words "one thousand".

Amendment adopted.

AMENDMENT No. 5.

On page 9, after the word "dollars" in line 7, insert a comma and the words: "as the board of directors may determine".

Amendment adopted.

AMENDMENT No. 6.

On page 10, insert after the word "bonds" in line 4, the words: "or any portion or portions thereof".

Amendment adopted.

AMENDMENT No. 7.

On page 10, insert after the word "bidder" in line 4 the words: "or bidders".

Amendment adopted.

AMENDMENT No. 8.

On page 10, insert after the word "reject" in line 5, the words: "any or".

Amendment adopted.

AMENDMENT No. 9.

On page 10, strike out all from and after the word "said" in line 5, down to and including the word "thereof" in line 7 on said page.

Amendment adopted.

AMENDMENT No. 10.

On page 10, strike out all from and after the word "bearing", in line 11, down to and including the word "annum" in line 12.

Amendment adopted.

AMENDMENT No. 11.

On page 10, after the word "authorized", in line 13, insert the words: "before the time when this section shall go into effect."

Amendment adopted.

AMENDMENT No. 12.

On page 10, strike out all from and after the word "that", in line 14, down to and including the word "and", in line 15, on said page.

Amendment adopted.

AMENDMENT No. 13.

On page 10, strike out the word "propositions", in line 18, and insert in lieu thereof the word "proposition".

Amendment adopted.

AMENDMENT No. 14.

On page 10, line 21, strike out the word "propositions", and insert in lieu thereof the word "proposition".

Amendment adopted.

AMENDMENT No. 15.

On page 10, strike out the word "conjunctly", at the end of line 21 and the beginning of line 22.

Amendment adopted.

AMENDMENT No. 16.

On page 10, strike out all from and after the word "rate", in line 22, down to and including the word "thereof", in line 29, and insert in lieu thereof the following: "board of directors of ----- (insert the name) irrigation district be authorized to sell bonds of the district for less than the par value thereof."

Amendment adopted.

AMENDMENT No. 17.

On page 10, strike out all from and after the word "shall", in line 32, down to and including the word "thereof", in line 36, and insert in lieu thereof the following: "may sell any bonds authorized by said district before this section shall take effect to the highest responsible bidder or bidders, as is provided in the foregoing section."

Amendment adopted.

AMENDMENT No. 18.

On page 11, after the word "state", in line 26, insert the following: "or call upon the authorities of such district for such information as he may desire."

Amendment adopted.

AMENDMENT No. 19.

On page 12, after the word "however", in line 6, insert the following: "that in no case shall the total amount of warrants authorized in this section exceed \$50,000, and all such warrants must be made payable not later than the first day of January after the first assessment shall be levied in the district issuing such warrants; and provided, further,".

Amendment adopted.

AMENDMENT No. 20.

On page 12, at the end of the bill, add two new sections, to be numbered 9 and 10, respectively, and to read as follows:

"SEC. 9. Section 41 of said Act is hereby amended to read as follows:

Section 41. On or before the first day of November, the secretary must deliver the assessment book to the collector of the district, who shall within twenty days publish a notice in a newspaper published in each county in which any portion of the district may lie, that said assessments are due and payable, and will become delinquent at six o'clock p.m. on the last Monday of December next thereafter, and that unless paid prior thereto, ten per cent will be added to the amount thereof, and also the time and place at which payment of assessments may be made, which notice shall be published for the period of two weeks. The collector must attend at the time and place specified in the notice to receive assessments, which must be paid in gold and silver coin: he must mark the date of payment of any assessment in the assessment book, opposite the name of the person paying, and give a receipt to such person specifying the amount of the assessment and the amount paid, with the description of the property assessed. On the last Monday in December, at six o'clock p.m., of each year, all unpaid assessments are delinquent, and thereafter the collector must collect thereon, for the use of the district, an addition of ten per cent.

SEC. 10. Section 43 of said Act is hereby amended to read as follows:

Section 43. The collector must collect, in addition to the assessments due on the delinquent list, and ten per cent added, fifty cents on each lot, piece or tract of land separately assessed. On the day fixed for the same, or some subsequent day to which he may have postponed it, of which he must give notice, the collector, between the hours of ten a.m. and three o'clock p.m., must commence the sale of the property advertised, commencing at the head of the list and continuing alphabetically, or in the numerical order of the lots or blocks, until completed. He may postpone the day of commencing the sales, or the sale, from day to day, but the sale must be completed within three weeks from the day first fixed: *provided*, that if any sale or sales shall be stayed by legal proceedings, the time of the continuance of such proceedings is not part of the time limited for making such sale or sales: *and provided*, further, that in any district where the validity of any assessment, shall be in litigation at the time this Act shall take effect, the sale of any property, whether it be involved in such litigation or not, may be postponed for a time not to exceed four months."

Amendment adopted.

AMENDMENT No. 21.

Amend the title by inserting after the word "thirty-two", in line 8, a comma and the following: "forty-one, forty-three".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 934—An Act to amend Sections 368, 699 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 917—An Act declaring that the tide lands and submerged lands within the boundaries of the city of Los Angeles are required for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for quieting the title to, and for the recovery of the possession of, said lands.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Bill read second time, and ordered to engrossment and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 124—An Act to amend Section 791 of the Political Code, relating to notaries public.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 502—An Act to amend Section 1674 of the Political Code of the State of California, relating to union school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 504—An Act to amend Section 1740 of the Political Code of the State of California, relating to meetings of high school boards.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 506—An Act to amend Section 1876 of the Political Code of the State of California, relating to contracts by boards of school trustees and city boards of education.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 594—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1104—An Act to amend Section 1685 of the Political Code, relating to causes for the suspension or expulsion of school children.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1523—An Act to amend Section 756 of the Political Code of the State of California, relating to the maintenance of high schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 174—An Act to amend Section 1622 of the Political Code of the State of California, relating to expenditure of state and county school money.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1628—An Act to amend Section 1665 of the Political Code of the State of California, relating to including California history in the course of study.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 15, after the words "domestic science", insert the word "and".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 16, strike out the words "and mechanic art".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 1, strike out the words "and mechanic art", and insert in lieu thereof the words "and manual training".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 13, after the words "of", insert the words "California and of".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 14, after the first comma, and before the word "elements", insert the words "physical culture and".

Amendment adopted.

Bill read second time, and ordered to reprint, and on file for third reading.

Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1030—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 20—An Act to amend Section 67 of the Code of Civil Procedure of the State of California, relating to the number of Superior Court judges, and providing for the appointment of four additional Superior Court judges in and for the city and county of San Francisco, and providing for their compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 20 finally passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuek, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Weisel, White, Woodley, and Mr. Speaker—56.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1070—An Act to regulate certain scaffolding or staging for the protection of workmen; requiring that, in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support, such employers shall be subject to the provisions of this Act; fixing penalties for a violation hereof, to be the same as provided in Section 402c of the Penal Code; and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1070 finally passed by the following vote:

AYES—Messrs. Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan,

Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Weisel, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill 1518—An Act to add a new section to the Penal Code, to be known as section twelve hundred two *a*, relating to indeterminate sentences.

SPEAKER PRO TEM. IN CHAIR.

At two o'clock and forty minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

During third reading of the bill, Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, after the word "murder", insert a comma and the words "rape, crime against nature".

MOTION.

Mr. Smith moved that the House go into executive session for the purpose of considering the above motion.

Motion lost.

Mr. Inman moved, as a substitute, that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, strike out the words "except murder or robbery".

POINT OF ORDER.

Mr. Smith rose to the following point of order: That the substitute was out of order.

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

PREVIOUS QUESTION.

Mr. Schmitt moved the previous question.

Motion lost.

SPEAKER IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Motion of Mr. Inman lost.

The question reverting to the motion of Mr. Smith.

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bagby, Bloodgood, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Dower, Ferguson, Fish, Fitzgerald, Gates, Guiberson, Hayes, Hinkle, Johnstone, W. A., Judson, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Murray, Nolan,

Palmer, Polsley, Richardson, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Wall, Weisel, Weldon, and Mr. Speaker—37.

NOES—Messrs. Ambrose, Beck, Benedict, Bowman, Bradford, Byrnes, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, Mouser, Nelson, Roberts, Ryan, Scott, Shartel, Strine, Stuckenbruck, Sutherland, Tulloch, White, and Woodley—37.

Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 17, strike out all after the period following the word "specified" to and including all of line 1, on page 2, and insert in lieu thereof the following: "Any board or commission that at present shall have authority to grant paroles, or that".

Also: On page 2, line 2, strike out the words "commission that".

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1518, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

During third reading of the bill, Mr. Weisel moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, following the word "except", insert the words "seduction, incest, rape".

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bagby, Bloodgood, Brown, Bush, Canepa, Cary, Cram, Dower, Emmons, Fish, Gates, Guiberson, Hayes, Hinkle, Johnstone, W. A., Judson, Libby, McCarthy, Moorhouse, Morgenstern, Murray, Nolan, Palmer, Richardson, Schmitt, Simpson, Slater, Smith, Stuckenbruck, Wall, Weisel, and Mr. Speaker—32.

NOES—Messrs. Ambrose, Beck, Benedict, Bowman, Bradford, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, McDonald, Mouser, Nelson, Roberts, Ryan, Scott, Shannon, Shearer, Strine, Sutherland, Tulloch, Weldon, White, and Woodley—37.

Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 12, strike out the period, and insert in lieu thereof the following: "provided, that nothing herein contained shall be construed to deprive the board of prison directors or the governing authority of any jail or reformatory or prison of authority now vested in them to grant paroles to prisoners".

Motion carried.

The Speaker appointed Mr. Weldon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1518, with instructions, do now report that the instructions of the Assembly have been carried out.

WELDON, Select Committee.

Report of select committee and amendment adopted.

Mr. Johnson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, strike out the words "or robbery."

Motion lost.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 17, Section 1, after the period after the word "specified", strike out all the rest of the section.

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until next legislative day.

SPECIAL ORDER RE-SET.

On motion of Mr. Bowman, the consideration of Assembly Bill No. 477 was made a special order for Wednesday, April 9, 1913, at eleven o'clock a.m.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Polsley, consideration of the motion to reconsider the vote whereby Assembly Bill No. 1858 was passed was postponed until the next legislative day.

On request of Mr. Inman, consideration of the motion to reconsider the vote whereby Assembly Bill No. 1076 was passed was postponed until the next legislative day.

On request of Mr. Bradford, consideration of the motion to reconsider the vote whereby Assembly Bill No. 998 was passed was postponed until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

An Act providing how workmen may pay fines imposed for delinquencies at the rate of not less than two dollars a week.

An Act to amend section one of an Act entitled "An Act to provide for the alterations of the boundaries of, and for annexation of territory to incorporated towns and cities and for the incorporation of such annexed territory in, and as part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or

possession of any shotgun or rifle by any unnaturalized foreign-born resident of this State, and providing punishment therefor, and providing for disposition of such shotguns or rifles.

An Act to amend Section 2853 of the Political Code of the State of California relating to ferries by adding a provision thereto relating to employers and employees."

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, White, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Farwell: Assembly Bill No. 2066—An Act to establish courts of special claims in cities of the first class and cities of the first and one-half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said court, to fix their compensation, and to prescribe certain rules of practice in said court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Ellis: Assembly Bill No. 2067—An Act providing how workmen may pay fines imposed for delinquencies at the rate of not less than two dollars a week.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Palmer: Assembly Bill No. 2068—An Act to amend section one of an Act entitled "An Act to provide for the alteration of the boundaries of, and for annexation of territory to incorporated towns and cities, and for the incorporation of such annexed territory in, and as part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Shannon: Assembly Bill No. 2069—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign born resident of this State and providing punishment therefor, and providing for disposition of such shotguns or rifles.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Killingsworth: Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries by adding a provision thereto relating to employers and employees.

Bill read first time, and referred to Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled:

Assembly Concurrent Resolution No. 7—Approving charter of the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on November 5, 1912.

Also: Assembly Bill No. 482—An Act to amend Sections 3 and 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law February 25, 1901.

And were presented to the Governor this seventh day of April, at one o'clock and thirty minutes p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 208—An Act to provide one additional judge of the Superior Court of the county of Riverside, State of California, and for his compensation.

Also: Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section, to be known as Section 26, relating to the rights of men.

Also: Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 19 of Article XI, relating to the use of streets for gas and water pipes.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 9—An Act to regulate the receiving and keeping of food in cold storage and regulating the sale of said food and providing a penalty for the infringement and violation of said Act.

Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking authentication, and filing of transcript of testimony and recognizances in coroner's inquests, and providing for the appointment of a shorthand reporter for such purpose and for fees in payment therefor.

Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations; and providing penalties therefor.

Assembly Bill No. 514—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3804a, relating to the approval or rejection of claims for refund of taxes, penalties and costs by boards of supervisors.

Assembly Bill No. 550—An Act to amend Section 4028 of the Political Code of the State of California.

Assembly Bill No. 599—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo,

Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States.

Assembly Bill No. 767—An Act to amend Section 935 of the Penal Code of the State of California, relating to motions to set aside indictments and informations.

Assembly Bill No. 768—An Act to amend Section 988 of the Penal Code of the State of California, relating to arraignment of defendant on indictment or information.

Assembly Bill No. 769—An Act to amend Section 925 of the Penal Code of the State of California, relating to proceedings before the grand jury, the persons who may be present at the sessions of such grand jury, and the records of testimony taken at such sessions.

Assembly Bill No. 804—An Act to add a new section to the Code of Civil Procedure, the said section to be designated eleven hundred and seventy *a* (1170*a*), relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Assembly Bill No. 882—An Act to add a new section to the Penal Code, to be designated as Section 378*a*, relating to the transportation of offal, swill, garbage, the carcasses of dead animals, and other refuse from one county or city and county into another county, and providing regulations governing the same.

Assembly Bill No. 890—An Act to amend an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by amending Section 1 of said Act so as to make said Act applicable to all jails, and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

Assembly Bill No. 897—An Act to amend Section 1408 of the Political Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

Assembly Bill No. 1161—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Assembly Bill No. 1634—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which, by reason of failure to pay any tax imposed by any of said Acts, has forfeited either its charter or right to do business in this State.

Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control, subject to the provisions of the Political Code of the State of California and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Assembly Bill No. 1875—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by Section 8 of Article XI of the Constitution, with respect to the assessment of property in such cities for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act.

Assembly Bill No. 1954—An Act relating to exterior advertising, as in this Act defined, declaring the prohibition of the use of property for such purpose a public use, providing for the acquisition of such use, and prohibiting exterior advertising on property as to which such use has been acquired.

Assembly Bill No. 1963—An Act to amend Section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Also: Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV, relating to irrigation districts.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

USE OF ASSEMBLY CHAMBER REFUSED.

Mr. Ryan moved that the use of the Assembly Chamber be granted to Mr. Carl Browne for the evening of this day, for the purpose of discussing Assembly Bill No. 1025.

Motion lost.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Inman, Miss McCormick and forty members of the high and commercial schools of St. Joseph's Academy, were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Slater, Mr. T. J. Butts was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. W. W. Dennis and Geo. McCallum were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. S. C. Walker and J. P. Walker were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Smith, Mr. and Mrs. Henry F. Vogt were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mrs. B. Woodbridge was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ryan, Mr. P. W. Mathews was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At five o'clock and twenty minutes p.m., on motion of Mr. Smith, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, April 8, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—75.

Quorum present.

LEAVE OF ABSENCE.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 338—An Act to amend Section 1272 of the Penal Code of the State of California.

Also: Senate Bill No. 693—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Senate Bill No. 563—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

Also: Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911.

Also: Senate Bill No. 867—An Act declaring that all tide lands and submerged lands within the boundaries of the city of Los Angeles are required, and require such lands, for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for the purpose of quieting title to, and for the recovery of the possession of said lands.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered Section 3a, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Also: Senate Bill No. 1686—An Act to amend Section 542a of the Code of Civil Procedure of the State of California, relating to attachment liens.

Also: Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

Also: Senate Bill No. 514—An Act to amend Section 599e of the Penal Code of the State of California, relating to old, diseased or disabled animals.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 4, 1913, adopted Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

Also: Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 338 read first time, and referred to Committee on Judiciary.

Senate Bill No. 693 read first time, and referred to Committee on Education.

Senate Bill No. 563 read first time, and referred to Committee on Judiciary.

Senate Bill No. 847 read first time, and referred to Committee on Corporations.

Senate Bill No. 867 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 1332 read first time, and referred to Committee on Judiciary.

Senate Bill No. 513 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 1686 read first time, and referred to Committee on Judiciary.

Senate Bill No. 514 read first time, and referred to Committee on Public Health and Quarantine.

Senate Constitutional Amendment No. 16 read, and referred to Committee on Constitutional Amendments.

Senate Bill No. 756 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 1211 read first time, and referred to Committee on Prisons and Reformatories.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 1061 ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Alexander:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money for the purpose of preservation, protection and improvement of the old theater building and grounds at Monterey.

Referred to Committee on Introduction of Bills.

By Mr. Stuckenbruck:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

Referred to Committee on Introduction of Bills.

RE-REFERENCE OF BILL.

On motion of Mr. Ellis, Assembly Bill No. 2067 was recalled from the Committee on Labor and Capital, and referred to Committee on Prisons and Reformatories.

UNFINISHED BUSINESS.

Assembly Bill No. 589—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until next legislative day.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1120—An Act to amend Section 1696 of the Political Code of the State of California, relating to making report, transfer, attendance in the public schools of the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, lines 36 and 37, strike out the following: "The principal of a school of more than one teacher shall combine the separate certificates from the teachers in the school of".

Amendment adopted.

AMENDMENT No. 2.

On page 3, lines 1, 2 and 3, strike out the following: "which he is principal and shall make a certificate to the county superintendent showing the facts set forth in the separate certificates of the teachers."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term 'boulevard'; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term "boulevard,"'

approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909;" approved May 1, 1911, said amendment pertaining to the definition of the term "boulevard," and use of said boulevards.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 620—An Act to provide for the organization and government of publicity districts in the State of California, and to provide for the expenses thereof, and to encourage the development and settlement upon agricultural lands in the State of California, and for disseminating facts, knowledge and information in relation to the natural resources and possibilities of lands in certain districts, and for the levying of assessments upon such lands to pay the expenses of conducting and operating such publicity districts.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 828—An Act to amend Section 1 of an Act entitled "An Act to promote the apiculture interests of the State of California by providing county inspectors of apiaries and defining their duties, and providing for their compensation, and repealing the Act entitled 'An Act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883"; approved February 20, 1901.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 6, strike out the words "thirty-six", and insert in lieu thereof the words "thirty-four".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 15, after the period, add the following: "The county clerk shall pay into the county treasury at the close of each month all fees received by him during the month, accompanied by a statement of source from whence received."

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 36, between the words "shall" and "receive", insert the words "act as cashier and".

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 37, strike out the words "a cashier", and insert in lieu thereof the words "one deputy".

Amendment adopted.

AMENDMENT No. 5.

On page 6, line 13, strike out the word "twelve", and insert in lieu thereof the word "eighteen".

Amendment adopted.

AMENDMENT No. 6.

On page 6, line 14, after the word "superintendent", insert the words "and assistant superintendent".

Amendment adopted.

AMENDMENT No. 7.

On page 6, line 15, strike out the word "his", and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT No. 8.

Strike out Subsections 14, 14a, 14b, and 15 of the printed bill, and in lieu thereof insert the following:

"14. The registered population of the several judicial townships of this county is hereby determined to be the registered votes as shown by the great register of the county in the office of the county clerk January first, nineteen hundred and thirteen. The salaries of the constables in the several townships shall be determined by the registered voting population as shown by said register at the general election of the preceding even numbered year as follows, to wit:

Judicial Township No. 1	375
Judicial Township No. 2	1,929
Judicial Township No. 3	16,544
Judicial Township No. 4	1,499
Judicial Township No. 5	1,699
Judicial Township No. 6	3,756
Judicial Township No. 7	1,884
Judicial Township No. 8	1,626
Judicial Township No. 9	731
Judicial Township No. 10	624
Judicial Township No. 11	815
Judicial Township No. 12	436
Judicial Township No. 13	715
Judicial Township No. 14	531

The board of supervisors shall determine the population of each township for the purpose of fixing the salary of the township officers aforesaid in the month of December biennially.

14a. For the purpose of regulating the compensation of the constables and justices of the peace, townships of this class of counties are hereby classified according to the registered voting population as shown by the great register of the county. Townships having a registered voting population of 10,000 and more shall belong to and be known as townships of the first class; townships having a like population of 1,450 and less than 10,000 shall belong to and be known as townships of the second class; townships having a like population of 600 and less than 1,450 shall belong to and be known as townships of the third class; townships having a like population of less than 600 shall belong to and be known as townships of the fourth class.

14b. Persons now holding the office of justice of the peace and persons now performing the duties of justices of the peace shall during the terms for which they were elected receive the following monthly salaries to be paid each month as the county officers are paid, and the same shall be in full compensation for all services rendered in criminal cases and shall include their office rent, to wit:

In townships of the first class	\$200 00
In townships of the second class	100 00
In townships of the third class	75 00
In townships of the fourth class	60 00

In addition to the monthly salaries herein allowed each justice of the peace now holding office may during the term for which he was elected receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services rendered by him in criminal actions.

From and after the expiration of the terms of office of justices of the peace now holding office, justices of the peace and persons performing the duties of justices of the peace shall receive the following monthly salaries to be paid each month as

the county officers are paid, and the same shall be in full compensation for all services rendered in criminal cases and shall include their office rent, to wit:

In townships of the first class.....	\$200 00
In townships of the second class.....	75 00
In townships of the third class.....	60 00
In townships of the fourth class.....	50 00

In addition to the monthly salaries last above specified each justice of the peace may receive and retain for his own use such fees as are now or may be hereafter allowed by law for all services rendered by him in civil actions excepting, however, justices of the peace in townships of the first class which justices of the peace shall pay to the county treasurer once a month all fees collected by them in civil actions and shall be responsible for the collection and payment to the county treasurer of all such civil fees as herein provided.

All justices of the peace in townships of this class of counties must pay into the county treasury once a month all fines collected by them in criminal actions.

15. Constables now holding office shall during the terms for which they were elected receive the following monthly salaries to be paid each month as the county officers are paid and to be in full compensation for all services rendered by them in criminal cases, to wit:

In townships of the first class.....	\$125 00
In townships of the second class.....	100 00
In townships of the third class.....	75 00
In townships of the fourth class.....	60 00

From and after the expiration of the term of office of constables now holding office constables shall receive the following monthly salaries to be paid each month as the county officers are paid and to be in full compensation for all services rendered by them in criminal actions, to wit:

In townships of the first class.....	\$100 00
In townships of the second class.....	75 00
In townships of the third class.....	60 00
In townships of the fourth class.....	50 00

In addition to the monthly salaries above provided each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services rendered by him in civil cases, and shall also be allowed all necessary expenses actually incurred in arresting and conveying prisoners to court or prison, which expenses shall be audited by the board of supervisors and paid out of the county treasury; *provided, further*, that where any constable is required to go out of his own county to serve a warrant of arrest or any other paper in a criminal case, he shall be allowed mileage in going and returning outside of his own county at the rate of five cents per mile.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 1410a, relating to the water of all natural streams carrying water from the State of California into any other State, and defining relative rights to the waters of such streams.

Bill read second time, and ordered on file for third reading.

SPECIAL ORDER SET.

On motion of Mr. Bloodgood, the consideration of Assembly Constitutional Amendment No. 43 was made a special order for Thursday, April 10, 1913, at eleven o'clock a.m.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office.

Bill read third time.

The question being on the passage of the bill.

The roll was called; and Assembly Bill No. 26 passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Pelsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, and Woodley—56.

NOES—Mr. Speaker—1.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Bradford moved that the vote whereby Assembly Bill No. 998 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bowman, Bradford, Brown, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gates, Gelder, Green, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, Woodley, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375*b*, relating to the receptacles for gasoline and kerosene.

During third reading of the bill, Mr. Bradford moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 10, strike out the words "be kept", and insert in lieu thereof the words "put kerosene".

Motion carried.

The Speaker appointed Mr. Bradford as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 998, with instructions, do now report that the instructions of the Assembly have been carried out.

BRADFORD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

SPECIAL ORDER SET.

On motion of Mr. Schmitt, the consideration of Assembly Constitutional Amendment No. 45 was made a special order for Thursday, April 10, 1913, at eleven o'clock a.m.

Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election

and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

During third reading of the bill, Mr. Murray moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all commencing with the word "thence", line 13, Section 1, page 2, to and including the word "east", line 7, page 3, and insert in lieu thereof the following: "Thence west to the quarter section corner common to section seven, township ten north, range three east, and section twelve, township ten north, range two east; thence north to the northeast corner of said section twelve, thence west to the northwest corner of said section twelve north to the northwest corner of section one, township and range aforesaid, and running thence west along the south boundary line of township eleven north, ranges two and three east, about one hundred and eighty chains to a point fifty-one feet east of the southwest corner of the southeast quarter of section thirty-five, township eleven north, range two east; thence north twenty-six hundred and fifty-nine feet; thence north forty-three degrees thirty minutes west thirty-nine hundred and twenty feet; thence south eighty-six degrees thirty minutes west three hundred feet; thence south eighty-eight degrees west four hundred twenty-five feet; thence north seventy-one degrees fifteen minutes west two hundred feet; thence north eighty-five degrees thirty minutes west five hundred ninety-three feet; thence north seventy-eight degrees thirty minutes west two hundred sixty-five feet to the point of intersection with the east line of the Southern Pacific Company's railroad right of way, and about five chains north from the south boundary line of section twenty-seven, township and range as aforesaid; thence up and along the easterly line of said Southern Pacific Company's railroad right of way to the point of intersection with the quarter-section line running east and west through the center of section twenty-seven, same township and range; thence east along said quarter-section line to the southeast corner of the northeast quarter of said section twenty-seven; thence north up and along the section line between sections twenty-seven and twenty-six, township and range aforesaid, to the point where said section line is intersected by the east boundary line of the Southern Pacific Company's railroad right of way; thence north to the corner common to sections twenty-six and twenty-seven, twenty-two and twenty-three, township and range as aforesaid;".

Also:

On page 16, after the period, in line 7, insert the following: "During the pendency of said action the assessment against the lands included therein cannot be enforced, and no penalty shall accrue during pendency thereof."

Mr Morgenstern moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 33, strike out the word "said", between the words "and" and "section".

Also: On page 3, line 27, strike out the numerals "12", and insert in lieu thereof the numeral "2".

Also: On page 5, line 13, strike out the figures "14.29", and insert in lieu thereof the following: "fourteen and twenty-nine hundredths (14.29)".

Also: On page 15, line 15, after the word "the", insert the word "said".

Also: On page 19, strike out all of lines 1 and 2.

Amendments ordered printed in the Journal, and bill passed on file.

Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1740 passed by the following vote:

AYES—Messrs. Ambrose, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson,

Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

During third reading of the bill, Mr. Johnson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 25, strike out the words "in this state".

Also: On page 2, line 25, after the word "embalming", insert a period.

Motion lost.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 12, after the period, insert the following: "All moneys in excess of the fees provided herein shall be paid into the general funds of the state."

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1228, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendment adopted.

Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 10, strike out the word "examiners," and insert in lieu thereof the word "control".

Motion carried.

The Speaker appointed Mr. Smith as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1228, with instructions, do now report that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION.

Mr. Killingsworth moved that Assembly Bill No. 75 be made a special order for Wednesday, April 9, 1913.

Motion lost.

SPECIAL ORDER RESET.

On motion of Mr. Stuckenbruck, the consideration of Assembly Bill No. 75 was made a special order for this day, immediately after recess.

Assembly Bill No. 675—An Act to add a new section to the Political Code to be known as Section 4291a.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out the word "section."

Motion carried.

The Speaker appointed Mr. Bloodgood as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 675, with instructions, do now report that the instructions of the Assembly have been carried out.

BLOODGOOD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, after the last word, add the following: "Each member of board of school trustees and city boards of education, who shall neglect or refuse to comply with any of the provisions of this Act shall severally be deemed guilty of a misdemeanor, and punished by a fine not exceeding one hundred (\$100) dollars."

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1255, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendment adopted.

Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, strike out the word "once", and insert in lieu thereof the word "twice".

Also: On page 1, line 8, strike out the word "week", and insert in lieu thereof the word "month".

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1253, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 600—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the course of study, the granting of diplomas of graduation, and the amending of the courses of study.

During third reading of the bill, Mr. Strine moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, after the period following the word "schools", insert the two following paragraphs:

"The day and evening elementary schools of California shall be designated as primary and grammar schools".

"The day and evening secondary schools of California shall be designated as high schools and technical schools, and either class may include a portion of the other class".

Motion carried.

The Speaker appointed Mr. Strine as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 600, with instructions, do now report that the instructions of the Assembly have been carried out.

STRINE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Joint Committee on Free Conference concerning Senate Bill No. 232—An Act entitled "An Act to amend an Act entitled 'An Act conveying certain tide lands and lands lying under inland navigable waters situated in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,' approved May 1, 1911"—have met and report that the Free Conference Committee agreed upon and recommend that the present title be stricken out and a new title to said Senate Bill No. 232 inserted in lieu thereof to read as follows:

"An Act to amend section six of an Act entitled 'An Act conveying certain tide lands and lands lying under inland navigable waters situated in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,' approved May 1, 1911."

HINKLE,
POLSLEY,
CARY,

Assembly Committee on Free Conference.

WRIGHT,
JONES,
COHN,

Senate Committee on Free Conference.

Mr. Hinkle moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Ryan, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Weisel, and Mr. Speaker—49.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and providing a method for choosing the delegates for political parties to state conventions, and for nominating the delegates of political parties to national conventions, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 429—An Act regulating the payment of wages earned in seasonal labor, and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Also: Assembly Bill No. 468—An Act for the protection of railroad employees and other persons, and providing for the placing of safety blocks in all frogs and guard rails used in the operation of railroads.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MCDONALD, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 34—An Act to regulate the hours of employment of conductors, drivers, gripmen and motormen employed on street railways.

Also: Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau, for the purpose of regulating barbers and their occupation, and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants, and necessary clerical, expert and other assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops, and defining the duties of the State Board of Health in relation to said matters, and providing penalties for the violation of its provisions.

Also: Assembly Bill No. 1062—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of employment in underground mines and in smelting and reduction works," approved March 10, 1909.

Also: Assembly Bill No. 858—An Act to regulate the hours of employment and safeguarding the health of females employed in any mill, factory, manufacturing, or mechanical establishment or workshop, laundry, bakery, printing, clothing, dress-making or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise.

Also: Assembly Bill No. 1496—An Act to amend Section 653e of the Penal Code of the State of California, relating to crimes against employees.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

MCDONALD, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

Also: Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 224—An Act to amend Section 737 of the Political Code, relating to the salary of superior judges—which was re-referred to us from the Committee on Ways and Means, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 681—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate districts and to the annexation of additional territory.

Also: Assembly Bill No. 2065—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

Also: Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park and public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a certain section to be numbered Section 3½, relating to the manner of effecting certain local improvements.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1531—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, and Acts amendatory thereof, by adding thereto six new sections to be known as Sections 57, 58, 59, 60, 61 and 62.

Also: Assembly Bill No. 1532—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and

payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," by adding thereto six new sections to be known as Sections 84 to 89, inclusive.

Also: Assembly Bill No. 1533—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities and also for the payment of such bonds," approved February 7, 1893, and Acts amendatory thereof, by adding thereto four new sections to be known as Sections 10, 11, 12 and 13.

Have had the same under consideration, and respectfully report the same back, without recommendation.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1950—An Act conferring police power upon cities fronting or bordering on state tide lands, for purposes of sanitation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1357—An Act to add a new section to an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909—have had the same under consideration, and respectfully report the same back, without recommendation, and ask that it be re-referred to Judiciary Committee.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Also: Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Also: Assembly Bill No. 333—An Act to amend Section 534 of the Political Code of the State of California.

Also: Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Also: Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November in the year one thousand nine hundred and ten, which is provided in Section 14 of Article XIII of the Constitution of this State and as provided in an Act of the thirty-ninth session of the Legislature, entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1204—An Act to amend Title V of Part III of the Political Code by adding and enacting new chapters, to be designated Chapters 1, 1a, 1b, 1c, 1d and 1e, relating to and creating a state board of administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the appointment and duties of an advisory board, to be known as the state board of charities and corrections; providing for the government and management by said board of administration of the state hospitals for the insane and other incompetent persons, the state schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions, and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said Title V of Part III of the Political Code by renumbering Chapter 1e thereof, relating to the Woman's Relief Corps Home of California and designating said chapter as Chapter 1f, and to repeal Chapter 1 of Title V of Part III of the Political Code, relating to the State Commission in Lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and Chapter 1b of Title V of Part III of the Political Code, relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto; and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911, in so far as the provisions of said Act conflict with this Act; and to repeal all Acts and parts of Acts in conflict with this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1278—An Act to amend Section 453a of the Political Code in relation to the funds in the state treasury—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 218—An Act to authorize the payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Also: Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Also: Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

Also: Assembly Bill No. 1815—An Act to repeal an Act entitled "An Act to authorize the establishment of the California state trades and training school for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 165—An Act authorizing the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Also: Senate Bill No. 902—An Act to make an appropriation to pay the salaries and mileage of Senators for the fortieth session of the Legislature during the sixty-fourth fiscal year.

Also: Senate Bill No. 903—An Act making an appropriation for the pay of officers and clerks of the Senate for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 805—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STRINE, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2034—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1600"; providing for the management and control thereof, and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2034 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cram, Ellis, Emmons, Ferguson, Finnegan, Gates, Guiberson, Hayes, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Palmer, Roberts, Ryan, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 18, strike out all after the period following the word "cents," and insert in lieu thereof the following: "If the value of said animal or animals together exceed the value of ten dollars, said notice must also be published in a paper of general circulation within the county at least once a week for three successive weeks, stating the time on which the animal or animals will be delivered to the constable, as provided in Section 5 of this Act."

Also: Strike out all of lines 19 and 20, down to and including the word "or".

Also: On page 3, line 6, strike out all after the comma.

Also: On page 3, line 7, after the word "of," insert the words "not to exceed".

Also: On page 3, line 9, after the word "of," insert the words "not to exceed".

Also: On page 2, line 27, strike out the period (.), and insert the following: "and no charge shall be made for preparing and serving this notice."

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1698, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER.

The time for the consideration of special order having arrived, the special order heretofore set for this time was taken up for consideration.

Assembly Bill No. 75—An Act to protect the health of persons employed in the manufacture, packing or handling of Portland cement.

Bill read third time.

TIME FOR DEBATE EXTENDED.

On motion of Mr. Schmitt, Mr. Finnegan was granted further time in which to conclude his debate.

The question being on the passage of the bill.

The roll was called.

Pending the announcement of the vote, Mr. Brown moved a call of the House.

Motion lost.

The roll of absentees was called, and Assembly Bill No. 75 refused passage by the following vote:

AYES—MOSSIS. Bloodgood, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Gelder, Hayes, Judson, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Peairs, Polsley, Ryan, Scott, Shannon, Slater, Tulloch, Wall, Weisel, White, and Woodley—33.

NOES—MOSSIS. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Cary, Chandler, Cram, Ellis, Farwell, Fish, Fitzgerald, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Libby, Moorhouse, Murray, Palmer, Roberts, Schmitt, Shartel, Shearer, Simpson, Smith, Stuckenbruck, Sutherland, Walsh, Weldon, and Mr. Speaker—41.

NOTICES OF MOTION TO RECONSIDER.

Mr. Walsh gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 75 was this day refused passage.

Mr. Inman gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 75 was this day refused passage.

SPECIAL ORDER RESET.

On motion of Mr. Sutherland, the consideration of Assembly Concurrent Resolution No. 17 was reset for Wednesday, April 9, 1913, at two o'clock p.m.

CONSIDERATION OF MOTION TO RECONSIDER POSTPONED.

On request of Mr. Polsley, consideration of the motion to reconsider the vote whereby Assembly Bill No. 1858 was passed, was postponed until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same, with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An Act to provide for the establishment of county free markets and for the conducting and maintenance of the same.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Stuckenbruck: Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

Bill read first time, and referred to Committee on Municipal Corporations.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 982—An Act to promote the safety of employees of electric light, power, telephone and telegraph plants and electric street railways, and providing a penalty for the violation thereof.

During third reading of the bill, Mr. Bohnett moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out the following: "or telephone or telegraph plant or system."

Also: In line 12, page 1, strike out the following: ", or any telephone or telegraph plant or system".

Also: On page 2, strike out all of line 4 after the word "act", and all of lines 5 to 9, inclusive, and insert in lieu thereof the following: "is guilty of a misdemeanor".

Motion carried.

The Speaker appointed Mr. Bohnett as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 418, with instructions, do now report that the instructions of the Assembly have been carried out.

BOHNETT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties therefor.

During third reading of the bill, Mr. Canepa moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, strike out after the comma after the word "passengers", all of line 2 and line 3 to the word "shall" on line 3, and insert in lieu thereof the following: "which travels a distance of fifteen (15) miles or more in one general direction from its starting point".

Motion carried.

The Speaker appointed Mr. Canepa as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 418, with instructions, do now report that the instructions of the Assembly have been carried out.

CANEPA, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF STANDING COMMITTEE:

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 396a, relating to the driving of vehicles propelled by motor power or by animal power.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225a, 4225b, 4225c, 4225d, 4225e, 4225f, 4225g, 4225h, 4225i and 4225j, all relating to county boards of health and sanitary inspectors.

Assembly Bill No. 491—An Act repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Assembly Bill No. 673—An Act to amend Section 3746 of the Political Code, relating to duties of tax collector.

Assembly Bill No. 1289—An Act to amend Section 626k of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties of the first class; providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

Assembly Bill No. 433—An Act to amend Section 2933½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be

within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Assembly Bill No. 568—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Assembly Bill No. 620—An Act to provide for the organization and government of publicity districts in the State of California, and to provide for the expenses thereof, and to encourage the development of and settlement upon agricultural lands in the State of California, and for disseminating facts, knowledge and information in relation to the natural resources and possibilities of lands in certain districts, and for the levying of assessments upon such lands to pay the expenses of conducting and operating such publicity districts.

Assembly Bill No. 642—An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for five consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor and providing penalties therefor; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this Act; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared unconstitutional.

Assembly Bill No. 647—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Assembly Bill No. 648—An Act to amend Section 270 of the Penal Code of California, relating to the non-support of a child.

Assembly Bill No. 828—An Act to amend Section 1 of an Act entitled "An Act to promote the apicultural interests of the State of California by providing county inspectors of apiaries and defining their duties, and providing for their compensation, and repealing the Act entitled 'An Act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883," approved February 20, 1901.

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns; said section to be numbered 1281a.

Assembly Bill No. 917—An Act declaring that the tide lands and submerged lands within the boundaries of the city of Los Angeles are required for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for quieting the title to, and for the recovery of the possession of, said lands.

Assembly Bill No. 934—An Act to amend Sections 368, 691 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Assembly Bill No. 995—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

Assembly Bill No. 1258—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500," providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, and providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909," approved May 1, 1911, said amendment pertaining to the definition of the term boulevard, and use of said boulevards.

Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804b, relating to the cancellation of erroneous assessments.

Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Assembly Bill No. 1536—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered Section 3a, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Assembly Bill No. 1548—An Act to amend Sections 2 and 3 of an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition, and also for the payment of such bonds," approved April 14, 1911.

Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg; appointing a commission in connection therewith; and making an appropriation therefor.

Assembly Bill No. 1731—An Act to amend Section 1366a of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

Assembly Bill No. 1736—An Act to add a new section to the Penal Code, to be numbered 54c, prohibiting the employment of, or acceptance of compensation by any political workers upon election days, excepting those employed at headquarters.

Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to form of judgments and notice thereof to be given to litigants.

Assembly Bill No. 1788—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game.

Assembly Bill No. 1895—An Act to prevent the pollution of streams by sawmill or factory refuse.

Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources of rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Assembly Bill No. 2064—An Act defining and limiting the rights of aliens to acquire title to and own or lease real property in the State of California and providing a method for divesting title to lands held by such aliens.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

COMMUNICATION.

The following communication was filed, and ordered printed in the Journal:

WASHINGTON, D. C., April 8, 1913.

L. B. Mallory, Sacramento, Cal.:

Forester Graves is in communication with his subordinates in California, awaiting their reply as to conditions in the forest, and what may be done. Shall push matter to the limit.

WM. KENT.

EXPLANATION OF VOTE.

The following explanation of vote was presented, and ordered printed in the Journal:

By Mr. Speaker:

In justice to the bill for the establishment of a new printing office, I desire to explain my adverse vote on the measure. I regard a new printing office as an absolute necessity, but object to the provision of the bill permitting it upon the present site. My objection to this is threefold: *First*, that the present site is too remote from the capitol building; *second*, that to place it on the present site, the old building must be removed, which could not be done without hampering the work of the printing office; *third*, and most important, that I believe that the Capitol Park should be encumbered with nothing else than the capitol building. I believe that the proper place for the printing office should be some portion of the \$3,000,000 buildings proposed to be put on the new extension to the grounds just voted by the people of Sacramento.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Killingsworth, Mr. E. A. Crawford and Mr. J. B. Dusenbury were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bagby, Miss Bagby was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At five o'clock and forty minutes p.m., on motion of Mr. Benedict, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, April 9, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messes. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morrester, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—79.

Quorum present.

LEAVE OF ABSENCE.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. Killingsworth:

We, the undersigned merchants and taxpayers of the city of Vallejo, do hereby request our representatives in the Legislature, Hon. B. F. Rush and Hon. W. S. Killingsworth, to do their utmost to defeat what is known as the Wyllie bill, which is designed to prevent the sale of liquors within a four mile radius of any army or naval station.

This law is most pernicious in its effect, and we most earnestly protest against its adoption.

IKE DANNENBAUM (and others).

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:
By Mr. Guill:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the construction of a free wagon road from and to connect the city of Chico, Butte County, and the city of Susanville, Lassen County, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

By Mr. Ryan:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF ASSEMBLY CONSTITUTIONAL AMENDMENT.

The following Assembly Constitutional Amendment was introduced, and referred as indicated:

By Mr. Clark: Assembly Constitutional Amendment No. 88—Relative to convention for revising the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

COMMUNICATION.

The following communication was filed, and ordered printed in the Journal:

WASHINGTON, D. C., April 8, 1913.

L. B. Mallory, Chief Clerk, the Assembly, Sacramento, Cal.:

I shall use my utmost endeavors in conjunction with the other members of the California delegation in Congress to induce the Secretary of Agriculture and Chief

Forester to grant permission for an increased number of stock and sheep to graze within the national forests and other federal reservations. I sincerely hope the Legislature will pass the alien land bill without amendment. I would vote for the measure if I were a member of the Legislature.

C. F. CURRY.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Farwell:

Resolved, That eighty new mahogany desks be purchased for the use of the Assemblymen, to match in finish and style the present chairs; also such other new and appropriate furnishings as may be required to complete the furnishings of the Assembly Chamber, including desks and chairs that will match the other furniture, such as desks and chairs of the room, and will properly accommodate the duly accredited press representatives in the Assembly, said purchases to be made by and under the direction of the Committee on Contingent Expenses. Said desks and furnishings shall be purchased from the appropriation made by the Legislature of 1909, Statutes of California, Chapter 6, for the purchase of furniture and furnishings of the Senate and Assembly chambers and committee rooms, upon the approval in writing of the President of the Senate and the Speaker of the Assembly. The order for said furniture shall be placed with the warden of San Quentin prison, John E. Hoyle, or with the warden of Folsom prison, James A. Johnston, so that the material and labor shall be furnished by whichever institution, in the opinion of the committee in charge, is best fitted to carry out the work.

Read, and referred to Committee on Contingent Expenses.

By Messrs. Bowman, Smith, Murray, Farwell and Killingsworth:

WHEREAS, A certain sheet, designating itself the "Labor Knight," and edited by one Carl Browne, has heretofore, during this session of the Assembly, been placed on the desks of its members; and

WHEREAS, The said sheet did, on the 8th day of April, 1913, contain a vulgar attack on certain members of the Assembly because they voted not to allow the said Carl Browne the use of the Assembly Chamber to hold a public meeting; therefore, be it

Resolved, That the said Carl Browne, author of the said attack on the members of this Assembly, be forbidden the floor of this Assembly during the remainder of this session, and that the said sheet be no longer permitted distribution in the Assembly Chamber.

Read, and referred to Committee on Rules.

THIRD-READING FILE—(OUT OF ORDER).

Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

The question being on the adoption of the following amendments:

Strike out, commencing with the word "thence", line 13, Section 1, page 2, to and including the word "east", line 7, page 3, and insert in lieu thereof the following: "Thence west to the quarter section corner common to section seven, township ten north, range three east, and section twelve, township ten north, range two east; thence north to the northeast corner of said section twelve, thence west to the northwest corner of said section twelve, thence north to the northwest corner of section one, township and range aforesaid, and running thence west along the south boundary line of township eleven north, ranges two and three east, about one hundred and eighty chains to a point fifty-one feet east of the southwest corner of the southeast quarter of section thirty-five, township eleven north, range two east, thence north twenty-six hundred and fifty-nine feet; thence north forty-three degrees thirty minutes west thirty-nine hundred and twenty feet; thence south eighty-six degrees thirty minutes west three hundred feet; thence south eighty-eight degrees west four

hundred twenty-five feet; thence north seventy-one degrees fifteen minutes west two hundred feet; thence north eighty-five degrees thirty minutes west five hundred ninety-three feet; thence north seventy-eight degrees thirty minutes west two hundred sixty-five feet to the point of intersection with the east line of the Southern Pacific Company's railroad right of way, and about five chains north from the south boundary line of section twenty-seven, township and range as aforesaid; thence up and along the easterly line of said Southern Pacific Company's railroad right of way to the point of intersection with the quarter-section line running east and west through the center of section twenty-seven, same township and range; thence east along said quarter-section line to the southeast corner of the northeast quarter of said section twenty-seven; thence north up and along the section line between sections twenty-seven and twenty-six, township and range aforesaid, to the point where said section line is intersected by the east boundary line of the Southern Pacific Company's railroad right of way; thence north to the corner common to sections twenty-six and twenty-seven, twenty-two and twenty-three, township and range as aforesaid;".

Also:

Insert after the period, in line 7, Section 6, page 16, the following: "During the pendency of said action the assessment against the lands included therein cannot be enforced, and no penalty shall accrue during pendency thereof."

Mr. Murray asked for and was granted unanimous consent to withdraw the above amendments.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and provide the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and providing a method for choosing the delegates of political parties to state conventions and for nominating the delegates of political parties to national conventions, and providing for the election of party county central committee, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, between lines 25 and 26 of the printed bill, insert a new paragraph, to be numbered 8, and to read as follows:

8. The words "county officer," any officer elected within the boundaries of any county or city and county, except a member of the State Senate or Assembly or a member of the House of Representatives, of the Congress of the United States, or a member of any party county central committee; and the words "county office," the office filled by any county officer. The words "township officer," and such county officer as is elected within the boundaries of any judicial township that is now or may be hereafter provided by law; and the words "township office," the office filled by any township officer.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 26, of the printed bill, omit the figure "8", and insert in lieu thereof the figure "9".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 33, of the printed bill, change figure "1" to italic letter "a."

Amendment adopted.

In case it is desired to appoint additional verification deputies to secure signatures to the nomination paper of such candidate, one or more similar documents may be filed to supplement the first document. When the office for which the candidate is proposed is a judicial office, county office or township office, school office, the words "----- party," and the words "of said ----- party," shall be omitted from said document.

Or, as an alternative to the foregoing portion of this section and subdivision, verification deputies may be appointed in behalf of a candidate as follows:

Amendment adopted.

AMENDMENT No. 12.

On page 6, line 20, of the printed bill, omit the figure "2," and insert in lieu thereof the following: "b".

Amendment adopted.

AMENDMENT No. 13.

On page 6, line 37, of the printed bill, omit the word "papers," and insert in lieu thereof the word "paper".

Amendment adopted.

AMENDMENT No. 14.

On page 7, line 1, of the printed bill, omit the word "are," and insert in lieu thereof the word "is".

Amendment adopted.

AMENDMENT No. 15.

On page 8, line 26, of the printed bill, omit the words "or a school office," and insert in lieu thereof "school office, county office or township office".

Amendment adopted.

AMENDMENT No. 16.

On page 10, line 5, of the printed bill, after the period insert the following: "In case said verification deputy was appointed directly by the candidate according to the provisions of subdivision 2 (a) of this section, the collecting and arranging of the sections of the nomination paper shall be done by the candidate instead of by the 'five electors' as hereinbefore provided."

Amendment adopted.

AMENDMENT No. 17.

On page 11, line 11, of the printed bill, omit the words "or a school office," and insert in lieu thereof "school office, county office or township office".

Amendment adopted.

AMENDMENT No. 18.

On page 11, line 17, of the printed bill, omit the words "or for a school office," and insert in lieu thereof "school office, county office or township office".

Amendment adopted.

AMENDMENT No. 19.

On page 12, line 31, of the printed bill, omit the words "or a school office," and insert in lieu thereof "school office, county office or township office".

Amendment adopted.

AMENDMENT No. 20.

On page 12, line 35, of the printed bill, omit the words "or a school office," and insert in lieu thereof "school office, county office or township office".

Amendment adopted.

AMENDMENT No. 21.

On page 14, line 6, of the printed bill, omit the words "or a school office", and insert in lieu thereof "school office, county office or township office".

Amendment adopted.

AMENDMENT No. 22.

On page 14, line 7, of the printed bill, after the colon insert the following: "If the candidate is the candidate for an office to be voted on throughout the state."

Amendment adopted.

AMENDMENT No. 23.

On page 14, line 8, of the printed bill, omit the word "voters", and insert in lieu thereof the following: "vote constituting the basis of percentage as defined in Subdivision 7 of this section".

Amendment adopted.

AMENDMENT No. 24.

On page 14, line 9, of the printed bill, insert a semicolon after the word "state".

Amendment adopted.

AMENDMENT No. 25.

On page 14, line 10, of the printed bill, omit the words "or political subdivision thereof," and insert in lieu thereof the following: "if the candidate is the candidate for an office to be voted on in some political subdivision of the state, but not throughout the state, by not less than one percentum nor more than two percentum of the vote constituting the basis of percentage as defined in subdivision seven of this section of the party of the candidate seeking nomination, within said political subdivision."

Amendment adopted.

AMENDMENT No. 26.

On page 14, line 13, of the printed bill, omit the words "or a school office", and insert in lieu thereof "school office, county office or township office".

Amendment adopted.

AMENDMENT No. 27.

On page 14, line 31, of the printed bill, omit the period, and insert in lieu thereof a semicolon and the following: "but all such party tickets must be alike in the designation of candidates for judicial, school, county, and township offices."

Amendment adopted.

AMENDMENT No. 28.

On page 16, line 3, of the printed bill, omit the words "or a school office," and insert in lieu thereof "school office, county office, or township office",.

Amendment adopted.

AMENDMENT No. 29.

On page 16, line 7, of the printed bill, omit the words "or a school office", and insert in lieu thereof a comma and the words "school, county, or township office".

Amendment adopted.

AMENDMENT No. 30.

On page 19, line 2, of the printed bill, after the word "and" insert a comma and the following: "except in the case of a judicial office, school office, county office, or township office".

Amendment adopted.

AMENDMENT No. 31.

On page 19, line 12, of the printed bill, omit the comma and insert in lieu thereof the following: "except a judicial office or a school office which appears upon the certified list transmitted by the secretary of state as hereinbefore provided, together with".

Amendment adopted. .

AMENDMENT No. 32.

On page 19, line 13, of the printed bill, omit the comma after the word "filed", and insert in lieu thereof the following: "for each of said offices in the office of the secretary of state, and also the names of all candidates for the county central committee, filed in the office of the county clerk or registrar of voters. He shall also publish the title of each judicial office, school office, county office, and township

office, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices, either in the office of the secretary of state or in the office of the county clerk or registrar of voters, and shall state that candidates for said judicial, school, county, and township offices may be voted for at the primary election, by any registered, qualified elector of the county, whether registered as intending to affiliate with any political party or not. He shall also publish”.

Amendment adopted.

AMENDMENT No. 33.

On page 19, line 36, of the printed bill, omit the period, and insert in lieu thereof a semicolon, followed by the words “but all such party ballots must be alike in the designation of candidates for judicial, school, county, and township offices.”

Amendment adopted.

AMENDMENT No. 34.

On page 20, line 1, of the printed bill, insert after the period a sentence reading as follows: “There shall also be printed and provided a non-partisan ballot of a different tint and color from all others (or white, if all the others are colored), which shall contain only, but in like manner, all the candidates for judicial, school, county, and township offices to be voted for at the primary election; and one of the non-partisan ballots shall, at the primary election, be furnished to each registered qualified elector who is not registered as intending to affiliate with any one of the political parties participating in said primary election, but to any elector registered as intending to affiliate with any political party participating in the primary there shall be furnished, not a non-partisan ballot, but a ballot of the political party with which said elector is registered as intending to affiliate.”

Amendment adopted.

AMENDMENT No. 35.

On page 20, line 30, of the printed bill, omit the period and insert in lieu thereof the following: “if it be a party ballot; or, in the case of a ballot containing the names of no candidates except candidates for a judicial, school, county, or township office, the words ‘Non-Partisan Ballot.’”

Amendment adopted.

AMENDMENT No. 36.

On page 21, line 3, of the printed bill, after the word “party”, insert the words “or non-partisan”.

Amendment adopted.

AMENDMENT No. 37.

On page 21, line 14, of the printed bill, insert quotation marks at the end of the line.

Amendment adopted.

AMENDMENT No. 38.

On page 21, line 23, of the printed bill, omit the words “state and county”, and insert in lieu thereof the words “party and non-partisan”.

Amendment adopted.

AMENDMENT No. 39.

On page 21, line 29, to and including line 37, omit everything after the colon in line 29, and insert in lieu thereof the following: “In the column to the left, under the heading ‘State,’ shall be printed the groups of names of candidates for state offices, except judicial and school offices, and for members of the state board of equalization. In the second column, under the heading ‘Congressional,’ shall be printed the groups of names for United States senator in congress, if any, and for representative in congress. Next, under the heading ‘Legislative,’ shall be printed the groups of names for state senator, if any, for member of assembly, and for election as delegate to the state convention from a ‘hold-over senatorial district,’ if any. Finally, under the heading ‘county committee,’ shall be printed the names of the candidates for election to membership in the county central committee of the party. In the case of primary elections where state officers are not to be nominated, at the left of the solid black dividing line there may be only one column. In the parallel columns to the right of the solid black dividing line shall be printed the groups of names of candidates for nomination to judicial, school, county, and township offices in the following order: Under the heading ‘Judicial,’ shall be printed all the names of candidates for judicial offices, in the order of chief justice supreme court, associate justices supreme court,

judge of district court of appeals, judge of superior court and justice of the peace. Next, under the heading 'School,' shall be printed all the names of candidates for school offices in the order of state superintendent of instruction, superintendent of schools, and school district officers, if any. Next, under the heading 'County and Township,' shall be printed the groups of candidates for all county and township offices except judicial or school offices. In the case of primary elections where county officers are not to be nominated, at the right of the solid black dividing line there may be only one column. The non-partisan ballot provided for in subdivision one of this section shall be identical as to offices and names of candidates with that portion of the party ballot which is printed to the right of the solid black dividing line hereinabove described. The tally sheets furnished to election officers shall have the names of offices and candidates arranged in the order in which said names of offices and candidates are printed on the ballots according to the provisions of this section and subdivision."

Amendment adopted.

AMENDMENT No. 40.

On page 22, lines 1 and 2, of the printed bill, omit all to and including the period in line 2.

Amendment adopted.

AMENDMENT No. 41.

On page 22, lines 8 to 18, inclusive, of the printed bill, omit all the sentence beginning "in the case of", in line 8, to the end of the paragraph on line 18.

Amendment adopted.

AMENDMENT No. 42.

On page 22, line 20, of the printed bill, omit the words "or any school office", and insert in lieu thereof: "school office, county office or township office".

Amendment adopted.

AMENDMENT No. 43.

On page 22, line 24, of the printed bill, omit the period and insert in lieu thereof a semicolon and the following: "but the groups of names of candidates for all other offices on the ballots of each political party shall comprise only the names of the candidates for nomination by such party."

Amendment adopted.

AMENDMENT No. 44.

Omit the ballot of the printed bill and insert in lieu thereof two ballots, one a party ballot and one a non-partisan ballot.

Amendment adopted.

AMENDMENT No. 45.

On page 27, line 4, of the printed bill, at the end of the line insert the words "and a separate sample non-partisan ballot,".

Amendment adopted.

AMENDMENT No. 46.

On page 27, line 11, of the printed bill, omit the words "tinted or colored paper of a different tint or color", and insert in lieu thereof the words "paper of a different texture".

Amendment adopted.

AMENDMENT No. 47.

On page 27, line 14, of the printed bill, before the word "voter", insert the word "such".

Amendment adopted.

AMENDMENT No. 48.

On page 27, line 17, of the printed bill, after the period insert the sentence: "Not more than ten nor less than five days before the August primary election a non-partisan sample ballot printed on paper of a different texture from the paper to be used on the official ballot shall be mailed to each registered qualified elector who is not registered as intending to affiliate with any of the parties participating in said primary election."

Amendment adopted.

AMENDMENT No. 49.

On page 27, line 30, of the printed bill, omit the period and insert in lieu thereof a semicolon and the words "*provided*, that the number of party ballots to be furnished to any precinct shall be computed from the number of voters registered in such precinct as intending to affiliate with such party, and the number of non-partisan ballots to be furnished to any precinct shall be computed from the number of voters registered in such precinct without statement of intention to affiliate with any of the parties participating in the primary election."

Amendment adopted.

AMENDMENT No. 50.

On page 28, at the end of line 34, insert the following: "or his right to vote the non-partisan primary ticket providing no such party is so designated."

Amendment adopted.

AMENDMENT No. 51.

On page 29, lines 1, 2, and 3 of the printed bill, omit everything after "elector" in line 1 to and including the word "act" in line 3, and insert in lieu thereof the following: "qualified to take part in any primary election,".

Amendment adopted.

AMENDMENT No. 52.

On page 29, lines 5 and 6, of the printed bill, omit the words "and by declaration of the political party with which he intends to affiliate".

Amendment adopted.

AMENDMENT No. 53.

On page 29, line 13, of the printed bill, after the word "registration" and before the comma, insert the following in parentheses: "(or the non-partisan ballot, providing no such party was so designated)".

Amendment adopted.

AMENDMENT No. 54.

On page 30, line 21, of the printed bill, omit the period and insert in lieu thereof a comma and the words "and the non-partisan ballots must be sealed and returned in another separate envelope."

Amendment adopted.

AMENDMENT No. 55.

On page 30, line 26, of the printed bill, omit the period and insert in lieu thereof a semicolon and the words "and count all the votes on all the ballots, both party and non-partisan, for the candidates for judicial, school, county and township offices, and record the same on the tally lists."

Amendment adopted.

AMENDMENT No. 56.

On page 31, omit line 5 of the printed bill, and insert in lieu thereof the following: "for each candidate for each judicial, school, county, or township office, for each candidate for delegate, if any, to a state convention from a hold-over senatorial district, and for each candidate for membership in the county central committee,".

Amendment adopted.

AMENDMENT No. 57.

On page 31, line 16, of the printed bill, after the word "peace", insert a comma, and the words: "delegate, if any, to a state convention from a hold-over senatorial district,".

Amendment adopted.

AMENDMENT No. 58.

On page 31, line 28, of the printed bill, after the word "peace", insert a comma, and the words: "delegate, if any, to a state convention from a hold-over senatorial district,".

Amendment adopted.

AMENDMENT No. 59.

On page 31, line 37, of the printed bill, omit the words, "or a school office," and insert in lieu thereof the words, "school office, county office, or township office."

Amendment adopted.

AMENDMENT No. 60.

On page 32, line 8, of the printed bill, omit the word "vote", and insert in lieu thereof the word "votes".

Amendment adopted.

AMENDMENT No. 61.

On page 32, line 10, of the printed bill, capitalize the word "senator".

Amendment adopted.

AMENDMENT No. 62.

On page 32, lines 10 and 11, of the printed bill, omit the words "or a school office," and insert in lieu thereof the words "school office, county office, or township office."

Amendment adopted.

AMENDMENT No. 63.

On page 32, line 14, of the printed bill, omit the words "political parties", and insert in lieu thereof the word "voters".

Amendment adopted.

AMENDMENT No. 64.

On page 32, line 20, of the printed bill, omit the words "or a school office", and insert in lieu thereof the words "school office, county office, or township office".

Amendment adopted.

AMENDMENT No. 65.

On page 32, line 29, of the printed bill, omit the words "three electors", and insert in lieu thereof the following: "candidates equal in number to the number to be elected."

Amendment adopted.

AMENDMENT No. 66.

On page 33, line 7, of the printed bill, omit the words "or school office", and insert in lieu thereof the words "school, county or township offices."

Amendment adopted.

AMENDMENT No. 67.

On page 35, line 19, of the printed bill, commence a new paragraph with the words "In the event".

Amendment adopted.

AMENDMENT No. 68.

On page 35, line 33, of the printed bill, commence a new paragraph with the words "Such delegate".

Amendment adopted.

AMENDMENT No. 69.

On page 36, lines 14 to 37, inclusive, of the printed bill, omit all of said lines and insert in lieu thereof the following:

"4. At each August primary election there shall be elected in each county, or city and county, a county central committee for each political party, which shall have charge of the party campaign under general direction of the state central committee or of the executive committee selected by such state central committee. In all counties, or cities and counties, containing five or more assembly districts, the county central committee shall be elected by assembly districts, and shall consist of one member for each one thousand electors or fraction thereof in each such assembly district registered as belonging to the political party with which such electors are affiliated as shown by the register of voters of such county, or city and county, on the first day of June next preceding said primary election. In all counties containing

less than five assembly districts the county central committee shall be elected by supervisory districts, and the number to be elected from any supervisory district shall be determined as follows: The number of electors registered in any supervisory district as intending to affiliate with any political party shall be divided by one twentieth of the number of electors registered in the entire county as intending to affiliate with said party, as such registration exists, in each case, on the first day of June next preceding the primary election; and the integer next larger than the quotient obtained by such division shall constitute the number of members of the county central committee to be elected by such party in said supervisory district. The county clerk or registrar of voters in each county, or city and county, shall, between the first day and the tenth day of June next preceding the primary election, compute the number of members of the county central committee allotted to each assembly district or supervisory district, as the case may be, by the provisions of this subdivision.

Each candidate for member of a county central committee shall appear upon the ballot upon the filing of a nomination paper according to the provisions of Section 5 of this Act, signed in his behalf by the electors of the political subdivision in which he is a candidate, as above provided; and the number of candidates to which each party is entitled, as hereinbefore provided, in each political subdivision, receiving the highest number of votes, shall be declared elected. Each county central committee shall meet in the court house at its county seat on the second Tuesday in September following the August primary election, and shall organize by selecting a chairman, a secretary and such other officers and committees as it shall deem necessary for carrying on the campaign of the party."

Amendment adopted.

AMENDMENT No. 70.

On page 37, line 17, of the printed bill, omit the word "district".

Amendment adopted.

AMENDMENT No. 71.

On page 44, of the printed bill, after line 6, insert a new section, to be numbered Section 35, and to read as follows:

"SEC. 35. If any section, subdivision, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section, subdivision, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subdivisions, sentences, clauses, or phrases be declared unconstitutional."

Amendment adopted.

AMENDMENT No. 72.

On page 44, line 7, of the printed bill, omit the figures "35", and insert in lieu thereof the figures "36".

Amendment adopted.

AMENDMENT No. 73.

On page 2, line 10, of the printed bill, after the word "general", insert the word "state".

Amendment adopted.

AMENDMENT No. 74.

On page 12, line 16, of the printed bill, omit the period and insert in lieu thereof a comma, followed by the words "nor within one hundred feet of any place where registration of electors is being conducted".

Amendment adopted.

AMENDMENT No. 75.

On page 14, line 4, of the printed bill, after the word "Act", insert the following: "This subdivision shall cease to be operative upon the coming into effect of United States Constitutional Amendment No. 17, providing for the direct election of United States senators, after which time United States senators shall be nominated and elected in the same manner as elective state officers."

Amendment adopted.

AMENDMENT No. 76.

On page 19, line 2, of the printed bill, omit the word "In", and insert in lieu thereof the following: "Prior to the coming into effect of United States Constitutional Amendment No. 17, providing for the direct election of United States senators, in".

Amendment adopted.

AMENDMENT No. 77.

On page 20, line 28, of the printed bill, after the word "ballot", omit the period and insert in lieu thereof a comma and the following: "*providing*, that on a non-partisan ballot said words may be printed in Gothic capital type not smaller than twenty-four point."

Amendment adopted.

AMENDMENT No. 78.

On page 42, line 37, of the printed bill, after the word "herein", omit the period and insert in lieu thereof the following: "and no fee or charge whatsoever shall be made or collected by any officer herein specified for the filing of such statements or a copy thereof."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 218—An Act to authorize payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, lines 24 and 25, strike out the expression "by said commission", in printed bill.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 29, strike out the words "seventy-five", and insert the word "fifty", in printed bill.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 29, strike out the numerals "(\$75,000)", and insert the numerals "(\$50,000)", in printed bill.

Amendment adopted.

Bill read second time.

Assembly Bill No. 805—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Bill read second time.

Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the enacting clause and insert the following:

SECTION 1. A bureau is hereby created, to be known as the legislative reference and counsel bureau to carry on its work in two co-ordinate and co-operating divisions, one to be known as the legislative reference division and the other as the legislative counsel division, and unless otherwise provided by the board hereinafter provided for, each division shall be in charge of a chief to be appointed by and act under the supervision of a board as herein provided, to be known as the "legislative

reference and counsel bureau board." Said appointing board shall consist of five members, one of whom shall be the governor or any one acting for and at the request of the governor in that behalf from time to time. Two members of the board shall be chosen for terms of four years as follows: one to represent the senate and to be designated by the president of the senate subject to the power of the senate at any time and from time to time to select or change such representative; and one to represent the assembly and to be designated by the speaker of the assembly subject to the power of the assembly at any time and from time to time to select or change such representative. One member of the board shall be chosen for the term of three years as follows: by the supreme court, providing that in case of failure for sixty days by the supreme court to make either such choice originally or to fill vacancy in such membership, such member shall be chosen by the governor, subject to the appointor actually appointing to change from time to time such appointee. The fifth member of the board shall be chosen for the term of three years as follows: by the "Regents of the University of California" upon the nomination of the president of the University of California, subject to the power of the said regents on nomination of the said president of the university to change from time to time such appointees. Each chief shall be chosen without reference to party affiliations, and solely on the ground of fitness to perform the duties of his office, and the chief of the legislative reference division must have practical knowledge in affairs of government and political science and economy, and the chief of the legislative counsel division must have practical knowledge of the substantive and remedial law of the State of California. The chief of each division of the bureau shall hold office for the term of four years unless sooner removed between any regular or special session of the legislature by the unanimous vote of the board upon charges made with a public hearing and published findings thereon, or by any regular or special session of the legislature without notice or trial, two thirds of the members of each house voting therefor.

SEC. 2. It shall be the duty of the chief of the legislative reference division, and the work of that division, to gather, classify and make available data for or bearing upon legislation and in such forms (including indexes, digests, compilations and bulletins) as to render such data serviceable to all departments and officials of the government of the State of California, and especially to the legislature and all members of the legislature of the State of California. The chief of said division shall also, when requested by the governor, heads of departments or members of the legislature, promptly procure available information, not on file in the bureau, relating to legislative matters, and investigate the manner in which laws have operated in other states. The chief of said division shall devote his whole time and attention to forwarding the work of the bureau. It shall be the duty of the chief of the legislative counsel division, and the work of that division, to prepare and assist in the preparation, amendment and consideration of legislative bills when requested or upon suggestion as herein provided. The chief of said division shall devote his whole time and attention to forwarding the work of the bureau, and it shall be his duty to make such study as said board may direct of the laws of this state and other states as may the better enable the bureau to do its work, and advise, as occasion may arise, as to needed revision of the statutes. Both divisions and the chiefs thereof shall in every way possible co-operate with each other.

SEC. 3. The chief of the legislative reference division shall not be obliged to render any service other than to gather, classify and make available, at the permanent office of said bureau, such data, unless requested in writing by some executive officer or executive department (including boards and commissions) with the approval of the governor of the state, or unless requested in writing by some judicial officer filing such request with the clerk of the district court of appeal or with the clerk of the supreme court and with the approval of such district court of appeal or supreme court, or unless requested in writing by some member of the legislature of the State of California, whether or not such legislature is in session, or by some committee of the legislature of either house thereof. Except as herein otherwise provided, all data shall always be kept available as a public record at the permanent office of the bureau, although copies or duplicates of or memoranda as to any portion thereof may be furnished in accordance with any such request, and the original or any portion of such data may be withdrawn from such office and delivered to the governor of the state or to the senate or assembly, or to any committee of the legislature having any matter before it for consideration as to which such data is relevant. Said board shall keep in an orderly form and as a public record a list of all subjects on which data is being gathered by the bureau. The legislative counsel division and its chief shall prepare or assist in the preparation or amendment of legislative bills at the suggestion, in writing and as herein set forth, of the governor of the state, or of any judge of the supreme court or of the district courts of appeal or of the superior courts of the state, or of any committee of the senate or assembly of the legislature of the state. All such suggestions shall set forth the substance of the provisions desired or which may be needed with the reasons therefor. Such suggestion by a judge of the supreme court shall be filed with the clerk of that court. Such suggestion by a judge of a district court of appeal shall be filed with the clerk of that court. Such suggestion by a judge of a superior court shall be filed with the clerk of the district court of appeal of the district within which such

superior court is located. When such suggestion is so filed with the clerk of the supreme court or of a district court of appeal, that clerk shall make and send to the permanent office of said bureau a certified copy of such suggestion, and all other suggestions shall be filed at said office, and all such papers so received at such office shall be there permanently filed and recorded and copies furnished to the chief of the legislative counsel division; *all provided*, that from the time the legislature of the state convenes until it is adjourned finally, the legislative counsel division and its chief shall give such consideration to and service concerning any bill before the legislature, which circumstances will permit, and which is in any way requested by the governor of the state or the senate or the assembly or any committee of the legislature having such bills before it for consideration, and after such adjournment the chief of the legislative counsel division shall still remain so subject to such request by the governor of the state as to any bill still in his hands for rejection or approval or other action; *provided, further*, that neither the chief of either division nor any employee of the bureau shall oppose or urge legislation; but the bureau shall, upon request, and so far as may be in its power, aid and assist any member of the legislature as to bills, resolutions and measures, drafting the same into proper form and furnishing to them the fullest information upon all matters in the scope of the bureau. Neither chief nor any other employee of the bureau shall reveal to any person outside thereof the contents or nature of any matter which has not become a public record, except with the consent of the person bringing such matter before the bureau.

SEC. 4. The division chiefs shall be in attendance on all sessions of the legislature and their permanent offices and of their divisions and of said bureau and board shall be in Sacramento and in the state library except as said board may otherwise direct, but the division chiefs, at the pleasure of said board, may maintain temporary offices at other places in the State of California.

SEC. 5. The said board shall determine the salary of each division chief, which shall be payable in equal monthly installments, and of all other employees of said bureau and shall control all expenditures on behalf of said bureau. The members of said board shall not receive any salary or compensation, but they and the division chiefs shall be repaid all actual expenses incurred or paid by them in carrying out the provisions of this Act, and shall file monthly with the state board of control itemized and sworn statements of all such expenses so incurred or paid during the preceding month.

SEC. 6. The said board shall furnish said bureau with such professional, clerical and office and other assistants as may be necessary and incur such other expenses as may be necessary for the effective work of the bureau. The resources of the state library shall be made available to said bureau and there shall be procured for the state library and made available for said bureau and out of the funds provided for the state library such material (including books and other publications) as may be directed by said board, and all the officers of the state, the University of California, and all departments, commissions and bureaus and other official state organizations, and all persons connected therewith, shall give each chief ready access to their records and full information and reasonable assistance in any matters of research requiring recourse to them or to data within their knowledge or control. The bureau may co-operate with any of the educational institutions of the state in any manner approved by the said board and such institutions.

SEC. 7. All books, papers, records and correspondence of said bureau pertaining to its work, except copies furnished to or retained by the division chiefs of what is filed at the permanent office of said bureau, and except memoranda made by them, shall be public records and shall be filed with and recorded and kept at the permanent office of said bureau, except as herein otherwise provided.

SEC. 8. Any and all persons receiving service from said bureau, as herein provided, may by request in writing filed with the bureau have all their personal papers and correspondence temporarily kept private and confidential, but said papers and correspondence shall become public records whenever the said board or the legislature shall so order or said written request is withdrawn.

SEC. 9. There is hereby appropriated out of the general fund not otherwise appropriated, for the sixty-fifth and sixty-sixth fiscal years, the sum of thirty thousand (\$30,000) dollars for carrying into effect the provisions of this Act.

Amendment adopted.

Bill read second time.

Assembly Bill No. 429—An Act regulating the payment of wages earned in seasonal labor, and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 468—An Act for the protection of railroad employees and other persons, and providing for the placing of safety blocks in all frogs and guard rails used in the operation of railroads.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 34—An Act to regulate the hours of employment of conductors, drivers, gripmen and motormen employed on street railways.

During second reading of the bill, the following amendments were submitted:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "twelve," and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, strike out the words "seventy-two," and insert in lieu thereof the word "sixty".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau, for the purpose of regulating barbers and their occupation, and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants, and necessary clerical, expert and other assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 1 to 7, inclusive, strike out all of said lines, and insert in lieu thereof the following:

"SECTION 1. After the first day of September, 1913, it shall be unlawful for any person to follow the occupation of a barber, except as otherwise herein provided, unless such person shall have first obtained a certificate of registration or permit as hereinafter provided."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 5, after the word "supervision", insert the following: "and management."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 16, add the following: "The state board of health shall also appoint a clerk of said bureau, and said clerk shall perform all duties required of him by the directors and by the state board of health."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 21, after the sentence ending with the word "expenses", add the following: "The clerk shall receive an annual salary of twelve hundred dollars."

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 26, after the word "out", insert the following: "the purposes of".

Amendment adopted.

AMENDMENT No. 6.

On pages 2 and 3, strike out all of Section 4, containing lines 27 to 37, inclusive, on page 2, and lines 1 to 5, inclusive, on page 3, and insert in lieu thereof the following:

"SEC. 4. The said director and those of his assistants who may be approved by the state board of health to act as examiners, shall constitute a board of examiners for the licensing barbers. When holding any examination or hearing required to be held under the provisions of this Act, not less than two members of said board of examiners shall be present. Any and all of the acts of the state harbor registration and sanitation bureau and of the said board of examiners shall be authenticated by a seal to be provided for the use of the bureau, its officers and the clerk, by the state board of health. Each officer or member of the bureau shall have power to administer oaths. Nothing herein contained, however, shall be construed to prevent any officer or member to inspect barber shops, barber schools or colleges, and enforce sanitary regulations therein without acting in conjunction with other officers or members of said bureau."

Amendment adopted.

AMENDMENT No. 7.

On page 3, lines 10 to 17, inclusive, strike out the last word "the", on line 10, and strike out all the remaining lines of Section 5, and insert in lieu thereof the following: "The director, and each assistant, and the clerk of the bureau shall serve during good behavior and at the pleasure of the state board of health."

Amendment adopted.

AMENDMENT No. 8.

On page 3, lines 26 to 35, inclusive, strike out from line 26 the words "All moneys collected by the", and strike out all the remaining lines of Section 6, and insert in lieu thereof the following: "The clerk shall receive and pay to the state treasurer all moneys collected by him and by the director and by each assistant for certificates and permits as herein provided, and the state treasurer shall keep all such moneys in a special fund, which is hereby created and designated as the 'state barber registration and sanitation fund.' One half of all fines collected by any court or judge for the violation of any of the provisions of this Act shall be paid to the state treasurer and deposited by him in the aforesaid fund. Upon claims approved by the state board of health and the state board of control, the controller shall draw his warrants against said fund from time to time in favor of the director or the person designated by the director, and the state treasurer shall pay the same."

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 37, after the word "examinations", insert the following: "at least".

Amendment adopted.

AMENDMENT No. 10.

On page 4, lines 2 to 5, inclusive, strike out all of line 2, commencing with the word "Notice", and strike out all the remaining lines of Section 7, and insert in lieu thereof the following: "Adequate notice of such meetings and examinations shall be given in the county, or city and county, or district where the proposed meeting is to be held."

Amendment adopted.

AMENDMENT No. 11.

On page 4, line 13, strike out the word "treasurer", and insert in lieu thereof the word "clerk".

Amendment adopted.

AMENDMENT No. 12.

On page 4, lines 17 and 18, strike out the words "said bureau", and insert in lieu thereof the words "state board of health".

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 21, strike out the word "license", and insert in lieu thereof the words "certificate of registration".

Amendment adopted.

AMENDMENT No. 14.

On page 4, line 25, strike out the word "secretary", and insert in lieu thereof the word "examiner".

Amendment adopted.

AMENDMENT No. 15.

On page 4, line 27, strike out from said line the following: "meeting of the members of said bureau for".

Amendment adopted.

AMENDMENT No. 16.

On page 5, lines 33 and 34, strike out from said lines the following words: "a card bearing the seal and signature of said bureau", and insert in lieu thereof the following: "an official card".

Amendment adopted.

AMENDMENT No. 17.

On page 6, line 3, after the word "said", insert the word "official".

Amendment adopted.

AMENDMENT No. 18.

On page 6, lines 15 and 16, strike out the words "or filthy manner or gross incompetency", and insert in lieu thereof the following: "filthy, or grossly incompetent manner."

Amendment adopted.

AMENDMENT No. 19.

On page 6, lines 24 and 25, strike out the words "the same issued to him upon satisfactory showing that disqualification has ceased", and insert in lieu thereof the following: "such certificate reissued to him upon satisfactory showing that the cause for previous revocation has been removed or no longer exists."

Amendment adopted.

AMENDMENT No. 20.

On page 6, lines 32, 33 and 34, strike out from said lines the words "which at all times be kept conspicuously displayed in each barber shop, barber school or college in this state," and insert in lieu thereof the following: "barber school or college in this state, which copy shall at all times be conspicuously displayed therein."

Amendment adopted.

AMENDMENT No. 21.

On page 6, line 34, strike out the word "member" in said line, and insert in lieu thereof the word "officer".

Amendment adopted.

AMENDMENT No. 22.

On page 6, line 35, strike out the words "authorized deputy", and insert in lieu thereof the words "authorized representative".

Amendment adopted.

AMENDMENT No. 23.

On page 7, line 13, strike out the word "license", and insert in lieu thereof the word "permit".

Amendment adopted.

AMENDMENT No. 24.

On pages 7 and 8, from lines 36 and 37, of page 7, and from line 1, of page 8, strike out the following: "there shall be no money collected by said college or any of its students or teachers in the practice of the trade therein taught, and".

Amendment adopted.

AMENDMENT No. 25.

On page 8, line 2, strike out the words "permit or license", and insert in lieu thereof the words "or permit".

Amendment adopted.

AMENDMENT No. 26.

On page 8, line 15, strike out the words "or insignia."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1062—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of employment in underground mines and in smelting and reduction works," approved March 10, 1909.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after "An Act", and insert in lieu thereof the following:

"Regulating the hours of employment in underground mines or any underground workings, whether for the purpose of tunneling, making excavation or to accomplish any other purpose or design, or in smelting and reduction works.

The people of the State of California do enact as follows:

SECTION 1. That the period of employment for all persons who are employed or engaged in work in underground mines in search of minerals, whether base or precious, or who are engaged in such underground mines for other purposes, or who are employed or engaged in any other underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or who are employed in smelters and other institutions for the reduction or refining of ores or metals, or in factories manufacturing Portland cement, shall not exceed eight hours within any twenty-four hours, and the hours of employment in such employment or work day shall be consecutive, and in the case of underground workers said work day shall be computed as beginning when the person or persons so employed enters the shaft, tunnel, adit or other opening of said underground workings, and as ending when said person, or persons, emerge from the said shaft, tunnel, adit or other opening of said underground workings: excluding, however, any intermission of time for lunch or meals: *provided*, that in the case of emergency, where life or property is in imminent danger, the period may be a longer time during the continuance of the exigency or emergency.

SEC. 2. Any person who shall violate any provision of this Act, and any person who as foreman, manager, director or officer of a corporation, or as the employer or superior officer of any person, shall command, persuade or allow any person to violate any provision of this Act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00), or by imprisonment of not more than three months. And the court shall have discretion to impose both fine and imprisonment as herein provided.

SEC. 3. All Acts and parts of Acts inconsistent with this Act are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 858—An Act to regulate the hours of employment and safeguard the health of females employed in any mill, factory, manufacturing or mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out all of the title after the first line, and insert in lieu thereof the following: "To amend an Act entitled 'An Act limiting the hours of labor of females

employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or any other agent of any such employer to violate the provisions of this Act,' approved March 22, 1911."

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. An act entitled 'An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this Act,' approved March 22, 1911, hereby amended to read as follows:

Section 1. No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, public lodging house, apartment house, hospital, place of amusement, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company in this state more than eight hours during any one day or more than forty-eight hours in one week. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or forty-eight hours during any one week; *provided, however*, that the provisions of this section in relation to hours of employment shall not apply to nor affect the harvesting, curing, canning or drying of any variety of perishable fruit or vegetable, nor to graduate nurses in hospitals.

Section 2. Where a female is employed in the same day or week by more than one concern or employer in any establishment or occupation named in section one of this Act, the total time of employment must not exceed that allowed per day or week in a single establishment or occupation. It shall be the duty of the employer to make diligent inquiry as to such previous or other employment of such female employee elsewhere and as to the hours of such employment.

Section 3. Every employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female, shall provide suitable seats for all female employees, and shall permit them to use such seats when they are not engaged in the active duties of their employment.

Section 4. The bureau of labor statistics shall enforce the provisions of this Act. The commissioner, his deputies and agents, shall have all powers and authority of sheriffs or other peace officers, to make arrests for violations of the provisions of this Act, and to serve all processes and notices throughout the state.

Section 5. Any employer who shall permit or require any female to work in any of the places mentioned in section one more than the number of hours provided for in this Act during any day of twenty-four hours, or who shall fail, neglect, or refuse to so arrange the work of females in his employ so that they shall not work more than the number of hours provided for in this Act during any day of twenty-four hours, or who shall fail, neglect, or refuse to provide suitable seats as provided in section three of this Act, or who shall permit or suffer any overseer, superintendent, foreman, or other agent of any such employer to violate any of the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for a first offense, by a fine of not less than twenty-five dollars nor more than fifty dollars; for a second offense, by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. All fines imposed and collected under the provisions of this Act shall be paid into the state treasury and credited to the contingent fund of the bureau of labor statistics."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1496—An Act to amend Section 653c of the Penal Code of the State of California, relating to crimes against employees.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 4, strike out all after the word "635c" and insert in lieu thereof the following: "The time of service of any laborer, workman, or mechanic employed upon any of the public works of the State of California, or of any political subdivision thereof, or upon work done for said state, or any political subdivision thereof, is hereby limited and restricted to eight hours during any one calendar day; and it shall be unlawful for any officer, or agent of said state, or of any political subdivision thereof, or for any contractor or sub-contractor doing work under contract upon any public works aforesaid, who employs, or who directs or controls, the work of any laborer, workman, or mechanic, employed as herein aforesaid, to require or permit such laborer, workman, or mechanic to labor more than eight hours during any one calendar day, except in cases of extraordinary emergency, caused by fire, flood or danger to life or property, or except to work upon public military or naval defenses or works in time of war. Any officer or agent of the State of California, or of any political subdivision thereof, making or awarding, as such officer or agent, any contract, the execution of which involves or may involve the employment of any laborer, workman, or mechanic upon any of the public works, or upon any work, hereinbefore mentioned, shall cause to be inserted therein a stipulation which shall provide that the contractor to whom said contract is awarded shall forfeit, as a penalty, to the state or political subdivision in whose behalf the contract is made and awarded, ten dollars for each laborer, workman, or mechanic employed, in the execution of said contract, by him, or by any subcontractor under him, upon any of the public works, or upon any work, hereinbefore mentioned, for each calendar day during which such laborer, workman, or mechanic is required or permitted to labor more than eight hours in violation of the provisions of this Act; and it shall be the duty of such officer or agent to take cognizance of all violation of the provisions of said Act committed in the course of the execution of said contract, and to report the same to the representative of the state or political subdivision, party to the contract, authorized to pay to said contractor moneys becoming due to him under the said contract, and said representative, when making payments of moneys thus due, shall withhold and retain therefrom all sums and amounts which shall have been forfeited pursuant to the herein said stipulation, and in the event that the payment upon any such contract is to be made by the individual owners of the land so improved and is not to be made by the state or by a political subdivision thereof executing the contract then the officer or representative of the state or of such political subdivision thereof shall at the time of executing the contract require of the contractor a sufficient bond insuring the faithful compliance with the terms of this section and upon any violation of the terms of this section the state, or political subdivisions thereof, executing the contract may recover a sum equal to the penalty hereinbefore mentioned. Any officer, agent or representative of the State of California, or of any political subdivision thereof, who shall violate any of the provisions of this section, shall be deemed guilty of misdemeanor, and shall upon conviction be punished by fine not exceeding five hundred dollars, or by imprisonment, not exceeding six months, or by both such fine and imprisonment, in the discretion of the court."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the term of probation.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, lines 10 and 11, strike out the words "but in no case for a less period of time than two years," and insert in lieu thereof the following: "except as hereinafter set forth".

Amendment adopted.

AMENDMENT No. 2.

On page 2, in line 26, strike out the period and insert in lieu thereof the following: "*provided, however,* that where the maximum possible term of such sentence is less than two years, then such period of suspension of imposition or execution of sentence may, in the discretion of the court, continue for not over two years. Where the offense consists of a violation of Section 270 or 270a of the Penal Code of the State of California, such suspension of imposition or execution of sentence may, in the discretion of the court, continue for not over five years."

Amendment adopted.

AMENDMENT No. 3.

On page 4, strike out all of lines 28, 29 and 30, and insert in lieu thereof the following:

"7. Whenever any person is released upon probation under the provisions of this Act, the case may be transferred to any court of the same rank in any other county, or city and county, of this state in which such person resides, or to which such person may remove, and such court shall thereupon commit such person to the care and custody of the probation officer of the county, or city and county, to which such person has been transferred; such court shall thereafter have entire jurisdiction over such case, with like power to make transfer whenever to such court such transfer may seem proper."

Amendment adopted.

AMENDMENT No. 4.

On page 5, insert between lines 19 and 20 the following:

"Sa. Every probation officer, within fifteen days after the 30th day of June, and within fifteen days after the 31st day of December, of each year, shall make in writing and file as a public document with the county clerk a report to the superior court of the county or city and county in which such probation officer is appointed to serve, and shall furnish a copy of such report to each judge in said county or city and county who has released any person on probation who at the time of such report remains on probation; and a further copy to the secretary of the state board of charities and corrections. Such report shall state, without giving names, the exact number of persons, segregating male and female, and segregating misdemeanors and felonies, who have been released on probation to such probation officer, as such number exists, deducting all cases of expiration, discharge, dismissal, and restoration of rights, on said 30th day of June and said 31st day of December; and such report shall further segregate such persons as having been released on probation, as the case may be, in 1903, 1904, 1905, and so on, up to and including the calendar year in which such report is made and filed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, in lines 12 and 13, strike out the words "in any case where the question of probation is considered," and insert in lieu thereof the following: "from the day upon which the case is referred to the probation officer for investigation and report."

Amendment adopted.

AMENDMENT No. 2.

On page 1, in line 15, strike out the word "time," and insert in lieu thereof the words "twenty days".

Amendment adopted.

AMENDMENT No. 3.

On page 1, in lines 16 and 17, strike out the words "making a total of one hundred and twenty days after such plea or verdict of guilty."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 224—An Act to amend Section 737 of the Political Code, relating to the salary of superior judges.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 5, insert a comma after the word "Los Angeles", and add the following: "of the county of San Mateo,".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 11, strike out the word "Mendocino" and the comma thereafter, and insert the word "Mendocino", in line 8, following the word "Ventura,".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 9, after the word "Barbara", insert a comma and the word "Sonoma,".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 681—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate districts and to the annexation of additional territory.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "Section."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, after the word "town", insert a comma.

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 8, after the word "incorporated", insert a comma.

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 9, after the word "class", insert a comma.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2065—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 6, strike out the word "Section."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 13, 19 and 22 of "An Act to provide for the acquisition by municipalities of land

for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a certain section, to be numbered Section 3½, relating to the manner of effecting certain local improvements.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 5 of the title, strike out the word "protrey", and insert in lieu thereof the word "property".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6 of the title, strike out the words "to said", and the last two lines of the title, and insert in lieu thereof the following: "add a new section, to be numbered section 22a, relating to reassessments."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 7, strike out the figure "3", and insert in lieu thereof the following: "Section 3."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 15, between the word "city" and the letter "a", insert the following: "or when no address so appears, to the general delivery,".

Amendment adopted.

AMENDMENT No. 5.

On page 2 of the printed bill, between lines 28 and 29, insert the following unnumbered paragraph:

"If any lots or parcels of land in the assessment district be assessed to 'unknown owners' on the tax rolls of said city, no postal cards containing such notice need be mailed to the owners thereof."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 32, after the word "compliance", strike out the word "of", and insert in lieu thereof the word "with".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 33, after the first word, "failure", insert the following: "of the superintendent of streets to post said notices, or the failure".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 37, strike out the word "however,".

Amendment adopted.

AMENDMENT No. 9.

On pages 3, 4 and 5, strike out all of Section 2, beginning on line 3, page 3, and ending on line 8, page 5.

Amendment adopted.

AMENDMENT No. 10.

On page 5, line 9, strike out the figure "3", and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT No. 11.

On page 5, line 11, strike out the figure "8", and insert in lieu thereof the following: "Section 8."

Amendment adopted.

AMENDMENT No. 12.

On page 5, line 23, strike out the comma after the word "residents".

Amendment adopted.

AMENDMENT No. 13.

On page 7, line 3, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT No. 14.

On page 7, line 5, before the figure "9", insert the word "Section".

Amendment adopted.

AMENDMENT No. 15.

On page 9, strike out all of line 15, and insert in lieu thereof the following: "SEC. 4. Section thirteen of said Act is hereby amended to read as follows:".

Amendment adopted.

AMENDMENT No. 16.

On page 9, line 16, before the figures "13", insert the word "Section".

Amendment adopted.

AMENDMENT No. 17.

On page 10, line 1, strike out the figure "6", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT No. 18.

On page 10, line 3, before the figures "19", insert the word "Section".

Amendment adopted.

AMENDMENT No. 19.

On page 10, strike out all of lines 24 to 28, inclusive, and insert in lieu thereof the following:

"SEC. 6. That a new section be added to said Act, to be numbered Section 22a, and to read as follows:

Section 22a. Whenever any assessment made and issued under the provisions of this Act, or whenever any bond of bonds issued to represent the amount of any such assessment in accordance with the provisions of 'An Act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds,' approved April 27, 1911, and all Acts supplementary thereto or amendatory thereof, have been set aside, by any court of competent jurisdiction, or such court has refused to enforce any assessment, or has decreed any such bond or bonds issued under the above mentioned statute, approved February 27, 1911, not to constitute valid and subsisting liens against the lots, pieces or parcels of land upon which the assessments represented by them have been levied, then the superintendent of streets shall cause a new assessment to be made for the same purpose for which the former assessment was made, whether any of the assessments have been paid or not, and new bonds shall in regular course thereafter issue in the event that bonds were issued under or provided for in the original assessment. It is hereby made the duty of any court of competent jurisdiction in rendering its judgment holding invalid any assessment or assessments hereafter made or issued, or of any bond or bonds hereafter made or issued to represent the amount or amounts of any such assessment, to make a finding as to whether or not the issuing of such assessment was entirely without the power of the said city to issue, and if not, then what omission, irregularity, illegality, informality or non-compliance with the requirements of the statutes of which this is amendatory has occurred in the proceedings upon which said assessment or assessments and bonds rest, and what effect shall be given to them in making the reassessment. In the event that the court shall find that the improvement, the expenses of which are represented by said assessment or bonds, was commenced in good faith and carried on pursuant to an ordinance or resolution of the city council

providing for such improvement to be paid for by a special assessment, it shall be the duty of the said court to order the making of a new assessment. The city council may, at the request of any interested party, or on its own motion, by resolution duly passed, set aside any assessment or assessments and bonds, as the case may be, and order a new assessment or assessments and bonds, to be made and issued without any decree having been obtained of or from any court regarding said matter, if in its opinion the assessment be invalid, and it may take all necessary steps and make and pass all necessary orders, resolutions or ordinances to reassess and relevy such assessment, and may reassess and relevy the same with the same force and effect as an original levy. Such reassessment, whether made after decree of court has been rendered, or pursuant to a resolution of the council, shall be based upon the special and peculiar benefit of the proposed improvement to the respective lots, pieces or parcels of land assessed. The total amount of the reassessment shall not exceed the total amount of the original assessment. Such reassessment so made shall become a charge upon the property upon which the same is levied, notwithstanding any omission, failure or neglect of any officer, body or person to comply with the provisions of this statute, and notwithstanding the fact that the proceedings of the city council, board of public works or any officer of the city or other person connected with such proceedings, may have been irregular, illegal, informal, or defective, or not in full conformity with the requirements of this statute. It is hereby declared to be the true intent and meaning of this section to make the cost and expense of all local improvements actually made or proposed to be made in the attempted exercise of the powers conferred upon municipalities under this statute, payable by the real estate benefited or to be benefited by such improvements by making a reassessment therefor which shall be equitably proportioned to each lot, each piece or parcel of land thereby benefited the amount of the actual benefits derived or to be derived from said improvement, notwithstanding that the proceedings of the city council or other officers or agents of the city, or other persons connected therewith may have been irregular, illegal or defective, or not in full conformity with the requirements of this statute. Such reassessment shall be made without a repetition of the proceedings had prior to the issuance of the assessment and shall be made and issued in the following manner: The superintendent of streets shall, upon the entering of a decree of court directing the reassessment, or upon the passage of a resolution of the city council directing a reassessment, proceed at once to make a reassessment in accordance with the said decree of court, or said resolution of the city council. Such reassessment shall be made upon the district described in the ordinance of intention, for said improvement, and in the event that there shall have been informalities, uncertainties or ambiguities in the description of the limits of said district, then upon the district which the court or council shall find to be that actually benefited by said improvement, but in so finding said court or council shall follow the lines described in the ordinance of intention so far as the same can be ascertained, and in all cases of uncertainty or ambiguity they shall give regard to the lines described and make such a determination as to the lines where there is any uncertainty or ambiguity in the ordinance of intention as may be just and equitable. In the event that a portion of the improvement has been found to be entirely without the power of said city to order, then said assessment shall be for the remainder of the improvement only, and the benefits arising from the improvement entirely without the jurisdiction of the city to order shall not be considered in making the reassessment. Upon the completion of the reassessment it shall be presented to the city council and a day of hearing shall be fixed by it which shall be at least twenty (20) days after the filing of the reassessment. The city clerk shall then advertise the fact of filing by publishing a notice in the official newspaper, or in such other paper as the council may direct, by five (5) insertions if the paper be a daily, or by two (2) insertions if it be a weekly or semi-weekly newspaper, stating the fact that the reassessment has been filed with him and that objections to said reassessment will be heard at the time specified by the city council. At the time fixed for said hearing, or at such time or times to which the same may be thereafter adjourned, the city council shall consider the objections to said reassessment and in its discretion revise, correct and modify such reassessment in such manner as is most equitable, and it shall thereupon pass a resolution approving and confirming such reassessment and such decision shall be a final determination of all matters relating to the actual benefits derived or to be derived from the improvement by the respective lots, pieces and parcels of land enumerated in the reassessment. Said reassessment shall thereupon be recorded by the street superintendent and it shall in all respects have the same effect and weight as the original assessment, and shall be enforced in the same manner. All payments made upon the original assessment shall be credited upon the reassessment and in the event that the reassessment in any instance is less than the amount of the original assessment, the excess shall be payable to the persons who paid the original assessments.

SEC. 7. Section 32 of said Act is hereby amended to read as follows:

Section 32. In all resolutions, notices, orders and determinations subsequent to the ordinance or resolution of intention a description of the assessment district by reference to the ordinance or resolution of intention shall be sufficient, and in all resolutions, notices, orders, and determinations subsequent to the "notice of public improvement" a description of the improvement by reference to the ordinance or

resolution of intention shall be sufficient. The provisions of this Act shall be liberally construed to effect the purposes thereof. This Act may be designated and referred to as "The Park and Playground Act of 1909."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1531—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, and Acts amendatory thereof, by adding thereto six new sections, to be known as Sections 57, 58, 59, 60, 61 and 62.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1532—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grade of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds, approved April 7, 1911," by adding thereto six new sections, to be known as Sections 84, 85, 86, 87, 88 and 89.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1533—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 7, 1893, and Acts amendatory thereof, by adding thereto four new sections, to be known as Sections 10, 11, 12 and 13.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1950—An Act conferring police power upon cities fronting or bordering on state tide lands, for purposes of sanitation.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8, printed bill, strike out the word "are", and insert the word "is".

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 4 and 5, printed bill, strike out all of Section 3.

Amendment adopted.

Bill read second time.

Assembly Bill No. 383—An Act to amend Section 534 of the Political Code of the State of California.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 7, strike out the words "two hundred" in printed bill.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore, and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site, and appropriating money therefor.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT No. 1.

On page 2, lines 21 and 22, printed bill, strike out the words "by said commission" and the comma preceding and the comma following said words.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 26, printed bill, strike out the word "twenty", and insert in lieu thereof the word "twelve".

Amendment adopted.

AMENDMENT No. 3.

On page 2, lines 26, printed bill, strike out the numerals "(20,000.00)", and insert in lieu thereof the numerals "(12,00.00)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the 8th day of November in the year 1910, which is provided in Section 14 of Article XIII of the Constitution of this State, and as provided in an Act of the thirty-ninth session of the Legislature, entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2 of printed bill, beginning in line 10, strike out all after the word "taxation", down to and including line 17, and insert the following: "and of said moneys hereby appropriated, the sum of seven hundred thousand dollars shall become available July 1, 1913, and the sum of seven hundred thousand dollars shall become available July 1, 1914".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1204—An Act to amend Title V of Part III of the Political Code by adding and enacting new chapters to be designated Chapters 1, 1a, 1b, 1c, 1d and 1e, relating to and creating a state board of administration; providing for the organization of such board; defin-

ing its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the appointment and duties of an advisory board to be known as the state board of charities and corrections; providing for the government and management by said board of administration of the state hospitals for the insane and other incompetent persons, the state schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said Title V of Part III of the Political Code by renumbering Chapter 1c thereof, relating to the Woman's Relief Corps Home of California, and designating said chapter as Chapter 1f, and to repeal Chapter 1 of Title V of Part III of the Political Code, relating to the State Commission in Lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and Chapter 1b of Title V of Part III of the Political Code relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for the United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911, in so far as the provisions of said Act conflict with this Act; and to repeal all Acts and parts of Acts in conflict with this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 2, of printed bill, amend the title by striking out the letters "icometent" in the second line, and insert in lieu thereof the word "incompetent."

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 11, strike out the word "donate", and insert in lieu thereof the word "devote."

Amendment adopted.

AMENDMENT No. 3.

On page 5, line 12, after the word "belief", insert the following: "or the religious belief of its parents."

Amendment adopted.

AMENDMENT No. 4.

On page 12, line 28, after the period in line 28, insert the following: "Each medical superintendent must, before assuming the duties of his office, execute a bond to the state in the sum of ten thousand dollars, conditioned upon the faithful performance of his duties."

Amendment adopted.

AMENDMENT No. 5.

On page 18, line 31, after the period in line 31, insert the following: "The money belonging to patients shall be so deposited that it shall draw interest and the interest collected thereon shall be paid into the state hospital contingent fund and used for the common benefit of the patients in the several hospitals from which it accrues."

Amendment adopted.

AMENDMENT No. 6.

On page 30, line 29, strike out the figures "2170", and insert in lieu thereof the figures and letter "2167d."

Amendment adopted.

AMENDMENT No. 7.

On page 33, lines 17 and 18, strike out the words "twenty-four", and insert in lieu thereof the word "twelve."

Amendment adopted.

AMENDMENT No. 8.

On page 36, lines 27, 28 and 29, strike out all after the word "estate", in line 27, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 9.

On page 38, line 16, strike out the words "of managers".

Amendment adopted.

AMENDMENT No. 10.

On page 38, line 24, strike out the figures "2180", and insert in lieu thereof the figures "2168".

Amendment adopted.

AMENDMENT No. 11.

On page 38, line 25, strike out the figures "2176", and insert in lieu thereof the figures and letter "2167k".

Amendment adopted.

AMENDMENT No. 12.

On page 41, lines 34 and 35, strike out the words "had been originally committed to the said state hospital at the date of such transfer", and insert in lieu thereof the words "were still an inmate of said home."

Amendment adopted.

AMENDMENT No. 13.

On page 42, lines 5 and 6, strike out the words "had been originally committed to the said home at the date of such transfer", and insert in lieu thereof the words "were still an inmate of said hospital."

Amendment adopted.

AMENDMENT No. 14.

On page 47, line 1, strike out the words "the steward must upon the order of".

Amendment adopted.

AMENDMENT No. 15.

On page 47, line 2, strike out the first comma, and insert in lieu thereof the word "must".

Amendment adopted.

AMENDMENT No. 16.

On page 47, lines 12 and 13, strike out the brackets.

Amendment adopted.

AMENDMENT No. 17.

On page 48, line 34, after the period, insert the following: "In the event of the failure of the county auditor or county treasurer to do or perform any of the things required in this section, the state board of administration may require the county treasurer by writ of mandate to pay to the state treasurer upon an order of the controller all amounts found to be due to the state as aforesaid at the time of the next settlement of the said county treasurer with the state, and it shall be no defense to such a proceeding that the county auditor has failed to include such sums in his said report rendered to the controller, and it shall not be necessary for the said board to allege or prove any fact with relation to the condition of the funds of the county. The board may, in its discretion, recover sums due from counties as in this chapter provided, by the presentation of claims against the board of supervisors, and recovery may be had on all sums due the state for a period of three years next prior to the presentation of any such claims."

Amendment adopted.

AMENDMENT No. 18.

On page 50, lines 22 and 23, strike out the word "forty-two", and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT No. 19.

On page 51, line 13, after the word "county", insert the following: "or officer thereof or against any".

Amendment adopted.

AMENDMENT No. 20.

On page 53, line 4, after the word "charge", insert the following: "and also of penalizing an inmate for misconduct by loss of merit marks."

Amendment adopted.

AMENDMENT No. 21.

On page 53, line 6, strike out the word "and".

Amendment adopted.

AMENDMENT No. 22.

On page 53, line 7, after the first comma, insert the following: "for their return to the school for violation of the terms or conditions of parole."

Amendment adopted.

AMENDMENT No. 23.

On page 53, line 13, strike out the words "morally deficient or incorrigible", and insert in lieu thereof the following: "mentally or morally deficient or incorrigible or in such a condition of health."

Amendment adopted.

AMENDMENT No. 24.

On page 54, lines 1 to 11, strike out all of lines 1 to 10, inclusive, and all of line 11 to the period, and insert in lieu thereof the following: "by the board. He may, under the rules prescribed by the board, grant furloughs and other privileges to inmates and when any inmate has earned a right to a parole and gives assurance of good conduct, shall obtain for him a home and recommend him to the board for parole. When inmates have been on parole until they shall have proved their ability for honorable self-support and their conduct has been satisfactory, the superintendent shall recommend them to the board for final discharge; and upon such final discharge he shall immediately certify such discharge in writing to the court making the commitment and the court shall thereupon dismiss the accusation and the charge pending against them: *provided, however*, that all persons not previously returned, because of unsatisfactory conduct, to the court from which they were committed, shall be entitled to such final discharge upon attaining the age of twenty-one years."

Amendment adopted.

AMENDMENT No. 25.

On page 55, line 22, strike out the words "either of said schools", and insert in lieu thereof the words "the Preston School of Industry."

Amendment adopted.

AMENDMENT No. 26.

On page 55, line 24, after the word "governor", insert the following: "and the superintendent of the school."

Amendment adopted.

AMENDMENT No. 27.

On page 62, line 10, strike out the words "for a period of six months," and insert in lieu thereof the following: "and a non-member of any other home for soldiers, sailors and marines for a period of one year."

AMENDMENT No. 28.

On page 63, line 35, strike out the words "president of the board," and insert in lieu thereof the words "treasurer of the home."

AMENDMENT No. 29.

On page 63, line 36, strike out the words "the president," and insert in lieu thereof the word "he".

AMENDMENT No. 30.

On page 68, strike out all of lines 4 and 5, and insert in lieu thereof the following: "SEC. 7. Chapter 1c of title V of part III of the Political Code, relating to the Woman's Relief Corps Home of California, is hereby renumbered and designated chapter 1f.

SEC. 8. Chapter 1 of title V of part III of the Political Code, relating to the state commission in lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons is hereby repealed.

SEC. 9. Chapter 1b of title V of part III of the Political Code, relating to the Industrial Home for the Adult Blind, is hereby repealed.

SEC. 10. An Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1899, and all Acts amendatory thereof or supplemental thereto are hereby repealed.

SEC. 11. All Acts and parts of Acts in conflict with this Act are hereby repealed."

Amendments adopted.

Bill read second time.

Assembly Bill No. 1278—An Act to amend Section 453a of the Political Code, in relation to the funds in the state treasury.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 17, printed bill, after the word "institution" and before the comma following such word, insert the following: "from which received".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 20, printed bill, strike out the words "purposes of the."

Amendment adopted.

Bill read second time.

Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Bill read second time.

Assembly Bill No. 1815—An Act to repeal an Act entitled "An Act to authorize the establishment of the California State Trades and Training School for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909.

Bill read second time.

Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 26, after the word "any", insert the word "newly".

On page 3, lines 17, 18, 19, 20, 21, and 22, strike out the words: "The minimum school day shall be understood to be as follows: to wit, for pupils in the first, second and third grades of the elementary schools of this state, four hours; for all other grades in the elementary schools, four and one half hours; such time to be estimated exclusive of recesses and intermissions.", and insert in lieu thereof the following: "The maximum school day in the elementary day and evening and secondary day and evening schools shall be six hours, the minimum four hours, exclusive of the recess periods; *provided*, that for the first, second and third grades of the elementary schools the minimum shall be four hours, inclusive of the recesses, but exclusive of the noon period. Schools maintaining less than the minimum day of four hours shall reduce their average daily attendance accordingly, using the minimum day of two hundred and forty minutes as a divisor".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 27, after the period add the following: "Incompleted quarter days shall be recorded by entering the number of minutes the pupil was present. At the end of the month or term, incompleted quarter days may be added and reduced to completed days' attendance by dividing by the number of the minutes in the minimum day, namely, two hundred and forty".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 165—An Act authorizing the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 902—An Act to make an appropriation to pay the salaries and mileage of Senators for the fortieth session of the Legislature during the sixty-fourth fiscal year.

Bill read second time.

Senate Bill No. 903—An Act making an appropriation for the pay of officers and clerks of the Senate for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 218, 805, 395, 1815 and Senate Bills Nos. 165, 902 and 903.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 218, 805, 395, 1815, and Senate Bills Nos. 165, 902 and 903 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 218, 805, 395, 1815, and Senate Bills Nos. 165, 902 and 903, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Assembly bills ordered to engrossment and third reading.

Senate bills ordered to third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 60, 209, 986, 1008, 1204 and 1278.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills No. 60, 209, 986, 1008, 1204 and 1278 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 60, 209, 986, 1008, 1204 and 1278, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

RE-REFERENCE OF BILL.

On motion of Mr. Green, Assembly Bill No. 834 was re-referred to Committee on Building and Loan Associations.

NOTICE OF MOTION TO RECONSIDER.

The question being upon the motion of Mr. Polsley to reconsider the vote whereby Assembly Bill No. 1858 was passed.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Knuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

During consideration of the bill, Mr. Byrnes moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 27, strike out the word "corporation", and insert in lieu thereof the following: "special reserve fund".

Motion carried.

The Speaker appointed Mr. Byrnes as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1858, with instructions, do now report that the instructions of the Assembly have been carried out.

BYRNES, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, in line 4, after the word "apply", insert the words "in person".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 541 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Finnegan, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman,

Johnson, Geo. H., Johnston, T. D., Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—59.

NOES—Messrs. Ferguson, Fish, Fitzgerald, Green, Judson, Kuck, and Peairs—7.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 541 was this day passed.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 477—An Act to regulate the sale of packages, cartons, cans, boxes, commodities and containers of all kinds, with the name and address of the original manufacturer thereof, providing for the enforcement of, and providing for penalties for, the violation of the provisions of this Act.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, strike out the words "or canner", and insert in lieu thereof the words "canner or distributor".

Also: On page 2, line 1, strike out the words "or canner", and insert in lieu thereof the words "canner or distributor".

Also: On page 2, line 4, strike out the words "or canner", and insert in lieu thereof the words "canner or distributor".

On motion of Mr. Brown, further consideration of above amendments was postponed until one o'clock and thirty minutes p.m. of this day.

Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control, subject to the provisions of the Political Code of the State of California and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On pages 1, 2, and 3, strike out all of Section 2 after line 9, and insert in lieu thereof the following:

"The U. S. segregation corner on the one half ($\frac{1}{2}$) section line running east and west through the center of section thirty (30), township one (1) south, range four (4) east, Mount Diablo base and meridian, said segregation corner being the southwest corner of the southeast quarter (S.E. $\frac{1}{4}$) of the northwest quarter (N.W. $\frac{1}{4}$) of said section thirty (30); thence east along said one half ($\frac{1}{2}$) section line through sections thirty (30) and twenty-nine (29) to the left bank of Old River; thence down the left bank of Old River, following its meanders, to its junction with the canal known as the Main or Western Canal; thence northerly along the west bank of said canal to its junction with Old River; thence down the left bank of Old River following its meanders to its junction with a dredger cut in the southeast quarter (S.E. $\frac{1}{4}$) of section seven (7), township one (1) south, range four (4) east, Mount Diablo base and meridian; thence westerly along the south bank of said dredger cut to its junction with Old River; thence down the left bank of Old River following its meanders, to its junction with Italian Slough; thence up the right bank of Italian Slough, following its meanders to the intersection of the said right bank of Italian Slough with the north line of section twenty-four (24), township one (1) south, range three (3) east, Mount Diablo base and meridian;

thence west along the north line of said section twenty-four to the west end of ditcher cut; thence south along west end of said ditcher cut to south edge of levee on south bank of same; thence easterly and southerly along south and east edge of said levee to west bank of scraper ditch about ten chains south and five chains easterly from the N.W. corner of section 24, T. 1 S., R. 3 E., M. D. B and M.; thence southwesterly along said west bank of scraper ditch to its intersection with the U. S. segregation line on the south side of the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of said section 24; thence east along said U. S. segregation line to the U. S. segregation corner, said corner being also the southeast (S.E.) corner of the northwest quarter (N.W. $\frac{1}{4}$) of the northwest quarter (N.W. $\frac{1}{4}$) of said section twenty-four (24); thence south twenty-six hundred forty (2640) feet to the U. S. segregation corner, said corner being also the southwest (S.W.) corner of the northeast quarter (N.E. $\frac{1}{4}$) of the southwest quarter (S.W. $\frac{1}{4}$) of section twenty-four (24), township one (1) south, range three (3) east, Mount Diablo base and meridian; thence east thirteen hundred twenty (1320) feet to U. S. segregation corner, said corner being also the southeast (S.E.) corner of the northeast quarter (N.E. $\frac{1}{4}$) of the southwest quarter (S.W. $\frac{1}{4}$) of section twenty-four (24); thence south thirteen hundred twenty (1320) feet to U. S. segregation corner, said corner being also the southwest (S.W.) corner of the southeast quarter (S.E. $\frac{1}{4}$) of said section twenty-four (24); thence east twenty-six hundred forty (2640) feet to U. S. segregation corner, said corner being also the southeast (S.E.) corner of the southeast quarter (S.E. $\frac{1}{4}$) of said section twenty-four (24), township one (1) south, range three (3) east, Mount Diablo base and meridian; thence south thirteen hundred twenty (1320) feet to U. S. segregation corner, said corner being also the southwest (S.W.) corner of the northwest quarter (N.W. $\frac{1}{4}$) of the northwest quarter (N.W. $\frac{1}{4}$) of section thirty (30), township one (1) south, range four (4) east, Mount Diablo base and meridian; thence east thirteen hundred twenty (1320) feet to U. S. segregation corner, said corner being also the southeast (S.E.) corner of the northwest quarter (N.W. $\frac{1}{4}$) of the northwest quarter (N.W. $\frac{1}{4}$) of said section thirty (30); thence south thirteen hundred twenty (1320) feet to U. S. segregation corner, the place of beginning. The number of acres in said district is thirty-four hundred and 44-100 (3400.44) acres, all in the county of Contra Costa, State of California."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1705, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 410—An Act to amend Section 4245 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Also: Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-sixth class.

Also: Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO. April 9, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1944—An Act to confer additional powers and duties upon the reclamation board; to provide for the performance of works of reclamation and drainage approved by said board; to provide for the ascertainment by said board of a district of lands to be benefited by the performance of the works specified in the report of the California Debris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the 27th day of June, 1911; to provide for the ascertainment by said board of any district or districts of land lying within the watershed of the Sacramento River and its tributaries which will be benefited by the performance of any unit or units of the system of works specified in said report; to provide alternative methods for assessing the cost of such works upon the property benefited thereby and for the collection of such assessments; to provide for the compensation of the members and employees of said board; to confer additional duties upon the State Engineer; and making an appropriation to pay the expenses of such examinations and surveys as may be necessary to effect the purposes of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489a, relating to reclamation and swamp land districts—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Building and Loan Associations, to whom was referred Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

HAYES, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 867—An Act declaring that all tide lands and submerged lands within the boundaries of the city of Los Angeles are required, and require such lands, for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for the purpose of quieting title to, and for the recovery of the possession of said lands—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 663—An Act to regulate the practice of steam engineering, the registering and licensing of persons to carry on such practice and insure the better education and promote competency and skill among steam engineers in the State of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be re-referred to Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1450—An Act to amend Section 627 of the Penal Code of the State of California, relating to the protection of fish and game—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1431—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 629½, relating to the protection and preservation of fish—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments to the consent to such adoption—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 2032—An Act to create a State Humane Commission, defining its powers and duties, providing revenue therefor and fixing penalties—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County; appointing a commission therefor and providing an appropriation to carry this Act into effect—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

HINKLE, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses," approved March 15, 1899, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by amending Section 4 thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HINKLE, Chairman.

The above reported bill ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 1344—An Act to amend the Political Code of the State of Commission in Lunacy and the salaries and wages of officers and employees of state hospitals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CRAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 226—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Also: Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Also: Assembly Bill No. 1327—An Act appropriating money for the purchase and installation of electric generators and connections and equipment therefor at the Stockton State Hospital.

Also: Assembly Bill No. 1405—An Act appropriating money to pay for the expense of improving American street, between Park and Popular streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Have had the same under consideration, and respectfully report the same back, without recommendation.

CRAM, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 918—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons and of idiots and fools, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CRAM, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution amending Article VI thereof, by inserting therein a new section, to be known as Section 4a, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act pro tempore as justices of said District Courts of Appeal, to hold such extra sessions thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 4½ of Article VI thereof, relating to appeals—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ELLIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under title sixteen thereof, to be numbered 681, prohibiting the use of cruel and unusual punishments in state prisons and reformatory institutions.

Also: Assembly Bill No. 1763—An Act to amend Section 1 of an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by making the judge of the Superior Court one of said commissioners.

Also: Assembly Bill No. 1516—An Act to repeal Section 669 of the Penal Code of the State of California, relating to second term of imprisonment.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ELLIS, Chairman.

The above reported bills ordered on file for second reading.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

SPECIAL ORDER—(CONTINUED).

The question being on the motion of Mr. Johnson to appoint a select committee of one to amend Assembly Bill No. 477.

MOTION TO RE-REFER.

Mr. Clark moved that the bill be re-referred to Committee on Judiciary, with instructions to report the bill back to this House not later than Monday, April 14, 1913.

Motion lost.

Motion of Mr. Johnston lost.

Mr. Chandler moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, after the word "canner," in line 6, insert the following: "and the place where such foodstuffs were packed."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 477 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—65.

NOES—Messrs. Bush, Clark, Wm. C., Schmitt, Shearer, Simpson, and Smith—6.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Walsh moved that the vote whereby Assembly Bill No. 75 was refused passage, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bloodgood, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Dower, Finnegan, Ford, Gelder, Guill, Hayes, Judson, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Nolan, Polsley, Richardson, Ryan, Scott, Shannon, Slater, Tulloch, Wall, Walsh, Weisel, and White—32.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Fitzgerald, Gabbert, Gates, Green, Griffin, Guiberson, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, Moorhouse, Palmer, Peairs, Roberts, Schmitt, Shartel, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Weldon, Woodley, and Mr. Speaker—42.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of two o'clock p.m. having passed, the special order heretofore set for this hour was taken up for consideration.

Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

During the reading of the resolution, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the resolution as follows:

On page 2, line 2, after the period following the word "constitution," strike out all of lines 2, 3, 4, 5, 6, 7, 8, 9, 10, and all of line 11 to the period in line 11.

Also: On page 3, line 5, after the period, strike out lines 5, 6, 7, 8, and all of line 9 to and including the period in line 9.

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Concurrent Resolution No. 17, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until next legislative day.

THIRD-READING FILE—(OUT OF ORDER).

Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

At the end of the title strike out the period, and add the following: "and as amended by an Act approved March 24, 1911."

Also: On page 1, line 1, strike out all of lines 1, 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Section 1 of an Act entitled 'An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act,' approved March 20, 1903, and as amended by an Act approved March 24, 1911, relating to the regulation of the manufacture and sale of commercial fertilizers, are hereby amended to read as follows:"

Also: On page 2, after line 12, insert the words "SEC. 2. Section 2 is hereby amended to read as follows:"

Also: On page 2, after line 32, insert the words "SEC. 3. Section 3 is hereby amended to read as follows:"

Also: On page 3, after line 27, insert the word "SEC. 4. Section 4 is hereby amended to read as follows:"

Also: On page 4, line 23, strike out all of Section 5, and insert in lieu thereof the words "SEC. 5. Section 6 is hereby amended to read as follows:"

Also: On page 5, line 30, strike out the remainder of the bill after Section 6.

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1181, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 11, strike out the words "two and one half", and insert in lieu thereof the word "ten".

Also: On page 1, line 11, strike out figures "2½", and insert in lieu thereof the figures "10".

Also: On page 1, line 13, strike out the word "ten", and insert in lieu thereof the word "twenty".

Also: On page 1, line 13, strike out the figures "\$10.00", and insert in lieu thereof the figures "\$20".

Also: On page 1, line 15, strike out the word "twenty-five", and insert in lieu thereof the words "one hundred".

Also: On page 1, line 15, strike out the figures "\$25.00", and insert in lieu thereof the figures "\$100".

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 101, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225a, 4225b, 4225c, 4225d, 4225e, 4225f, 4225g, 4225h, 4225i, and 4225j, all relating to county boards of health and sanitary inspectors.

During third reading of the bill, Mr. Ambrose moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 6, strike out the period, and insert in lieu thereof the following: "and that nothing in this section shall be construed to give any one the authority to remove any person from a private home without the consent of the person or the person's guardian".

Motion carried.

The Speaker appointed Mr. Ambrose as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 235, with instructions, do now report that the instructions of the Assembly have been carried out.

AMBROSE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects, of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, etc.

During third reading of the bill, Mr. Ellis moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 2, after the word "county", strike out all the rest of the section.

Motion carried.

The Speaker appointed Mr. Ellis as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 412, with instructions, do now report that the instructions of the Assembly have been carried out.

ELLIS, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

During third reading of the bill, Mr. Gabbert moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, between the words "published" and "in", insert the following: "at least ten days".

Also: On page 1, line 5, between the words "newspaper" and "printed", insert the following: "of general circulation".

Also: On page 1, line 10, strike out the word "or", and insert in lieu thereof the word "and".

Also: On page 1, line 12, strike out the word "or", and insert in lieu thereof the word "and".

Motion carried.

The Speaker appointed Mr. Gabbert as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 991, with instructions, do now report that the instructions of the Assembly have been carried out.

GABBERT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, strike out all of line 1, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Civil Code of the State of California, to be numbered 633½, to read as follows:"

Also: On page 1, line 13, after the word "office", insert the following: "on the part of such person".

Also: On page 2, line 12, strike out the word "of", and insert in lieu thereof the word "or".

Motion carried.

The Speaker appointed Mr. Shannon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1404, with instructions, do now report that the instructions of the Assembly have been carried out.

SHANNON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

LEAVE OF ABSENCE.

Mr. Schmitt asked for and was granted leave of absence for Thursday, April 10, 1913.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 857—An Act to amend section one of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved April 21, 1911, and relating to age of school children.

Also: Assembly Bill No. 1662—An Act to amend Section 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, relating to the establishment of parental schools.

Also: Assembly Bill No. 1670—An Act to amend Section 4 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, relating to attendance officers.

Have had the same under consideration, and respectfully report the same back, with the recommendation that the following substitute therefor be adopted: An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

STRINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 933—An Act to amend Section 1696 of the Political Code of the State of California, relating to the duties of teachers.

Also: Senate Bill No. 1029—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds.

Also: Senate Bill No. 1262—An Act to amend Section 1755 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to making additions thereto.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STRINE, Acting Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 1665—An Act to amend Section 1662 of the Political Code, relating to the number of years of instruction in the day and evening elementary schools; to the age of admission to the day and evening schools and to the providing for separate schools for Indian, Mongolian and Chinese children and to the exclusion of children of filthy and vicious habits from the school.

Also: Assembly Bill No. 817—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school system of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California by James W. Marshall.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STRINE, Acting Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 66—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of examination of cities and cities and counties.

Also: Assembly Bill No. 1099—An Act to amend Section 1599 of the Political Code of California, relating to the election of school trustees.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STRINE, Acting Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled:

Assembly Concurrent Resolution No. 25—Approving a certain amendment to the charter of the city of San Luis Obispo, in the county of San Luis Obispo, State of California, which was voted for and ratified by the qualified electors of said city at a special municipal election held therein for that purpose on the 18th day of March, 1913.

Assembly Bill No. 734—An Act to amend Sections 1721, 1738, 1739 and 1749 of the Political Code of the State of California, relating to bonds for county high schools.

And were presented to the Governor this ninth day of April, 1913, at eleven o'clock a.m.

MOOREHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII (13), relating to revenue and taxation—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, to provide penalties for the violation of the provisions of this Act, to create a board of

examiners of chiropody, to define its duties and to authorize it to carry out the purposes of the Act.

Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628g, relating to the protection and preservation of perch.

Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 653c, relating to blacklisting. And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 420—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas, or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stables or tent tops and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Assembly Bill No. 644—An Act granting to the town of Emeryville, the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, to the town of Emeryville, and regulating the management, use, and control thereof.

Assembly Bill No. 693—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof, relating to the period of redemption; to certain proceedings to obtain deeds upon delinquent sales, and prescribing a limit of time within, and conditions upon, which action may be brought to set aside such deeds.

Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing milk or cream in creameries, cheese factories, condenseries, milk depots and other factories of dairy products of the State.

Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants, and prescribing their powers and duties.

Assembly Bill No. 1726—An Act to amend Section 4178 of the Political Code of the State of California, relating to the duties of county clerks.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain Acts and practices therein, and prescribing punishment therefor.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 218—An Act to authorize the payment of the claim of Pacific Union Club against the State of California, and making an appropriation therefor.

Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Assembly Bill No. 429—An Act regulating the payment of wages earned in seasonal labor, and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Assembly Bill No. 468—An Act for the protection of railroad employees and other persons, and providing for the placing of safety blocks in all frogs and guard rails used in the operation of railroads.

Assembly Bill No. 503—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts or donations from the public.

Assembly Bill No. 737—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to the condemnation of private property for public use and the payment of money therefor.

Assembly Bill No. 805—An Act making an appropriation of money to pay the claims of United States Mortgage and Trust Company, a corporation, against the State of California.

Assembly Bill No. 1531—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and Acts amendatory thereof, by adding thereto six new sections, to be known as Sections 57, 58, 59, 60, 61 and 62.

Assembly Bill No. 1532—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7, 1911," by adding thereto six new sections, to be known as Sections 84, 85, 86, 87, 88 and 89.

Assembly Bill No. 1533—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 7, 1893, and Acts amendatory thereof, by adding thereto four new sections, to be known as Sections 10, 11, 12 and 13.

Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code, relating to the right to vote and the registration of voters.

Assembly Bill No. 1815—An Act to repeal an Act entitled "An Act to authorize the establishment of the California state trades and training school for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909.

Assembly Bill No. 1850—An Act to provide for continuing in force certain certificates of purchase of state lands, by extending the time within which interest thereon may be paid.

Assembly Bill No. 1950—An Act conferring police power upon cities fronting or bordering on state tide lands, for purposes of sanitation.

Also: Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations; and also by amending Section 7½, Article XI, thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to provide for the construction of a free wagon road from and to connect the city of Chico, Butte County, and the town of Susanville, Lassen County, and making an appropriation therefor.

An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Guill: Assembly Bill No. 2072—An Act to provide for the construction of a free wagon road from and to connect the city of Chico, Butte County, and the town of Susanville, Lassen County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Ryan: Assembly Bill No. 2073—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

Bill read first time, and referred to Committee on Municipal Corporations.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Murray, Mr. W. A. Anderson and Mr. A. Powers, were granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At five o'clock and fifty-five minutes p.m., on motion of Mr. Clark, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, April 10, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley,

Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—68.

Quorum present.

LEAVES OF ABSENCE.

At the suggestion of the Speaker, Messrs. Wyllie and Bohnett were granted leave of absence for the day.

On motion of Mr. Slater, Mr. Guill was granted leave of absence for the day.

On motion of Mr. Ryan, Messrs. Nolan and Johnston were granted leaves of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ferguson, the further reading was dispensed with.

COMMUNICATIONS.

The following communications were filed, and ordered printed in the Journal:

WASHINGTON, D. C., April 9, 1913.

L. B. Mallory, Sacramento, Cal.:

I have received the following letter from the Forester:

"The matter of the urgent need of the stockmen in California for help was brought to my attention some days ago through petitions received from stockmen at Livermore and Alameda. As soon as the petitions were received, the District Forester at San Francisco having charge of all national forests in California was immediately wired to take up the matter with the supervisors of the various forests in his district, and ascertain what could be done to take care of the stock, which were reported as suffering for want of feed. The District Forester immediately issued a circular letter, calling upon each of his supervisors for a detailed report as to the number of stock which he could take care of. I presume the District Forester, as soon as able to definitely estimate, will make arrangements for the issuance of temporary permits for as large a number of stock as possible. I will do everything in my power to assist California stockmen, although conditions in California, the early season, and the already heavily stocked ranges with forests would, of course, prevent the taking care of so large a number as Mallory's telegram indicates need assistance. The District Forester is in direct touch with conditions there, and I would suggest that the stockmen be advised to confer with him, which will save considerable time and give them an idea of what relief they can expect without unnecessary delay."

WILLIAM KENT.

WASHINGTON, D. C., April 10, 1913.

L. B. Mallory, Chief Clerk of the Assembly, Sacramento, Cal.:

"Pasturage in forests is being actively taken up by Forest Service here and in California, under the direction of Secretary Houston. Under ordinary conditions, there is room for about 20,000 cattle, or 20,000 sheep, over present permits. Carrying capacity will be crowded in this emergency. See local foresters."

C. F. CURRY.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Alexander:

Any legislation requiring high licenses and unjust conditions and qualifications on rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, spices, extracts and toilet articles, would not only increase the cost

of living and restrict our right to buy from whom we please, but such legislation is contrary to good public policy, is un-American and has a monopolistic tendency.

Therefore we, the undersigned, protest against the passage of any such legislation. For years we have been buying our supplies of such products of wagon salesmen who are dependable merchants; they call regularly and supply us with high-class goods at popular prices on liberal terms, treat us fair, and any legislation that would injure them would also injure us.

C. J. PHILLIPS (and others).

Tulare, Cal.

Also:

We, the undersigned citizens of California, hereby protest against Chapters 233, 422 and 277, Statutes of 1903-1909, imposing an annual license of \$200 upon rural wagon salesmen of domestic remedies and household necessities; and urgently petition you as our representatives to support and give your vote and influence to the passage of any bill or bills introduced to reduce this now unfair license to a reasonable size and to divert the proceeds therefrom from the State Board of Pharmacy to some such public-benefiting fund as the road and bridge or public school fund.

MRS. C. E. BRADSTREET (and others).

Waukeena, Cal.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 437—An Act to amend Section 1583 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

Also: Assembly Bill No. 601—An Act to repeal Section 1624 of the Political Code of the State of California requiring the appointment of school census marshals.

Also: Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Also: Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State, relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 51—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles Department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Senate Bill No. 248—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1456—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class.

Also: Senate Bill No. 511—An Act to amend Section 499a of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals, and providing for the seizure and disposition of property used or employed in connection therewith.

Also: Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 307—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Also: Senate Bill No. 311—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes.

Also: Senate Bill No. 21—An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

Also: Senate Bill No. 524—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Also: Senate Bill No. 292—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 203—An Act to amend Section 1773 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 204—An Act to amend Section 1774a of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 205—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 603—An Act to amend Section 626h of the Penal Code of the State of California, relating to the protection of fish and game.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1720—An Act to amend Section 20 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Also: Senate Bill No. 436—An Act to create a reclamation district to be called "Reclamation District No. 999," and providing for the control and management thereof.

Also: Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to the valuation of stocks and bonds held by insurance companies.

Also: Senate Bill No. 238—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Also: Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class.

Also: Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor, and providing penalties.

Also: Senate Bill No. 247—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 1339—An Act to add a new section to the Penal Code, to be numbered Section 527, making it a misdemeanor to sell or permit to be sold tickets in excess to the seating capacity of the theater or other place of indoor amusement, and fixing penalty thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 5, 1913, passed Senate Bill No. 1128—An Act to amend Section 4260 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1328—An Act to amend Section 2 of an Act entitled "An Act to regulate contracts in behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909.

Also: Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of textbooks for use in the public schools of the State of California.

Also: Senate Bill No. 1114—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1500;" providing for the management and control thereof, and dissolving all levee districts, swamp land districts and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Also: Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 25 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 51 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 229 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 248 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1456 read first time, and referred to Committee on County Government.

Senate Bill No. 511 read first time, and referred to Committee on Judiciary.

Senate Bill No. 250 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 307 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 311 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 500 read first time, and referred to Committee on County Government.

Senate Bill No. 21 read first time, and referred to Committee on Education.

Senate Bill No. 524 read first time, and referred to Committee on Normal Schools.

Senate Bill No. 292 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 249 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 203 read first time, and referred to Committee on Judiciary.

Senate Bill No. 204 read first time, and referred to Committee on Judiciary.

Senate Bill No. 205 read first time, and referred to Committee on Judiciary.

Senate Bill No. 603 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1720 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 436 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 235 read first time, and referred to Committee on Insurance.

Senate Bill No. 238 read first time, and referred to Committee on Insurance.

Senate Bill No. 239 read first time, and referred to Committee on Insurance.

Senate Bill No. 414 read first time, and referred to Committee on County Government.

Senate Bill No. 53 read first time, and referred to Committee on Judiciary.

Senate Bill No. 247 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1339 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1128 read first time, and referred to Committee on County Government.

Senate Bill No. 1328 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1007 read first time, and referred to Committee on Education.

Senate Bill No. 1114 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 142 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1558—An Act to amend Sections 1198 and 1199 of the Political Code, relating to books and records of ballots and number of ballots to be provided by the county clerk or registrar and the destruction of unused ballots.

Also: Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Also: Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and thirteen.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 625—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

Also: Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newtown jetties,' and repealing an Act entitled 'An Act to authorize the Lauritzen Company of San Francisco, a corporation, to sue the State of California,' approved March 23, 1907," approved March 20, 1911.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 625?"

AMENDMENT No. 1.

On page 1, line 4, after the word "canal", insert "or conduit for carrying water".

AMENDMENT No. 2.

On page 1, line 13, after the word "canal", insert "or conduit for carrying water".

AMENDMENT No. 3.

On page 2, line 2, after the word "canal", insert "or conduit for carrying water".

AMENDMENT No. 4.

On page 2, line 4, after the word "canal", insert "or conduit for carrying water".

AMENDMENT No. 5.

On page 2, line 5, after the word "canal", insert "or conduit for carrying water".

AMENDMENT No. 6.

On page 2, line 7, after the word "canals", insert "or conduits for carrying water".

The roll was called, and Senate amendments to Assembly Bill No. 625 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bowman, Brown, Byrnes, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Hayes, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Mouser, Ryan, Scott, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1317?"

AMENDMENT No. 1.

On page 1, line 12, of the title of the printed bill, strike out the word "Newton", and insert in lieu thereof the word "Newtown".

AMENDMENT No. 2.

On page 1, line 13, of title of the printed bill, strike out the word "Lauritzer", and insert in lieu thereof the word "Lauritzen".

AMENDMENT No. 3.

On page 2, line 26, of the printed bill, strike out the word "Newton", and insert in lieu thereof the word "Newtown".

AMENDMENT No. 4.

On page 2, line 27, of the printed bill, strike out the word "Lauritzer", and insert in lieu thereof the word "Lauritzen".

The roll was called, and Senate amendments to Assembly Bill No. 1317 were concurred in by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bowman, Brown, Byrnes, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Roberts, Ryan, Scott, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

Also: Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Also: Assembly Bill No. 2034—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

Also: Assembly Bill No. 441—An Act to amend Section 1570a of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1547?"

On page 1 of the printed bill, strike out lines 8, 9, 10, 11 and 12, and insert in lieu thereof the following: "In all cases where the court directs a party to prepare findings, a copy of said proposed findings shall be served upon all the parties to the action at least five days before findings shall be signed by the court, and the court shall not sign any findings therein prior to the expiration of such five days."

The roll was called, and Senate amendment to Assembly Bill No. 1547 was concurred in by the following vote:

AYES—Messrs. Bagby, Benedict, Bloodgood, Bowman, Brown, Byrnes, Chandler, Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Inman, Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2031?"

On page 2, line 5, strike out the period, and insert in lieu thereof the words "of the code".

The roll was called, and Senate amendment to Assembly Bill No. 2031 was concurred in by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Chandler, Clark, Wm. C., Collins, Dower, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Richardson, Ryan, Shannon, Shartel, Simpson, Slater, Strine, Tulloch, Weisel, Woodley, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 444?"

In line 15, following the word "month", strike out the words "each of".

The roll was called, and Senate amendment to Assembly Bill No. 444 was concurred in by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Inman, Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 512?"

On page 1, line 6, after the word "place", insert the words "conducted as a place".

The roll was called, and Senate amendment to Assembly Bill No. 512 was concurred in by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Chandler, Clarke, Geo. A., Dower, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Inman, Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Wall, Weisel, Woodley, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the

irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes." approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

Also: Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Also: Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Also: Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1848?"

On page 3, line 27, after the word "incurred", strike out the period, and insert in lieu thereof a comma, and begin the next word "In", with a lower-case "i".

The roll was called, and Senate amendment to Assembly Bill No. 1848 was concurred in by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, White, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1503?"

In Section 1, line 13, strike out the word "this", and insert in lieu thereof the word "their".

The roll was called, and Senate amendment to Assembly Bill No. 1503 was concurred in by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bowman, Chandler, Clarke, Geo. A., Dower, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Inman, Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Tulloch, Wall, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 722?"

AMENDMENT No. 1.

Amend the bill as amended in the Assembly March 20, 1913, by inserting before the word "sells", in line 2, page 1, of the printed bill, the following: "., their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any water system within this state,".

AMENDMENT No. 2.

Strike out all of Section 5, comprising lines 20 to 26, inclusive, on page 2 of the amended printed bill, and renumber Sections 6, 7, and 8 as 5, 6, and 7, respectively.

The roll was called, and Senate amendments to Assembly Bill No. 722 were concurred in by the following vote:

AYES—MESSRS. Bagby, Beck, Benedict, Bloodgood, Bowman, Canepa, Chandler, Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gares, Gelder, Griffin, Guiberson, Hayes, Inman, Johnstone, W. A., Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Bill ordered to enrollment.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Chandler:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money for the purpose of insuring the state printing plant.

Referred to Committee on Introduction of Bills.

By Mr. Kingsley:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Section 349b and Section 349c, relating to labor unions.

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489a, relating to reclamation and swamp land districts.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 1, strike out all after the word "rights", and insert in lieu thereof the following: "or privileges of whatever kind or nature; nor shall it affect, impair or discharge any contract, obligation, lien or charge for or upon which said district was or may become liable or chargeable had such change of its boundaries not been made or had not said land been excluded from the district. The owner or owners in fee of one or more tracts of land which constitute a portion of a reclamation or swamp land district may jointly or severally file with the board of supervisors of the county in which the district, or the greater part thereof, is situated, a petition praying that such tract or tracts and any other tracts contiguous thereto may be excluded and taken from said district. The petition shall state the grounds and reasons upon which it is claimed that such lands should be excluded and shall describe the boundaries thereof and also the land of such petitioner or petitioners which are included within such boundaries. Such petition must be acknowledged in the same manner and form as is required in the case of the conveyance of land and the acknowledgment shall have the same force and effect as evidence as the acknowledgment of such a conveyance. The clerk of the board of supervisors shall cause a notice of the filing of such petition to be published for at least two (2) weeks in some newspaper of general circulation in the district and published in the county where the said district, or the greater part thereof, is situated and if any portion of such territory to be excluded lies within another county or counties, then said notice shall be so published in a newspaper published within each of said counties; or if no newspaper be published therein, then by posting such notice for the same time in at least three (3) public places in said district and in case of the posting of said notices, one of said notices must be so posted on the lands proposed to be excluded. In addition to the notice by publication or posting, as above provided, he shall cause to be mailed a notice

to each person owning property within said district, by United States mail, postage prepaid, to the post office address of such landowner. Said notice shall be mailed at least ten (10) days before the day set for said hearing. The notice shall state the filing of such petition, the names of the petitioners, a description of the lands mentioned in said petition and the prayer of said petition; and it shall notify all persons interested in or who may be affected by such change of the boundaries of the district to appear at the office of said board at a time named in such notice and show cause in writing, if any they have, why the change of the boundaries of said district as proposed in said petition should not be made. The time to be specified in the notice at which they shall be required to show cause shall be at a regular meeting of the board. The board of supervisors at the time and place mentioned in the notice or at the time or times to which the hearing of said petition may be adjourned, shall proceed to hear the petition and all evidence or proofs that may or shall be introduced by or on behalf of the petitioner or petitioners and all objections to said petition that may or shall be presented in writing by any person showing cause as aforesaid and all evidence and proofs that may be introduced in support of such objections. Such evidence shall be taken down in shorthand and a record made thereof and filed with the board. The failure of any person interested in said district other than the holders of bonds thereof outstanding at the time of the filing of such petition with said board, to show cause in writing why the tract or tracts of land mentioned in said petition should not be excluded from said district, shall be deemed and taken as an assent by him to the exclusion of such tract or tracts of land or any part thereof from said district; and the filing of such petition with said board as aforesaid shall be deemed and taken as an assent by each and all of such petitioners to the exclusion from said district of the lands mentioned in the petition or any part thereof. The expenses of giving said notice and of the aforesaid proceedings shall be paid by the person or persons filing such petition. If, upon the hearing of any such petition, no evidence or proofs in support thereof be introduced or if the evidence fails to sustain such petition or if the board deem it not for the best interests of the district that the lands or some portion thereof mentioned in the petition should be excluded from the district, the board shall order that said petition be denied as to such lands; but if the said board deem it for the best interests of the district that the lands mentioned in the petition or some portion thereof be excluded from the district and if no person interested in the district show cause in writing why the said lands or some portion thereof should not be excluded from the district, or if having shown cause, withdraws the same or upon the hearing fails to establish such objections as he may have made, then it shall be the duty of the board to and it shall forthwith make an order that the lands mentioned and described in the petition or some defined portion thereof be excluded from said district; *provided*, that if the holders of the legal title representing ten (10) per cent of the assessed valuation of all the land within said district, as appears from the last preceding assessment roll, file with the board of supervisors of said county written objections to the withdrawal of such land from said district, it shall be the duty of the said board of supervisors to forthwith deny said petition and refuse to exclude said lands from the boundaries of said district. If there be outstanding bonds of the district at the time of the filing of said petition, the holders of such outstanding bonds may give their assent in writing to the effect that they severally consent that the lands mentioned in the petition or such portion thereof as may be excluded from said district by order of said board may be excluded from the district and if said lands or any portion thereof be thereafter excluded from the district, the lands so excluded shall be released from the lien of such outstanding bonds. The assent must be acknowledged by the several holders of such bonds in the same manner and form as is required in case of a conveyance of land and the acknowledgment shall have the same force and effect as evidence as the acknowledgment of such conveyance. The assent shall be filed with the clerk of said board of supervisors and must be recorded in the minutes thereof and said minutes or a copy thereof certified by the clerk shall be admissible in evidence with the same effect as the assent and a certified copy thereof shall be recorded in the office of the county recorder of each of the counties wherein said lands are situated. In the event said board of supervisors shall exclude any lands from such district upon petition therefore, it shall be the duty of the board of supervisors to cause to be made an entry in the minutes of the board describing the boundaries of the district should the exclusion of said lands from said district change boundaries of said district, and for that purpose the board may cause a survey to be made of such portions of the district as the board may deem necessary; and a certified copy of the entry in the minutes of the board excluding any land certified by the clerk of the board shall be filed for record in the recorder's office in each county within which are situated any of the lands of the district, but said district, notwithstanding such exclusion, shall be and remain a reclamation and swamp land district as fully to every intent and purpose as it would be had no change been made in the boundaries of the district or had the lands excluded therefrom never constituted a portion of the district. Nothing herein provided shall in any manner operate to release any of the lands so excluded from the district from any obligation to pay or any lien

thereon or any valid outstanding bonds or other indebtedness of said district at the time of the filing of such petition for the exclusion of said lands, but on the contrary said lands shall be held subject to said lien and answerable and chargeable with the payment and discharge of all said outstanding obligations at the time of the filing of the petition for the exclusion of said land as fully as though said petition for such exclusion were never filed and said order of exclusion never made; and for the purpose of discharging such outstanding indebtedness, said lands so excluded shall be deemed and considered as part of said district the same as though said petition for its exclusion had never been filed or said order of exclusion never made, and all provisions which may have been resorted to to compel the payment by said land of its quota and portion of said outstanding obligation had such exclusion never been accomplished, may, notwithstanding said exclusion, be resorted to to compel and enforce the payment on the part of said land of its quota and portion of such outstanding obligations of said district for which it is liable, but said land so excluded shall not be held answerable or chargeable for any obligation of any nature or kind whatever incurred after the filing with the board of supervisors of the petition for the exclusion of said lands from the said district; *provided*, that the provision of this section shall not apply to any outstanding bonds, the holders of which have assented to the exclusion of such lands from said district, as hereinbefore provided. The boundaries of any district now organized or hereafter organized may be changed in the manner herein prescribed, but such change of the boundaries of the district shall not impair or affect its organization or its rights in or to property or any of its rights or privileges of whatever kind or nature; nor shall it affect, impair or discharge any contract, obligation, lien or charge for or upon which it was or might become liable or chargeable had such change of its boundaries not been made."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2032—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, in line 2, strike out the word "six", and in lieu thereof insert the word "seven".

Amendment adopted.

AMENDMENT No. 2.

On page 1, in line 6, strike out the word "passage", and insert in lieu thereof the words "taking effect".

Amendment adopted.

AMENDMENT No. 3.

On page 1, in line 11, strike out the word "passage", and insert in lieu thereof the words "taking effect".

Amendment adopted.

AMENDMENT No. 4.

On page 1, in line 12, strike out the word "six", and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT No. 5.

On page 1, in line 17, strike out the word "six", and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT No. 6.

On page 1, in line 20, strike out the figures "1915", and insert in lieu thereof the figures "1914".

Amendment adopted.

AMENDMENT No. 7.

On page 2, in line 1, strike out the figures "1917", and insert in lieu thereof the figures "1915".

Amendment adopted.

AMENDMENT No. 8.

On page 2, in line 2, strike out the figures "1919", and insert in lieu thereof the figures "1916".

Amendment adopted.

AMENDMENT No. 9.

On page 2, in line 2, strike out the period after the figures "1919", and insert in lieu thereof a comma, and following such comma the words "and one on the first day of July, 1917".

Amendment adopted.

AMENDMENT No. 10.

On page 2, in line 27, strike out the words "twenty-one", and insert in lieu thereof the words "twenty-four".

Amendment adopted.

AMENDMENT No. 11.

On page 3, in line 24, strike out the word "passage", and insert in lieu thereof the words "taking effect".

Amendment adopted.

AMENDMENT No. 12.

On page 4, line 3, strike out the word "July", and insert in lieu thereof the word "August".

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 4, strike out the word "July", and insert in lieu thereof the word "August".

Amendment adopted.

AMENDMENT No. 14.

On page 6, in line 18, strike out the figures "1913", and insert in lieu thereof the figures "1914".

Amendment adopted.

AMENDMENT No. 15.

On page 6, in line 37, insert in the blank preceding the word "thousand" the word "five".

Amendment adopted.

AMENDMENT No. 16.

On page 7, in line 8, strike out the word "and", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT No. 17.

On page 7, in line 18, strike out the word "county".

Amendment adopted.

AMENDMENT No. 18.

On page 7, in line 18, after the word "treasury", insert the following: "of the city, county or city and county in which such case is tried".

Amendment adopted.

AMENDMENT No. 19.

On page 7, in line 20, strike out the word "county".

Amendment adopted.

AMENDMENT No. 20.

On page 7, in line 20, insert after the word "treasurer", the following: "of such city, county or city and county".

Amendment adopted.

AMENDMENT No. 21.

On page 7, strike out all of Section 10.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1344—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the power of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 918—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots and fools, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 6, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, of the printed bill, insert a comma (,) immediately after the word "discretion", and add the following immediately after the word "discretion", and before the word "cause": "after a careful investigation of all the circumstances of the case,".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 11, of the printed bill, strike out the semicolon (;) immediately after the word "criminally", and insert a period (.) in lieu thereof.

Amendment adopted.

AMENDMENT No. 4.

On page 1, lines 11 and 12, of the printed bill, strike out all of the said lines after the word "criminally," in line 11; also, on page 2 of the printed bill, strike out lines 1, 2 and 3.

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 17, of the printed bill, strike out the words "some sexual offense", and insert in lieu thereof the following: "rape, assault with intent to commit rape, or seduction,".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 20, of the printed bill, strike out the words "and sexual", and insert in lieu thereof the following: "or sexual degenerate or".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 410--An Act to amend Section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 13, strike out the words "two thousand", and insert in lieu thereof the words "twenty-four hundred".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 29, strike out the words "two thousand", and insert in lieu thereof the words "twenty-four hundred".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 30, strike out the words "two thousand", and insert in lieu thereof the words "twenty-four hundred".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 31, strike out the word "six", and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 35, strike out the words "two thousand", and insert in lieu thereof the words "twenty-four hundred".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 2, strike out the word "two", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 8, after the period, insert the following: "It is hereby provided that in counties of this class the assessor shall receive no fees or compensation for his collection of taxes on personal property or possessory interest."

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 13, strike out the words "twenty-five hundred", and insert in lieu thereof the words "three thousand".

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 24, strike out the words "two thousand", and insert in lieu thereof the words "twenty-four hundred".

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 26, strike out the period, and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 26, after the semicolon, insert the following: "*provided*, that in counties of this class the superintendent of schools shall receive no compensation for services as a member of the county board of education or as ex officio secretary thereof."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-fifth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out the words "twenty-five hundred", in line 7, of page 1, of said bill, and insert in lieu thereof the words "two thousand".

Amendment adopted.

AMENDMENT No. 2.

Strike out the period after the word "annum", in line 11, page 1, in said bill, and insert in lieu thereof a semicolon and the following: "*provided*, that all fees and commissions now allowed by law, or which may hereafter be allowed by law, to said treasurer by virtue of the said office shall be paid into the county treasury."

Amendment adopted.

AMENDMENT No. 3.

Strike out the words "fifteen hundred", in line 12, page 1, of said bill, and insert in lieu thereof the words "twelve hundred".

Amendment adopted.

AMENDMENT No. 4.

After the word "assessor", in line 13 of said bill, strike out all down to and including the period after the word "law", in line 3, of page 2, of said bill, and insert in lieu thereof the following: "three thousand dollars per annum; *provided*, that all commissions and fees now allowed by law or which may hereafter be allowed by law to the said assessor on the collection of personal property taxes and on the collection of poll taxes, road and hospital taxes, shall be paid into the county treasury;"

Amendment adopted.

AMENDMENT No. 5.

Strike out the words "eighteen hundred", in line 4, page 2, of said bill, and insert in lieu thereof the words "fifteen hundred".

Amendment adopted.

AMENDMENT No. 6.

Strike out the period after the word "annum", line 11, page 2, of said bill, and insert in lieu thereof a comma and the following: "which said sum of one thousand dollars shall also be in full payment of the services of such superintendent of schools, the board of education".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 20, of said bill, strike out the word "ten", and insert in lieu thereof the word "twenty".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the enacting clause and insert the following:

"SECTION 1. Section 4238 of the Political Code is hereby amended to read as follows:

4238. In counties of the ninth class, the county and township officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The county clerk, three thousand six hundred dollars per annum. This is a decrease of the compensation of the county clerk and shall apply to the present incumbent.

2. The sheriff, four thousand five hundred dollars per annum. The sheriff shall also be allowed his actual, reasonable and necessary expenses in all civil and criminal cases. This is a decrease of the compensation of the sheriff and shall apply to the present incumbent.

3. The recorder, two thousand seven hundred and fifty dollars per annum.

4. The auditor, three thousand six hundred dollars per annum.

5. The treasurer, two thousand six hundred dollars per annum.

6. The tax collector, one thousand nine hundred dollars per annum. The tax collector shall pay all his own traveling expenses.

7. The assessor, four thousand dollars per annum. The assessor shall also receive his actual, reasonable and necessary expenses while engaged in his official duties in the field.

8. The district attorney, three thousand six hundred dollars per annum.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, three thousand three hundred dollars per annum. The superintendent of schools shall pay all his own traveling expenses when visiting the schools of this county.

12. The surveyor, twenty-four hundred dollars per annum, and actual reasonable and necessary expenses when engaged in the field or in the office in the discharge of his official duties in the county.

13. Justices of the peace shall receive the following salaries for all services rendered by them, payable in the same manner as county officers are paid, viz: in townships having a population of twenty thousand or more, two hundred and fifty dollars per month; in townships having a population of not less than five thousand nor more than twenty thousand, ninety dollars per month; in townships having a population of not less than three thousand nor more than five thousand, sixty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty-five dollars per month; in townships having a population of not less than one thousand four hundred nor more than two thousand, thirty-five dollars per month; in all townships having a population of less than one thousand four hundred, twenty-five dollars per month. The compensation herein fixed for justices of the peace shall be in full for all services rendered, and all fees collected by them shall be paid into the county treasury as provided by law; *provided*, that justices of the peace now holding office shall, during their present term, be entitled to retain for their own use all civil fees. In townships having a population of twenty thousand or more, the justice of the peace shall be allowed a clerk, which position is hereby created. Such clerk shall be appointed by the justice of the peace of said township, and shall hold office during the pleasure of said justice of the peace. Said clerk shall give a bond in the sum of five thousand dollars, with at least two sureties to be approved by a judge of the superior court of the county in which said township is situated, conditioned for the faithful discharge of the duties of the office; and he shall receive an annual salary of twelve hundred dollars. The justice's clerk shall keep a record of the proceedings of the said court, and shall issue all process ordered by the court, and shall collect and receive all fines and forfeitures in criminal cases and pay the same to the authorities legally entitled to receive the same, at the time and in the manner provided by law. He shall prepare bonds, justify bail when the amount has been fixed by the court, and shall have authority to administer and certify oaths, and take and certify affidavits in any action, suit or proceedings in said justice's court. The clerk shall be in attendance on the court in the courtroom of said justice's court for the dispatch of official business, daily, legal holidays excepted, from the hour of nine o'clock a.m. until five o'clock p.m., and during such reasonable times thereafter as may be necessary for the proper performance of his duty.

14. Constables shall receive the following salaries for all services rendered by them in criminal cases, payable monthly in the same manner as county officers are paid, viz: In townships having a population of fourteen thousand or more, one hundred dollars per month; in townships having a population of not less than five thousand and not more than fourteen thousand, seventy-five dollars per month; in townships having a population of not less than three thousand nor more than five thousand, fifty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty-five dollars per month; in townships having a population of not less than one thousand four hundred nor more than two thousand, thirty-five dollars per month; in all townships having a population of less than one thousand four hundred, twenty-five dollars per month. Constables in counties of this class shall also receive for their own use and benefit such fees as are now or may be hereafter allowed by law for mileage in criminal cases and

shall also receive such fees as are now or may hereafter be allowed by law in civil cases. Such mileage in criminal cases is intended to cover the ordinary expenses of constables, and other than such mileage, they shall be allowed the following expenses and no other, to wit: In criminal, insane, inebriate and drug habitué cases, the actual, reasonable and necessary cost of transporting prisoners to and from the county jail; of supporting such prisoners while in their custody; of pursuing criminals when a felony has been committed within their township and no warrant has been issued, whether an arrest is made or not; of transporting inebriates, drug habitué and insane persons from the justice's court to the place of detention and from the place of detention to the superior court, and from the superior court to the insane asylum, but no mileage shall be allowed for such transportation to the place of detention, to the superior court, or to the insane asylum.

15. Each member of the board of supervisors, twelve hundred dollars per annum, and their necessary expenses when attending to the business of the county, other than the meetings of the board; and fifteen cents a mile in traveling to and from his residence to the county seat; *provided*, that not more than one mileage at any one term of the board shall be allowed. Each member of said board may be allowed his actual expenses in attending the annual state convention of members of county boards of supervisors; *provided*, that the total expense of all members attending such convention shall not exceed fifty dollars in any one year.

16. The bonds of the clerk, sheriff, recorder, auditor, treasurer, tax collector, assessor, district attorney, coroner, public administrator, superintendent of schools and surveyor, shall be executed with a reliable bond and security company and the cost of said bond, when duly approved, shall be a charge against the county, and payable out of the general fund.

17. The county clerk shall have one chief deputy, at a salary of twenty-one hundred dollars per annum; three court room deputies at a salary of fifteen hundred dollars per annum each; three office deputies at a salary of twelve hundred dollars per annum each; one deputy who shall act as clerk to the board of supervisors at a salary of fifteen hundred dollars per annum; and a deputy or deputies not to exceed ten, for the purpose of registering electors or other emergencies, who shall be paid not to exceed three and a half dollars per diem each; also a deputy or deputies not to exceed ten, to register electors outside of the county seat, who shall receive a compensation of eight cents for each elector registered, and shall receive no other compensation or expenses. The county recorder one first assistant at a salary of eighteen hundred dollars per annum; one second assistant at a salary of fifteen hundred dollars per annum; two comparing or indexing clerks at a salary of twelve hundred dollars per annum each; two copyists at a salary of twelve hundred dollars per annum each. The recorder may, with the consent of the board of supervisors, hire necessary assistance in cases of emergency at a salary not to exceed three dollars and fifty cents per diem, each, nor shall the aggregate salaries for such work exceed twenty-four hundred dollars in any one calendar year. The treasurer, one chief deputy at a salary of two thousand four hundred dollars per annum, and one deputy at a salary of eighteen hundred dollars per annum; and one deputy at a salary of twelve hundred dollars per annum, and an emergency deputy, which position is hereby created, at a salary of four dollars per diem; which said emergency deputy shall not receive more than five hundred dollars in any one calendar year. The county auditor, one chief deputy at a salary of eighteen hundred dollars per annum, one deputy at a salary of fifteen hundred dollars per annum; the auditor may, with the consent of the board of supervisors, hire necessary assistants for the purpose of extending taxes, and in cases of emergency, at a salary not to exceed three and a half dollars per diem each, nor shall the aggregate salaries for such emergency work exceed six hundred dollars in any one calendar year. The district attorney, an assistant district attorney, at a salary of two thousand seven hundred dollars per annum, and one deputy district attorney, at a salary of eighteen hundred dollars per annum; and one stenographer at a salary of twenty-one hundred dollars per annum. The superintendent of schools, one deputy at a salary of twelve hundred dollars per annum. The sheriff, an under sheriff, who shall receive a salary of twenty-one hundred dollars per annum; a clerk, who shall receive a salary of fifteen hundred dollars per annum; a stenographer and clerk, who shall receive a salary of twelve hundred dollars per annum; two deputy sheriffs, who shall receive a salary of twelve hundred dollars per annum each; three bailiffs or court room deputies, who shall receive a salary of twelve hundred dollars per annum each; two jailers, who shall receive a salary of twelve hundred dollars per annum each; one deputy sheriff for emergencies and as a guard for the working prisoners, who shall receive a salary of twelve hundred dollars per annum; and a deputy sheriff for the purpose of serving papers and other emergencies, who shall be paid not to exceed three and a half dollars per diem. The county surveyor, one chief deputy, which position is hereby created, who shall be paid a salary of twenty-one hundred dollars per annum. The coroner, one deputy, which position is hereby created, who shall be paid by the coroner out of his fees. The county assessor shall have one chief deputy at a salary of twenty-one hundred dollars per annum; two office deputies at a salary of twelve hundred dollars each per annum; one office deputy at a salary of nine hundred dollars per annum; three office deputies for preparing assessment rolls, to serve not to

exceed ninety days each in any one year, at a salary of four dollars per diem each; seventeen field deputies, to serve not to exceed eighty days each in any one year, at a salary of four dollars per diem each. All the deputies, assistants, emergency help, and clerks herein mentioned shall be paid at the time and in the manner that the principals are paid, and they shall be paid from the salary fund.

18. The salaries, fees, mileage and commissions herein provided shall be in full for all official services performed. No county, district or township officer shall receive from the county any salary, compensation, fees, commission or mileage, except as in this section provided. All compensation, commissions, fees and mileage now or hereafter provided by law to be paid to any county, district or township officer for any official service, except as in this section otherwise provided, shall be paid into the county treasury to the credit of the general fund, unless some other fund is specially designated by law. All compensations, fees, commissions and mileage, except as in this section otherwise provided, received by any county, district or township officer, either as such officer, or as the agent of the State of California, or of any officer thereof, or as the agent of any political subdivision of the State of California, or of any officer thereof, shall be paid into the county treasury to the credit of the general fund, unless some other fund is specially designated by law.

Until such county, district or township officer shall pay into the county treasury all compensation, commissions, fees and mileage as herein required to be paid, he shall receive no salary, and it shall be the duty of the auditor to refuse to deliver to him thereafter a salary warrant, and it shall be the duty of the treasurer to refuse to pay the same.

19. For attending as a grand juror or as a juror in the superior court, for each day's attendance per day three dollars and fifty cents. For each mile actually traveled in attending court as a juror, in going only, per mile, twenty-five cents.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under Title 16 thereof, to be numbered 681, prohibiting the use of cruel and unusual punishments in state prisons and reformatory institutions.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1763—An Act to amend Section 1 of an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by making the judge of the Superior Court one of said commissioners.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1516—An Act to repeal Section 669 of the Penal Code of the State of California, relating to second term of imprisonment.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1431—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 629½, relating to the protection and preservation of fish.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out all of Section 1, and insert in lieu thereof the following:

"Section 1. A new section is hereby added to the Penal Code of the State of California to be numbered six hundred twenty-nine and one half, and to read as follows:

629½. Any person, company, or corporation owning in part or in whole or leasing or operating or having in charge any dam, diverting water from any stream, river, or creek in California, shall allow at all times, sufficient water to flow over said dam or through any fishway required by the board of fish and game commissioners, to support the fish life below the dam; *provided*, that at no time shall the amount of water required to be allowed to flow over such dam and through such fishway, exceed ten per cent of the amount of water of such stream, river or creek, measured midway

from its source to its mouth; *and provided, further*, this section shall not apply to any stream, river or creek which becomes dry at its mouth, or in which ten per cent of the flow measured as herein prescribed shall not be sufficient to maintain a constant flow in such river, stream, or creek to its mouth. The amount of flow specified in the requirement of this section shall be divided according to the proportion that each persons, company or corporation diverts from such stream, river or creek. In the meaning of this section, the terms creek, river or stream shall apply to the water flowing from the watershed of any river, creek or stream to its mouth in another body of water where the local or geographical name is different."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1450—An Act to amend Section 627*b* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 857—An Act to amend Section 1 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved April 21, 1911, and relating to age of school children.

Also: Assembly Bill No. 1662—An Act to amend Section 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, relating to the establishment of parental schools.

Also: Assembly Bill No. 1670—An Act to amend Section 4 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, relating to attendance officers.

During second reading of the bill, the following substitute was submitted by the committee:

BY COMMITTEE ON EDUCATION.

Assembly Bill No. 2074 (committee substitute for Assembly Bills Nos. 857, 1662 and 1670)—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of the Act," approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

The question being on the adoption of the committee substitute.

The roll was called, and substitute adopted by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Canepa, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Richardson, Ryan, Scott, Shartel, Simpson, Slater, Strine, Stuckenbruck, Wall, Weisel, Woodley, and Mr. Speaker—43.

NOES—None.

Bill read first time, and ordered on file for second reading.

Assembly Bill No. 1665—An Act to amend Section 1662 of the Political Code, relating to the number of years of instruction in the day and evening elementary schools; to the age of admission to the day and evening schools and to the providing of separate schools for Indian, Monogolian and Chinese children and to the exclusion of children of filthy and vicious habits from school.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 817—An Act providing for the commemoration

as "Gold Discovery Day," in all departments of the public school systems of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California, by James W. Marshall.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 66—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of examination of cities and cities and counties.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 10, after the word "schools" and before the period, insert the following: ", said special certificates to entitle said holders to teach only in such cosmopolitan schools."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1099—An Act to amend Section 1599 of the Political Code of California, relating to the election of school trustees.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 8, strike out "*provided, that*", and also all of lines 9, 10, 11 and 12, and insert in lieu thereof the following: "*provided, that no electioneering shall be carried on within one hundred feet of the polls; and provided, further, that the board of school trustees may arrange for secret ballot by providing booths or private rooms, in which the voter must prepare his ballot.*"

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and forty-five minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns; said section to be numbered 1281a.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, Section 1, lines 9 and 10, after the word "or", in line 9, strike out the words "a majority", and insert in lieu thereof the words "three fourths".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 914, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 31 of Article IV relating to irrigation districts.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 84 adopted by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Ryan, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, and Woodley—55.

NOES—None.

Assembly Constitutional Amendment No. 84 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV, relating to irrigation districts.

The Legislature of the State of California, at its regular session commencing on the sixth day of January in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California the following amendment to the Constitution of the State of California, so that Section 31 of Article IV of said constitution shall read as follows:

SEC. 31. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township, or other political corporation or subdivision of the state now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift, or authorize the making of any gift, of any public money or thing of value to any individual, municipal or other corporation whatever; *provided*, that nothing in this section shall prevent the Legislature granting aid pursuant to section twenty-two of this article; and it shall not have power to authorize the state, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever; *provided, further*, that irrigation districts for the purpose of acquiring the control of any entire international water system necessary for its use and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½ of Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

During third reading of the constitutional amendment, Mr. Clark moved that the Speaker appoint a select committee of one to amend as follows:

On page 1, line 3, of the title, strike out the following: "Section 6 of Article 11 of the Constitution of the State of California, relating to municipal corporations; and also by amending".

Also: On page 1, line 5, strike out "sections six and" and insert in lieu thereof the word "section".

Also: Beginning in line 8, strike out all of Section 6.

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 60, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendments adopted.

Constitutional amendment ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDERS.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section, to be known as Section 26, relating to the rights of men.

During the reading of the constitutional amendment, Mr. Kingsley moved that the Speaker appoint a select committee of one to amend as follows:

On page 1, line 8, strike out all after "Section 26", to and including line 8 on page 2, and insert in lieu thereof the following:

"The state shall engage in such work of internal improvements for the development of such of its natural resources and the production, distribution and exchange of such commodities, as the legislature or the people may from time to time designate; and to that end the legislature shall enact laws and establish agencies to accomplish the objects above enumerated, and also the employment of the citizens of the state in need of employment at a reasonable living wage. The profits derived from all such enterprises shall be employed in the extension, betterment and maintenance thereof; *provided*, that in case of a surplus, the legislature shall direct the disposition to be made of such surplus."

SPECIAL ORDER SET.

On motion of Mr. Shannon, the above amendment was ordered printed in the Journal and the consideration made a special order for Friday, April 11, 1913, at eleven o'clock a.m.

Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 19 of Article XI, relating to the use of streets for gas and water pipes.

SPECIAL ORDER RE-SET.

On motion of Mr. Kingsley, the consideration of Assembly Constitutional Amendment No. 45 was made a special order for Friday, April 11, 1913, at eleven o'clock a.m.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, providing penalties for the violation of the provisions of this Act, creating a board of examiners of chiropody, defining its duties and authorizing the State Medical Society and the Podiatric Society of the State of California, a corporation, to assist in the carrying out of the purposes of the Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 69 passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Richardson, Ryan, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Weisel, and Woodley—43.

NOES—Messrs. Brown, Fish, Guiberson, Palmer, and Polsley—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Draining District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

During third reading of the bill. Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 33, strike out the word "said", between the words "and" and "section".

Also: On page 3, line 27, strike out the numerals "12", and insert in lieu thereof the numeral "2".

Also: On page 5, line 13, strike out the figures "14.29", and insert in lieu thereof the following: "fourteen and twenty-nine hundredths (14.29)".

Also: On page 15, line 15, after the word "the", insert the word "said".

Also: On page 19, strike out all of lines 1 and 2.

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1602, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPEAKER IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 1289—An Act to amend Section 626k of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

MOTION TO LIMIT DEBATE.

Mr. Inman moved that debate on the above bill be limited to one hour—forty minutes for the opponents and twenty minutes for the proponents.

Motion lost.

SPECIAL ORDER SET.

On motion of Mr. Imman, the consideration of Assembly Bill No. 1289 was made a special order for this day at one o'clock and thirty minutes p.m.

TIME FOR RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until the business before the house be disposed of.

STATEMENT.

The following statement was filed by the Speaker.

There has been handed me a memorial by the petitioner, Mrs. H. P. Jorgensen, in which she has charged Judge E. N. Rector, of the Superior Court of the State of California, in and for the county of Merced, with misdemeanor of office, and has asked for an investigation or impeachment of the judge, for reasons stated in her petition.

I therefore present this matter to you for your consideration.

MEMORIAL.

In the matter of the removal from office of Hon. E. N. Rector as judge of the Superior Court of the State of California in and for the county of Merced.

To the Honorable, the Senate and the Assembly of the State of California:

Your petitioner and applicant, Mrs. H. P. Jorgensen, respectfully represents and shows to your honorable bodies the following reasons why Hon. E. N. Rector, a judge of the Superior Court of the State of California, in and for the county of Merced, should be removed by your joint resolution from the office of such judge, and in that behalf she shows as follows:

1. That your petitioner is a citizen of the United States and of the State of California, and now resides and at all the times hereinafter mentioned, has resided in the county of Merced, in said State.

2. At all of said times Hon. E. N. Rector was and still is the duly elected, qualified and acting judge of the Superior Court of the State of California, in and for the county of Merced.

3. Said Hon. E. N. Rector as said judge of said Superior Court has been guilty of misdemeanor in office as such superior judge, committed as follows, to wit:

Heretofore, to wit, on the 24th day of June, 1911, there was pending and undecided in said Superior Court in and for said county of Merced, a certain cause in which A. L. Sillman and T. H. Carlin were plaintiffs and H. P. Jorgensen, John Doe, Jane Doe and Richard Roe were defendants, and being numbered 2432, on the Register of Actions in the office of the county clerk of said county of Merced.

On or about the 24th day of June, 1911, said action was submitted for decision, the said Superior Court in which said Hon. E. N. Rector was then and there presiding, and in his court for decision.

The said cause was not decided by the said Hon. E. N. Rector until on or about the 28th day of October, 1912, on which said last mentioned date the written decision and findings of said Hon. E. N. Rector as said superior judge, in the said above entitled action and cause were filed in the office of the clerk of said county of Merced.

Notwithstanding that said cause was submitted to him for decision on said 24th day of June, 1911, and remained undecided for more than one year and four months thereafter, the said Hon. E. N. Rector continued to draw and receive his monthly salary as said judge of said Superior Court from the first day of October, 1911, until and including the first day of October, 1912, all of said dates after said first day of October, 1911, being more than ninety days after the said submission of said cause for decision.

During the said year and four months under which said cause was under submission and undecided, the said Hon. E. N. Rector, in order to draw and receive his said monthly salary, made oath as follows:

On the 1st day of November, 1911, before L. R. Johnson, then the duly elected, qualified and acting county auditor in and for the said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained pending and undecided that had been submitted to him for a period of ninety days. A certified copy of said affidavit is hereunto annexed, made a part hereof, and marked "Exhibit 1."

On the 1st day of December, 1911, before said L. R. Johnson, then the duly elected, qualified and acting county auditor in and for said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days. A certified copy of said affidavit is hereunto annexed, made a part hereof and marked "Exhibit 2."

On the 1st day of February, 1912, before said L. R. Johnson, then the duly elected, qualified and acting county auditor in and for said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days. A certified copy of said affidavit is hereunto annexed, made a part hereof and marked "Exhibit 3."

On the 1st day of March, 1912, before said L. R. Johnson, then the duly elected, qualified and acting county auditor in and for said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days. A certified copy of said affidavit is hereunto annexed, made a part hereof and marked "Exhibit 4."

On the 1st day of April, 1912, before said L. R. Johnson, then the duly elected, qualified and acting county auditor in and for said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days. A certified copy of said affidavit is hereunto annexed, made a part hereof and marked "Exhibit 5."

On the 1st day of May, 1912, before said L. R. Johnson, then the duly elected, qualified and acting county auditor in and for the said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days. A certified copy of said affidavit is hereto annexed, made a part hereof and marked "Exhibit 6."

On the 1st day of June, 1912, before said L. R. Johnson, then the duly elected, qualified and acting county auditor in and for said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days. A certified copy of said affidavit is hereto annexed, made a part hereof and marked "Exhibit 7."

On the 29th day of June, 1912, before said L. R. Johnson, then the duly elected, qualified and acting county auditor in and for said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days preceding June 1, 1912. A certified copy of said affidavit is hereunto annexed, made a part hereof and marked "Exhibit 8."

On the 2d day of August, 1912, before C. C. Brown, a deputy county clerk of the county of Los Angeles, State of California, then and there being an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days preceding August 1, 1912. A certified copy of said affidavit is hereunto annexed, made a part hereof and marked "Exhibit 9."

On the 4th day of September, 1912, before said L. R. Johnson, then the duly elected, qualified and acting auditor of said county of Merced, an officer entitled to administer oaths, the said Hon. E. N. Rector did make and subscribe an affidavit that no cause in his court remained undecided for the period of ninety days preceding September 1, 1912.

The applicant respectfully represents and charges that each and every of said affidavits so made by said Hon. E. N. Rector was untrue at the time the same was made by him, and he well knew that each of them was false and untrue, and he then and there willfully, corruptly and falsely swore and made oath, and in each instance delivered into the hands of the said auditor of said county of Merced, each of the aforesaid affidavits for the purpose of enabling him (said judge of said Superior Court) to draw and receive his monthly salary for each month preceding the date of the making of said affidavit, and upon said affidavits he did draw his said monthly salary in accordance with said several affidavits, during the period of time during which said cause so remained under submission before him and undecided.

Annexed hereto is a certified copy of the date of submission of said cause, marked "Exhibit 11," and made a part hereof, and also a certified copy of the date of decision of said cause marked "Exhibit 12," and made a part hereof.

Your petitioner and applicant respectfully submits that said Hon. E. N. Rector has been guilty of misdemeanor in office and should be removed therefrom.

MRS. H. P. JORGENSEN.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

Mrs. H. P. Jorgensen, being duly sworn, deposes and says: I am the petitioner and applicant herein. I have read the foregoing petition and know the contents thereof, and the same is true of my own knowledge, except as to the matters therein stated on information or belief, and as to those matters, I believe it to be true.

MRS. H. P. JORGENSEN.

Subscribed and sworn to before me this 25th day of March, 1913.

[SEAL]

FRANK H. FARRAR.
Notary Public in and for the county
of Merced, State of California.

EXHIBIT No. 1.

STATE OF CALIFORNIA,
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for Merced County, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding November 1, 1911.

E. N. RECTOR.

Subscribed and sworn to before me this 1st day of November, 1911.

[SEAL]

L. R. JOHNSON.

EXHIBIT No. 2.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for Merced County, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding December 1, 1911.

E. N. RECTOR.

Subscribed and sworn to before me this 1st day of December, 1911.

[SEAL]

L. R. JOHNSON.

EXHIBIT No. 3.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for Merced County, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding February 1, 1912.

E. N. RECTOR.

Subscribed and sworn to before me this 1st day of February, 1912.

[SEAL]

L. R. JOHNSON.

EXHIBIT No. 4.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for the county of Merced, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding March 1, 1912.

E. N. RECTOR.

Subscribed and sworn to before me this 1st day of March, 1912.

[SEAL]

L. R. JOHNSON.

LEONA THOMPSON.

EXHIBIT No. 5.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for Merced County, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding April 1, 1912.

E. N. RECTOR.

Subscribed and sworn to before me this 1st day of April, 1912.

[SEAL]

L. R. JOHNSON.

EXHIBIT No. 6.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for the county of Merced, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding May 1, 1912.

E. N. RECTOR.

Subscribed and sworn to before me this 1st day of May, 1912.

[SEAL]

L. R. JOHNSON.

EXHIBIT No. 7.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for the county of Merced, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding June 1, 1912.

E. N. RECTOR.

Subscribed and sworn to before me this 1st day of June, 1912.

[SEAL]

L. R. JOHNSON.

EXHIBIT No. 8.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for Merced County, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding June 1, 1912.

E. N. RECTOR.

Subscribed and sworn to before me this 29th day of June, 1912.

[SEAL]

L. R. JOHNSON.
LEONA THOMPSON.

EXHIBIT No. 9.

STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for the county of Merced, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding August 1, 1912.

E. N. RECTOR.

Subscribed and sworn to before me this 2d day of August, 1912.

[SEAL]

H. J. LELAND, County Clerk, Los Angeles County.
By C. C. BROWN, Deputy.

EXHIBIT No. 10.

STATE OF CALIFORNIA, }
COUNTY OF MERCED. } ss.

I, E. N. Rector, judge of the Superior Court of the State of California in and for the county of Merced, being duly sworn, depose and say, that no cause in my court remains undecided that has been submitted to me for decision for the period of ninety days next preceding September 1, 1912.

E. N. RECTOR.

Subscribed and sworn to before me this 4th day of September, 1912.

[SEAL]

L. R. JOHNSON.

EXHIBIT No. 11.

June 24, 1911.

Present: Hon. E. N. Rector, Judge; P. J. Thornton, Clerk; G. W. Powell, Bailiff; J. T. Conley, Reporter.

A. L. SILMAN *et al.*, Plaintiffs, }
vs. } 2432.
H. P. JORGENSEN *et al.*, Defendants. }

Respective counsel return into court and argument of F. G. Ostrander for plaintiffs is had and case submitted.

[SEAL]

EXHIBIT No. 12.

A. L. SILMAN *et al.*, Plaintiffs, }
vs. } 2432.
H. P. JORGENSEN *et al.*, Defendants. }

I, P. J. Thornton, county clerk of the county of Merced, State of California, and ex officio clerk of the Superior Court thereof, do hereby certify that the findings of fact and conclusions of law in the above-entitled case were filed in the office of the county clerk of said county on the 28th day of October, 1912.

Witness my hand and the seal of said court, this 24th day of March, 1913.

[SEAL]

P. J. THORNTON, Clerk

RESOLUTION.

The following resolution was offered:

WHEREAS, Mrs. H. P. Jorgensen, of the county of Merced, State of California, has presented to this Assembly her memorial charging that E. N. Rector, Judge of the Superior Court of the State of California, in and for the county of Merced, has been guilty of a misdemeanor in office and requests that this body investigate said charges; and

WHEREAS, If said charges be found to be true, said judge should be dealt with according to law, and if found to be untrue the judicial character of said judge should be vindicated and said court be relieved from all suspicion;

Resolved, That the Judiciary Committee of the Assembly be, and is hereby, authorized to investigate said charges, and to report to this Assembly whether the said judge has so acted in his judicial capacity, or otherwise, as to require the exercise of the constitutional power of the Assembly to present impeachment charges against said judge; and

Resolved, further, That for the purpose of such investigation, the said committee and such sub-committee as the said committee may appoint, are hereby authorized and empowered to send for persons and papers, to administer oaths, to take testimony, and to employ such clerical help and other assistance as may be necessary and the said committee, or sub-committee, while so employed, shall have full power to enforce the attendance of witnesses, with a sergeant-at-arms, who shall serve the process of said committee, or sub-committee, and shall execute its orders and shall attend sittings thereof as ordered and directed by said committee; and

Resolved, further, That the expenses of such investigation shall be paid out of the Contingent Fund of the Assembly.

Mr. Fish moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, White, and Mr. Speaker—59.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 837—An Act to provide for locating, surveying and maintaining a state highway from Whittaker Grove, Tulare County, to connect with the Visalia Millwood road near General Grant Park, and making an appropriation therefor.

Also: Assembly Bill No. 1064—An Act to make an appropriation for the location, survey and construction of a state highway, from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Also: Assembly Bill No. 1070—An Act to make appropriations for the continuation of the location, survey and construction of a state highway from a point known as the Mt. Pleasant Ranch on the road between Quincy and Marysville, thence in a southeasterly direction by Eureka to Downieville, Sierra County, California.

Also: Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River in the county of Trinity, near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

Also: Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner State Road at Emigrant Gap, Placer County, to Nevada City, in Nevada County.

Also: Assembly Bill No. 1542—An Act making an appropriation for the location, survey, construction and improving of a state highway from Boca to the Nevada state line, along the Truckee River, in Nevada County.

Also: Assembly Bill No. 1565—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woodville Creek with said North Yuba River, thence following the right hand or north bank of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

Also: Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Have had the same under consideration, and respectfully report the same back, without recommendation, and ask that they be re-referred to the Committee on Ways and Means.

GABBERT, Chairman.

The above reported bills ordered on file for second reading and re-referred to Committee on Ways and Means.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410a, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 436—An Act to create a reclamation district, to be called "Reclamation District No. 999," and providing for the control and management thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the State Forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Board of Forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations, or corporations; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the Laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 201—An Act to amend Section 791 of the Political Code, relating to notaries public.

Also: Senate Bill No. 392—An Act to amend Section 280b of the Code of Civil Procedure, relating to licenses to practice law.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, CHAIRMAN.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 222—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers.

Also: Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Also: Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section, to be designated as 731a, relating to the abatement of public nuisance; by whom actions may be instituted for such purposes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1084—An Act to give the Reclamation Board of the State of California the right of action for the State in cases involving the diversion of streams and the impairment of natural reservoirs for flood waters.

Also: Assembly Bill No. 1334—An Act to amend Sections 339 and 340 of the Code of Civil Procedure of the State of California, relating to time of commencing actions other than for the recovery of real property.

Also: Assembly Bill No. 1338—An Act to amend Section 204 of the Code of Civil Procedure of the State of California, relating to the selection of jurors for courts of record.

Also: Assembly Bill No. 1340—An Act to amend Sections 226 and 227 of the Code of Civil Procedure of the State of California, relating to the drawing and summoning of jurors.

Also: Assembly Bill No. 95—An Act defining and relating to wage brokers; regulating assignments of wages and salaries as securities for loans; and fixing a maximum rate of interest for loans upon wages and salaries, and providing penalties for the violation thereof.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 38—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Also: Assembly Bill No. 286—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

FITZGERALD, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect, and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911.

Also: Senate Bill No. 215—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

Also: Senate Bill No. 296—An Act to amend Section 2981 of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

Also: Senate Bill No. 580—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated,

misbranded or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FITZGERALD, Chairman.

The above reported bills ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 1549—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for the funds of banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds, and providing for the use of such bonds as security for the performance of any act, and providing for a commission which shall approve such bonds for the foregoing purposes, for a report thereon, for the filing of said report and for the certification of such bonds by the State Controller—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 56—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title to said Act and by amending Sections 1, 15, 17 and 18 thereof to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes, and to add a new section, to be known as Section 110½—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 2024—An Act to provide for the regulation of smelters and the maintenance and operation thereof in the State of California, and for the licensing and supervision thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WHITE, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 385—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Also: Assembly Bill No. 12—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or all of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the Univer-

sity of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Assembly Bill No. 1023—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Also: Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 97—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Also: Assembly Bill No. 1633—An Act appropriating money for the purchase of land adjoining the campus of the San Diego State Normal School.

Also: Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Also: Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Also: Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Also: Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 98—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Also: Assembly Bill No. 271—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Also: Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Also: Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 582—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

Also: Assembly Bill No. 82—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

Also: Assembly Bill No. 73—An Act providing for the construction and equipment of two dormitories at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 642—An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for five consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor and providing penalties therefor; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this Act; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared unconstitutional—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 665—An Act making an appropriation for university extension work for the University of California.

Also: Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill, and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Also: Assembly Bill No. 807—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street between Twenty-sixth and Twenty-seventh streets, in the city of Sacramento, and bordering on a portion of the property belonging to the State of California known as Sutter's Fort.

Also: Assembly Bill No. 808—An Act appropriating money for repairing and improving Sutter's Fort.

Also: Assembly Bill No. 1281—An Act appropriating the sum of \$5,000 for the erection of a monument to commemorate the raising of the Bear flag in the city of Sonoma.

Also: Assembly Bill No. 1251—An Act regulating the employment of women and minors, and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor, and fixing a penalty for violations of this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 198—An Act providing for the support, maintenance and equipment of the Department of Agriculture of the University of California, including the station at Berkeley, and the various sub-stations throughout the State, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock and thirty minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

SECOND READING OF SENATE BILLS.

Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments to the consent to such adoption.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial ex-

penses," approved March 15, 1899, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by amending Section 4 thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

During second reading of the bill, the following amendment was submitted by the committee:

On page 9, line 31, strike out the figures "14" and the words following, to and including the word "paid", on page 10, line 11, and insert in lieu thereof the following:

"14. In counties of this class justices of the peace shall be compensated as follows, and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of 25,000 or more, justices of the peace shall each receive a salary of three hundred (\$300) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(2) In townships having a population of 5,000 and less than 25,000, justices of the peace shall receive the sum of one hundred and forty (\$140) dollars per month as full compensation for all services rendered by them in both criminal cases and civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(3) In townships having a population of 3,000 and less than 5,000, justices of the peace shall each receive the sum of one hundred and twenty-five (\$125) dollars as full compensation for all services rendered by them in both criminal cases and civil cases and in all cases wherein the justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(4) In townships having a population of 2,000 and less than 3,000, justices of the peace shall each receive the sum of one hundred (\$100) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(5) In townships having a population of 900 and less than 2,000, justices of the peace shall each receive the sum of seventy-five (\$75) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(6) In townships having a population of less than 900, justices of the peace shall each receive the sum of fifty (\$50) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

Provided, however, that justices of the peace in townships contiguous to municipalities containing 25,000 or more inhabitants, or in which a penal institution is located, shall be allowed a salary of one hundred and forty (\$140) dollars a month each as full compensation for all services rendered by them in both criminal and civil cases and in all cases wherein the justices of the peace perform the duties of

coroner, and all fees chargeable and collectible by said justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

The population referred to in classifying the townships for the purpose of regulating the compensation of justices of the peace shall be the population found and determined by the federal census taken in the year 1910; *provided*, that if the township census be taken after the taking of the federal census under the provision of Section 4055, then said census shall be known and shall become the official census of the township in which the same is taken, and the population therein determined shall be and become the official population of such township."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 867—An Act declaring that all tide lands and submerged lands within the boundaries of the city of Los Angeles are required, and require such lands, for public purpose of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for the purpose of quieting title to, and for the recovery of the possession of said lands.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

In line 4 of the title of the printed bill, strike out the word "require", and insert in lieu thereof the word "requiring".

Amendment adopted.

AMENDMENT NO. 2.

In line 5 of the title of the printed bill, immediately after the word "fishing" and before the word "and", insert the following: "and for purposes in aid thereof".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

On page 3, line 15, strike out the words "or other evidence of indebtedness".

Amendment adopted.

AMENDMENT NO. 2.

On page 3, line 21, after the word "certificates", insert the word "and".

Amendment adopted.

AMENDMENT NO. 3.

On page 3, lines 22, 23, 24, 25, strike out the words "and other evidences of indebtedness other than its liability to its shareholders and members on its installment and full paid stock and on its installment and full paid membership certificates."

Amendment adopted.

AMENDMENT No. 4.

On page 3, lines 27, 28, 29, and 30, strike out the words "and other evidences of indebtedness other than its liability on its shares of installment and full paid stock on its installment and full paid membership certificates."

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 35, insert the following:

"g. Every such corporation shall also have power, by its by-laws, to charge an entrance or withdrawal fee, for each share of stock it may issue, not exceeding one dollar on each share, and also to charge a transfer fee, not exceeding ten cents on each share, all of which fees shall be accounted for by the corporation like other funds of the association. No other fee, charge or deduction shall ever be made or permitted to be made against any shareholder, or against any of his shares hereafter issued, or the dues paid in thereon for the purpose of creating a fund to be used in the payment of current or running expenses".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 933—An Act to amend Section 1696 of the Political Code of the State of California, relating to the duties of teachers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1029—An Act to amend Section 1676 of the Political Code, relating to the investment of state school funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1262—An Act to amend Section 1755 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to making additions thereto.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 525—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 525 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Brown, Bush, Clarke, Geo. A., Ellis, Farwell, Ferguson, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Morgenstern, Mouser, Nelson, Polsley, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be numbered 2697 and 2698, relating to the abandonment of highways.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 11, strike out the words "or which may", and all of line 12.

Also: On page 1, at the end of line 15, strike out the period, and insert in lieu thereof a comma and the following: "and which have been accepted by the board of supervisors for public use."

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 394, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Bill No. 124—An Act to amend Section 791 of the Political Code, relating to notaries public.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 124 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Green, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, McDonald, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Ryan, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Weisel, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1095—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes; and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved April 15, 1909.

Mr. Woodley asked for and was granted unanimous consent to withdraw Assembly Bill No. 1095, it being identical with Senate Bill No. 525.

Bill withdrawn and ordered stricken from the file.

Senate Bill No. 502—An Act to amend Section 1674 of the Political Code of the State of California, relating to union school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 502 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Ferguson, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Ryan, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 11—Relative to requesting our Senators in Congress to support "A bill, H. R. No. 22871," pending in the Senate of the United States.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 11 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bradford, Brown, Byrnes, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Ryan, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—50.

NOES—None.

Senate Joint Resolution No. 11 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 11.

Relative to requesting our Senators in Congress to support "A bill, H. R. No. 22871," pending in the Senate of the United States.

WHEREAS, A bill, House Resolution No. 22871, known as the Lever bill, providing for farm demonstrators under the direction of the colleges of agriculture of the various states of the United States, has passed the House of Representatives, in Congress of the United States, and is now pending in the Senate; therefore, be it

Resolved by the Senate and Assembly, jointly. That the Legislature heartily approves all of the provisions in said bill and hereby respectfully requests our Senators in Congress to vote for and use every honorable means to secure the passage of said bill by the Senate of the United States as it passed the House of Representatives, without alteration or amendment as to benefits provided; be it

Resolved, further, That copies of this resolution be sent by telegraph to each of the Senators from California in the Congress of the United States.

Senate Bill No. 504—An Act to amend Section 1740 of the Political Code of the State of California, relating to meetings of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 504 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, White, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 506—An Act to amend Section 1876 of the Political Code of the State of California, relating to contracts by boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 506 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Griffin, Guiberson, Hayes, Hinkle, Inman, Judson, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 412—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 1410a, relating to the water of all natural streams carrying water from the State of California into any other state, and defining relative rights to the waters of such streams.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 412 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Guiberson, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 165—An Act authorizing the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Morgenstern moved a call of the House.

Motion carried.

Time, two o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates,

Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Messrs. Ambrose and Nelson were brought to the bar of the House, and, on motion, excused.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Brown.

The roll of absentees was called, and Senate Bill No. 165 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Canepa, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Ryan, Scott, Shartel, Smith, Strine, Stuckenbruck, Sutherland, White, Woodley, and Mr. Speaker—47.

NOES—Messrs. Alexander, Brown, Byrnes, Cary, Clarke, Geo. A., Fish, Ford, Griffin, Guiberson, Johnson, Geo. H., Kingsley, Kuck, McCarthy, Murray, Nelson, Palmer, Richardson, Roberts, Shannon, Shearer, Simpson, Slater, Tulloch, Wall, Weisel, and Weldon—26.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Polsley gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 165 was this day passed.

SPECIAL ORDER.

The hour of one o'clock and thirty minutes p.m. having passed, the special order heretofore set for this hour was taken up for consideration.

During third reading of the bill, Mr. Smith moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, after the word "who", add the following: "prior to the first day of April, 1915, kills".

Also: On page 1, line 4, after the comma following the word "shipment", insert "or has in his possession".

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bloodgood, Brown, Dower, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Kingsley, Libby, McCarthy, Morgenstern, Polsley, Simpson, Slater, Smith, Stuckenbruck, Tulloch, and Weldon—20.

NOES—Messrs. Ambrose, Bagby, Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Strine, Sutherland, Weisel, White, and Mr. Speaker—47.

Mr. Slater moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, strike out the word "and" after the words "wild geese", and insert a comma and the words "and wild duck".

Also: On page 1, line 5, strike out the word "and" and after the words "wild geese" insert a comma and the words "and wild duck".

Also: On page 1, line 5, strike out the word "and", and after the words "wild geese" insert a comma, and the words "and wild duck".

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Beck, Brown, Canepa, Collins, Ferguson, Ford, Kingsley, Libby, McCarthy, Palmer, Polsley, Richardson, Simpson, Slater, Smith, Stuckenbruck, and Weldon—18.

NOES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Pears, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—46.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out the enacting clause.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Beck, Bloodgood, Brown, Canepa, Collins, Ford, Kingsley, McCarthy, Morgenstern, Polsley, Richardson, Simpson, Slater, Smith, Stuckenbruck, and Weldon—16.

NOES—Messrs. Ambrose, Bagby, Benedict, Bowman, Bradford, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Pears, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—51.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1289 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—50.

NOES—Messrs. Beck, Brown, Canepa, Collins, Ferguson, Fitzgerald, Ford, Kingsley, Libby, McCarthy, Palmer, Richardson, Simpson, Slater, Smith, Stuckenbruck, and Weldon—17.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Polsley gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1289 was this day passed.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated

as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until next legislative day.

Assembly Bill No. 287—An Act to divide the State of California into fish and game districts, to regulate and license the hunting of wild birds and animals, to provide revenue therefrom and for game and fish preservation and restoration.

During third reading of the bill, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 3, strike out the word "July", and insert in lieu thereof the word "August".

Motion carried.

The Speaker appointed Mr. Weldon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 287, with instructions, do now report that the instructions of the Assembly have been carried out.

WELDON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

During third reading of the bill, Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

In line 7 of the title, between the word "establish" and the word "uniform", insert the words "within the State of California".

Also: In line 10 of the title strike out the word "therein".

Also: By striking out the words "in every incorporated city, except", in line 1, and all of lines 2 and 3, and the words "mission composed of five members", in line 4, all on page 1, and inserting in lieu thereof the words "Every incorporated city, except those of the fifth and sixth class, and every city and county is hereby authorized to establish and maintain a municipal milk commission composed of three members."

Also: By striking out the word "four", in line 6, on page 1, and inserting in lieu thereof the word "two".

Also: By striking out the words "and practicing physician, one a regularly licensed," in line 4 on page 2.

Also: By striking out the words "two shall be practical dairymen", and inserting in lieu thereof the words "one shall be a practical dairyman", in line 5, on page 2.

Also: By striking out the words "the legislature hereby declares that the provisions", in line 13, and all of lines 14 to 23, inclusive, and the words "population than the fourth class, and cities and counties", in line 24, all on page 2.

Also: By inserting the word "similar" after the word "other", in line 3, on page 3.

Also: By striking out the period after the word "act", in line 5, on page 3, and inserting in lieu thereof a semicolon and the following: "and the said milk commission shall have sole jurisdiction over the matters and things in this Subdivision 2 of Section 1 specified."

Also: By striking out the words "or if the", in line 10, and all of lines 11 to 36, both inclusive, on page 6, and also all of lines 1 and 2, on page 7.

Also: By striking out all of lines 29 to 37, both inclusive, on page 7, and all of lines 1, 2 and 3, on page 8.

Also: By inserting after the word "temperature", in line 19, on page 11, the words ", except during pasteurization,".

Also: By inserting after the word "distributor", in line 32, on page 11, the words "or creamery".

Also: By inserting at the beginning of line 34, on page 11, and before the words "as soon" the word "either".

Also: By striking out the words and figures "Sections 5, 6 and 10 of", in line 8, on page 13.

Also: By striking out the words and figures "Sections 5, 6 and 10 of", in line 23, on page 13.

Also: By striking out the words and figures "Sections 5 and 6 of", in line 28, on page 13.

Also: By striking out all after the letters "ties," in line 1, and all of lines 2, 3 and 4, and the words "cent of milk fat", in line 5, all on page 14.

Also: By striking out the words and figures "Sections 5, 6 and 10 hereof", in line 27, on page 14, and inserting in lieu thereof the words "this Act".

Also: By striking out the words "or which has not been produced", in line 12, and all of line 13, and the words and figures "of Sections 5, 6 and 10 of this Act", in line 14, all on page 19.

Also: By striking out the words "or which has", in line 20, and all of line 21, and all of line 22, except the word "or", all on page 19.

Also: By striking out all of Section 14 on page 20.

Also: By striking out the figures "15" following the word "Sec.", in line 23, on page 20, and inserting in lieu thereof the figures "14".

Also: By striking out the figures "16" following the word "Sec.", in line 34, on page 20, and inserting in lieu thereof the figures "15".

Also: By striking out the figures "17" following the word "Sec.", in line 29, on page 21, and inserting in lieu thereof the figures "16".

Also: By striking out the figures "18" following the word "Sec.", in line 1, on page 22, and inserting in lieu thereof the figures "17".

Also: By adding after line 8, on page 22, the following: "Sec. 18. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed."

Also: By striking out the word "side-looking", in line 24, on page 9, and inserting in lieu thereof the word "side-looking".

On request of Mr. Fish, consideration of motion postponed until next legislative day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 1626—An Act to require county recorders to furnish the Surveyor General of the State of California with certificates of the status of sixteen and thirty-sixth sections and providing the fee therefor.

Assembly Bill No. 1627—An Act to amend Section 3494 of the Political Code of the State of California, relating to the sale of school lands.

Assembly Bill No. 1628—An Act to amend an Act entitled "An Act providing for the conveyance by quitclaim deed, from the State of California to the Government of the United States, of certain lands erroneously conveyed or patented to said State by said Government," approved May 1, 1911.

Assembly Bill No. 1624—An Act to amend Section 3998 of the Political Code of the State of California, relating to the Surveyor General being the general agent of the State for the location in the United States land offices of lieu and indemnity land; relating also to locations in United States land offices of lands desired to be selected in lieu of grants made to the State, and said section as hereby amended also providing that the Surveyor General shall not perfect or amend selections made on or before March 24, 1909, and also providing that no further action thereon shall be taken and also relating to amending or correcting selections, re-selections, amended selections, designations and re-designations.

Assembly Bill No. 1625—An Act to amend an Act entitled "An Act providing for the cancellation of all liens for taxes on any sixteenth or thirty-sixth section, or legal subdivision thereof, which sixteenth or thirty-sixth section, or legal subdivision thereof, has been or may hereafter be used as bases for lieu selections, in accordance with the provisions of Section 3406 of the Political Code," approved May 1, 1911, by amending Section 1 thereof relating to the cancellation of liens for taxes on sixteenth and thirty-sixth sections used as bases for lieu land selections, or to be used in the adjustment and settlement of any controversy regarding the school land grant made by Congress to the State of California.

Also: Assembly Joint Resolution No. 20—Relative to a federal income tax.

And were presented to the Governor this tenth day of April, 1913, at two o'clock p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under Title XVI thereof, to be numbered 681, prohibiting the use of cruel and unusual punishments in state prisons and reformatory institutions.

Assembly Bill No. 16—An Act providing for the free use of all public schoolhouses and property, and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance, conduct and management of the same.

Assembly Bill No. 100—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 544a, relating to service of civil process on all corporations or firms other than state, county, municipal or district corporations, doing business in more than one county in this State.

Assembly Bill No. 316—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending Sections 2, 3, 4, 5, 6 and 7½ thereof, by adding a new section thereto, to be known and numbered as Section 6½, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries and prescribing penalties for violations of this Act.

Assembly Bill No. 817—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school systems of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California, by James W. Marshall.

Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts

of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof and by adding three new sections, to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering and making certain acts a misdemeanor.

Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof.

Assembly Bill No. 1120—An Act to amend Section 1696 of the Political Code of the State of California, relating to making report, transfer, attendance in the public schools of the State of California.

Assembly Bill No. 1344—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the power of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals.

Assembly Bill No. 1450—An Act to amend Section 627b of the Penal Code of the State of California, relating to the protection of fish and game.

Assembly Bill No. 1516—An Act to repeal Section 669 of the Penal Code of the State of California, relating to second term of imprisonment.

Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

Assembly Bill No. 1665—An Act to amend Section 1662 of the Political Code, relating to the number of years of instruction in the day and evening elementary schools; to the age of admission to the day and evening schools and to the providing of separate schools for Indian, Mongolian and Chinese children and to the exclusion of children of filthy and vicious habits from school.

Assembly Bill No. 1763—An Act to amend Section 1 of an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners, confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by making the judge of the Superior Court one of said commissioners.

Assembly Bill No. 1846—An Act regulating loans of money on assignment of wages and salaries; fixing a maximum rate of interest, and providing penalties thereof.

Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d, and 626f of the Penal Code of the State of California, relating to the protection of fish and game.

Also: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

Also: Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California, an amendment to the Constitution amending Article VI thereof, by inserting therein a new section, to be known as Section 4a, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act pro tempore as justices of said District Courts of Appeal to hold such extra sessions thereof.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations; and providing penalties therefor.

Assembly Bill No. 600—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Assembly Bill No. 675—An Act to add a new section to the Political Code, to be known as Section 4291a.

Assembly Bill No. 982—An Act to promote the safety of employees of electric light, power, telephone and telegraph plants and electric street railways, and providing a penalty for the violation thereof.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as Section 1202a, relating to indeterminate sentences.

Also: Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1204—An Act to amend Title V of Part III of the Political Code by adding and enacting new chapters, to be designated Chapters 1, 1a, 1b, 1c, 1d and 1e, relating to and creating a state board of administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the appointment and duties of an advisory board to be known as the state board of charities and corrections; providing for the government and management by said board of administration of the state hospitals for the insane and other incompetent persons, the state schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said Title V of Part III of the Political Code by renumbering Chapter 1c thereof, relating to the Woman's Relief Corps Home of California and designating said chapter as Chapter 1f, and to repeal Chapter 1 of Title V of Part III of the Political Code, relating to the State Commission in Lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and Chapter 1b of Title V of Part III of the Political Code, relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto, and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911, in so far as the provisions of said Act conflict with this Act; and to repeal all Acts and parts of Acts in conflict with this Act—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Alexander, Miss Ethel Black was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. F. A. Bondshu was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Griffin, Judge E. N. Rector was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At five o'clock and forty-five minutes p.m., on motion of Mr. Brown, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.
Friday, April 11, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Bradford:

WHEREAS, The recent disastrous floods in the Middle West have emphasized the grave and immediate necessity for the completion of some plan which will effectually protect the lives and property within the Sacramento and San Joaquin valleys from possible flood conditions in the rivers of such valleys; and

WHEREAS, After twenty years' investigation, the engineering authorities of the United States have agreed that the only practicable plan which can, at this time, accomplish the purpose, serving at the same time the ends of navigation, flood control, reclamation and debris control, is the plan formulated by the California Debris Commission, formally adopted by the State of California, and now being carried to completion through co-operation of the Nation, the State and private interests; and

WHEREAS, Such plan will permanently reclaim from possible injury from flood a district in the Sacramento and San Joaquin valleys aggregating nearly 2,000,000 acres of the most valuable land in the world, only a portion of which is now under reclamation and that portion subject to possible disaster at any time; and

WHEREAS, The district referred to, once permanently and effectively reclaimed, would add, in time, at least \$200,000,000 to the property values in the State of California; and

WHEREAS, It appears that there are certain grave defects in the present legislation of the State of California and certain lack of power and authority which serve as a bar to the speedy completion of this plan; and

WHEREAS, It appears that Senate Bill No. 1218, known as the "Rush" or "Shinn" bill, has been framed to remedy the defects referred to, and has been for weeks past under consideration by reclamation interests and authorities from all portions of the State, and, in its present amended condition, meets general commendation; and

WHEREAS, The corporation counsel of the city of Sacramento advises that Senate Bill No. 1218 is the only feasible plan which has been presented to remedy the defects referred to and is the best measure of the kind and the most carefully guarded which has been suggested or framed; be it, therefore,

Resolved, That the Chamber of Commerce of Sacramento, incorporated, place itself on record as being heartily in favor of the passage of Senate Bill No. 1218, or its companion bill, Assembly Bill No. 1944, and urge every Senator and Assemblyman to give the same his hearty support; and be it further

Resolved, That the citizens of Sacramento and of the entire Sacramento and San Joaquin valleys be asked to give this measure immediate and earnest aid; and be it further

Resolved, That a copy of these resolutions be sent to every Senator and Assemblyman.

SACRAMENTO CHAMBER OF COMMERCE.

Also:

WHEREAS, There is now pending before the Legislature of the State of California a measure having for its purpose and object the enlargement and increase of the powers, duties and responsibilities of the State Reclamation Board, and the creation of a district of lands situate within the Sacramento and the San Joaquin valleys and susceptible to inundation from the flood waters of said rivers and their tributaries, to be placed under the jurisdiction and control of said reclamation board to the end that all works of reclamation hereafter inaugurated within said district may be made to conform to one general and comprehensive plan of reclamation, having for its object the safe reclamation of so much of the lands within said district as may be safely reclaimed, and the construction of such works as may be necessary to provide a safe means for the escape of the flood waters of said rivers and their tributaries by means of by-passes and artificial channels into the waters of Suisun Bay, in conformity with the plans and recommendations of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, together with such modifications and amendments thereof as have been heretofore adopted or may hereafter be adopted by said reclamation board; and

WHEREAS, Owing to the reclamation of large bodies of land situate within the basins adjacent to said Sacramento River and its tributaries which have heretofore formed natural reservoirs for the storage and passage of the flood waters of said rivers and the consequent exclusion by means of such works of reclamation of such waters from such basins, thereby greatly increasing the volume of water which must necessarily be confined within the natural channels of said rivers, with a consequent increase in the height of the flood plane thereof to such an extent as to

endanger the levees protecting the lands situate near the banks of said rivers, including the territory comprised within the limits of the city of Sacramento; and

WHEREAS, It is deemed by the city commission of the city of Sacramento that it is of vital interest to the welfare of said city that legislation should be adopted vesting in said reclamation board the powers, duties and responsibilities hereinabove referred to; now, therefore, be it

Resolved, That such pending legislation be, and the same is, hereby approved by the city commission of the city of Sacramento; and be it further

Resolved, That the Senate and Assembly of the State of California be, and they are hereby, respectively respectfully requested to enact said measures as the same may be reported back from their respective committees upon drainage, swamp and overflowed lands, together with such amendments as may be recommended for adoption by said committees; and be it further

Resolved, That in the event of the passage of such measure by the Legislature of the State of California, his Excellency the Governor be respectfully requested to approve the same.

I hereby certify that the foregoing is a full, true and correct copy of a certain resolution adopted by the city commission of the city of Sacramento, county of Sacramento, State of California, at a regular meeting of said commission held on the 3d day of April, 1913, and that the original of said resolution is on file in my office.

[SEAL]

M. J. DESMOND,

City Clerk of the city of Sacramento, county of Sacramento, State of California.

COMMUNICATION.

The following communication was filed, and ordered printed in the Journal:

WASHINGTON, D. C., April 10, 1913.

Hon. L. B. Mallory, Chief Clerk of the Assembly, Sacramento, Cal.:

After forwarding copy of resolution of California Legislature to Secretary of Agriculture on grazing on reserves because of want of feed elsewhere, the Secretary had investigation made by Chief Forester, and to-day conference was had with the Secretary of Agriculture, officers of Forest Service and California delegation. Secretary of Agriculture will immediately take matter up personally with chief of forest service in California; and assistant forester has left for California to take this matter up with local officers. Would suggest that joint committee be appointed to take up this matter personally with the officers in charge of forest service in California, who will have directions by the time you receive this from the Secretary of Agriculture, and thereby you will be able to present all facts, and undoubtedly you will obtain temporary relief. Secretary of Agriculture advised us that everything would be done to relieve the situation that was in the power of the department. Keep me advised, and if there is anything further in the matter to be had at this end of the line, advise me.

JOHN E. RAKER, M. C.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services and earnings of legitimate unmarried minor children.

Also: Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 277?"

In Section 5, line 1, strike out the word "shall", and insert in lieu thereof the word "may".

The roll was called, and Senate amendment to Assembly Bill No. 277 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clarke, Geo. A., Ellis, Emmons, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Hinkle, Johnston, Geo. H., Johnston, T. D., Kingsley, Moorhouse, Morgenstern, Mouser, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 199?"

On page 1, line 7, strike out the word "thereto", and insert in lieu thereof the following: "to its custody, services and earnings."

Also: On page 1, line 4, after the word "are", insert the word "equally".

Also: On page 1, line 4, strike out the word "jointly".

The roll was called, and Senate amendments to Assembly Bill No. 199 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Chandler, Clarke, Geo. A., Emmons, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weldon, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1040?"

On page 1, line 6, of the printed bill, after the word "expenses", insert the following: "and expenses of last sickness".

The roll was called, and Senate amendment to Assembly Bill No. 1040 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Finnegan, Fitzgerald, Gabbert, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Polsley, Roberts, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weldon, Wyllie, and Mr. Speaker—46.

NOES—Messrs. Murray and Schmitt—2.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1719 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco, for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Also: Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds." approved April 7, 1911.

Also: Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532a.

Also: Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the committee substitute for Senate Concurrent Resolution No. 23—Relative to the appointment of a committee to investigate certain charges against the Secretary of State.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Read and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 8, 1913, adopted the report of the Committee on Free Conference on Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of July, 1915, but not thereafter.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

INTRODUCTION OF ASSEMBLY CONCURRENT RESOLUTION.

The following Assembly concurrent resolution was introduced, and referred as indicated:

By Mr. Wall: Assembly Concurrent Resolution No. 26—Relative to the payment of expenses incurred by the joint commission appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm.

Read, and referred to Committee on Contingent Expenses.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Benedict:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the payment of municipal bonds before maturity.

Referred to Committee on Introduction of Bills.

By Mr. Schmitt:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act relating to the use and furnishing stamps, coupons, tickets, certificates, cards or other similar devices for or with the sale of goods, wares and merchandise, and providing the penalty for the violation thereof.

Referred to Committee on Introduction of Bills.

By Mr. Tulloch:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by adding thereto a new section to be known and designated as Section 54a.

Referred to Committee on Introduction of Bills.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Polsley:

Resolved, That whereas, F. M. Newbert, R. D. Duke, W. H. Shebley and Ernest Schaeffle, in the employ of the Fish and Game Commission during the months of January, February, March and up to and including the tenth day of April, 1913, have been actively engaged in lobbying in the interest of certain bills before the Legislature and concerning which there is much difference of opinion among the people of the State; and

WHEREAS, Said employees are credited with receiving large sums as salary and expenses for their services; therefore, be it

Resolved, That the Fish and Game Commission be requested to furnish to this House, within five days from the date hereof, an itemized statement of salaries and expenses for the months of January, February, March, up to and including April 10, 1913; also, for the months of July, August, September and October, 1912; and also a detailed report of the services performed, giving manner of services and places where performed.

Dated this 11th day of April, 1913.

Read, and referred to Committee on Rules.

By Mr. Brown:

Resolved, That commencing on April 14, 1913, the sessions of the Assembly shall be held as follows, viz: From nine o'clock and thirty minutes a.m. to twelve o'clock m.; from two o'clock p.m. to four o'clock and thirty minutes p.m., and from eight o'clock p.m. to ten o'clock p.m., unless otherwise ordered by the Assembly. And that at evening sessions the third-reading file shall be first considered.

Read, and referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Con-

stitution of the State of California by amending Section 14 of Article XIII (13), relating to revenue and taxation.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 1 adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Emmons, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Schmitt, Scott, Shamon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Wyllie, and Mr. Speaker—57.

NOES—None.

Assembly Constitutional Amendment No. 1 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 1.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

The legislature of the State of California at its regular session commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California so that Section 14 of Article XIII of said constitution shall read as follows:

Section 14. Taxes levied, assessed and collected as hereinafter provided upon railroads, including street railways, whether operated in one or more counties; sleeping car, dining car, drawing room car and palace car companies, refrigerator, oil, stock, fruit, and other car-loaning and other car companies operating upon railroads in this state; companies doing express business on any railroad, steamboat, vessel or stage line in this state; telegraph companies; telephone companies; companies engaged in the transmission or sale of gas or electricity; insurance companies; banks, banking associations, savings and loan societies, and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for state purposes, and shall be levied, assessed and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint-stock associations, companies, and corporations.

(a) All railroad companies, including street railways, whether operated in one or more counties; all sleeping car, dining car, drawing-room car, and palace car companies, all refrigerator, oil, stock, fruit and other car-loaning and other car companies, operating upon the railroads in this state; all companies doing express business on any railroad, steamboat, vessel or stage line in this state; all telegraph and telephone companies; and all companies engaged in the transmission or sale of gas or electricity shall annually pay to the state a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof, used exclusively in the operation of their business in this state, computed as follows: Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation of such companies and each thereof within this state. When such companies are operating partly within and partly without this state, the gross receipts within this state shall be deemed to be all receipts on business beginning and ending within this state, and a proportion, based upon the proportion of the mileage within this state to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this state. The percentages above mentioned shall be as follows: On all railroad companies, including street railways, four and three fourths per cent; on all sleeping car, dining car, drawing-room car, palace car companies, refrigerator, oil, stock, fruit and other car-loaning and other car companies, four per cent; on all companies doing express business on any railroad, steamboat, vessel or stage line, two per cent; on all telegraph and telephone companies, four and two tenths per cent; on all companies engaged in the transmission or sale of gas or electricity, four and six tenths per cent. Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property above enumerated of such companies except as otherwise in this section provided; *provided*, that nothing herein shall be construed to release any such company from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any of the municipal authorities of this state.

(b) Every insurance company or association doing business in this state shall annually pay to the state a tax of one and three fourths per cent upon the amount of the gross premiums received upon its business done in this state, less return

premiums and reinsurance in companies or associations authorized to do business in this state; *provided*, that there shall be deducted from said one and one half per cent upon the gross premium the amount of any county and municipal taxes paid by such companies on real estate owned by them in this state. This tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property of such companies, except county and municipal taxes on real estate, and except as otherwise in this section provided; *provided*, that when by the laws of any other state or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this state, doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other state or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the legislature upon insurance companies of such other state or country doing business in this state.

(c) The shares of capital stock of all banks, organized under the laws of this state, or of the United States, or of any other state and located in this state, shall be assessed and taxed to the owners or holders thereof by the state board of equalization, in the manner to be prescribed by law, in the city or town where the bank is located and not elsewhere. There shall be levied and assessed upon such shares of capital stock an annual tax, payable to the state, of one per centum upon the value thereof. The value of each share of stock in each bank, except such as are in liquidation, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank. This tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon such shares of stock and upon the property of such banks, except county and municipal taxes on real estate and except as otherwise in this section provided. In determining the value of the capital stock of any bank there shall be deducted from the value, as defined above, the value, as assessed for county taxes, of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. The banks shall be liable to the state for this tax and the same shall be paid to the state by them on behalf of the stockholders in the manner and at the time prescribed by law, and they shall have a lien upon the shares of stock and upon any dividends declared thereon to secure the amount so paid.

The moneyed capital, reserve, surplus, undivided profits and all other property belonging to unincorporated banks or bankers of this state, or held by any bank located in this state which has no shares of capital stock, or employed in this state by any branches, agencies, or other representatives of any banks doing business outside of the State of California, shall be likewise assessed and taxed to such banks or bankers by the said board of equalization, in the manner to be provided by law, and taxed at the same rate that is levied upon the shares of capital stock of incorporated banks, as provided in the first paragraph of this subdivision. The value of said property shall be determined by taking the entire property invested in such business, together with all the reserve, surplus, and undivided profits, at their full cash value, and deducting therefrom the value as assessed for county taxes of any real estate other than mortgage interests therein, owned by such bank and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property of the banks and bankers mentioned in this paragraph, except county and municipal taxes on real estate and except as otherwise in this section provided. It is the intention of this paragraph that all moneyed capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in the first paragraph of this subdivision. In determining the value of the moneyed capital and property of the banks and bankers mentioned in this subdivision, the said state board of equalization shall include and assess to such banks all property and everything of value owned or held by them which go to make up the value of the capital stock of such banks and bankers, if the same were incorporated and had shares of capital stock. The word "banks" as used in this subdivision shall include banking associations, savings and loan societies and trust companies, but shall not include building and loan associations.

(d) All franchises, other than those expressly provided for in this section, shall be assessed at their actual cash value, in the manner to be provided by law, and shall be taxed at the rate of one per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the state.

(e) Out of the revenues from the taxes provided for in this section, together with all other state revenues, there shall be first set apart the moneys to be applied by the state to the support of the public school system and the state university. All property enumerated in subdivisions *a*, *b*, and *d* of this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, before the adoption of this section. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for state purposes.

(f) All the provisions of this section shall be self-executing, and the legislature shall pass all laws necessary to carry this section into effect, and shall provide for a valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the state board of equalization and any other officers in connection with the administration thereof. The rates of taxation fixed in this section shall remain in force until changed by the legislature, two thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts and gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section; and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the legislature. Until the year 1918 the state shall reimburse any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation. The legislature shall provide for reimbursement from the general funds of any county to districts therein where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for state purposes only.

(g) No injunction shall ever issue in any suit, action or proceeding in any court against this state or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such manner and at such time as may now or hereafter be provided by law.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and thirty minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 1731—An Act to amend Section 1366a of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

By striking out of Section 1, page 2, line 2, the words "or shall have changed", and inserting in lieu thereof the following: "or shall wish to register as a member of some new political party, organized within six months of the date of beginning of registration."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1731 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Polsley, Richardson, Roberts, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—49.

NOES—Mr. White—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section, to be known as Section 26, relating to the rights of men.

The question being on the pending motion of Mr. Kingsley to appoint a select committee of one to amend the bill as follows:

On page 1, line 8, strike out all after "Section 26", to and including line 8 on page 2, and insert in lieu thereof the following:

"The state shall engage in such work of internal improvements for the development of such of its natural resources and the production, distribution and exchange of such commodities, as the legislature or the people may from time to time designate; and to that end the legislature shall enact laws and establish agencies to accomplish the objects above enumerated, and also the employment of the citizens of the state in need of employment at a reasonable living wage. The profits derived from all such enterprises shall be employed in the extension, betterment and maintenance thereof; *provided*, that in case of a surplus, the legislature shall direct the disposition to be made of such surplus."

Motion carried.

The Speaker appointed Mr. Kingsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 43, with instructions, do now report that the instructions of the Assembly have been carried out.

KINGSLEY, Select Committee.

Report of select committee and amendment adopted.

Constitutional amendment ordered to reprint, re-engrossment, and on file for passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the state school land fund.

Mr. Chandler moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1112 considered.

Mr. Chandler moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1112, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1228 refused passage by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Emmons, Gabbert, Hayes, Hinkle, Inman, Libby, McCarthy, Morgenstern, Nolan, Richardson, Scott, Shannon, Shartel, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, and Mr. Speaker—28.

NOES—Messrs. Ambrose, Bloodgood, Brown, Byrnes, Canepa, Chandler, Clarke, Geo. A., Fish, Gates, Guiberson, Guill, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse, Mouser, Murray, Polsley, Roberts, Schmitt, Simpson, Smith, Strine, and Tulloch—26.

NOTICE OF MOTION TO RECONSIDER.

Mr. Smith gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1228 was this day refused passage.

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, Section 1, line 12, strike out the word "five", and insert in lieu thereof the following: "not to exceed seven".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1297, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1255 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Collins, Emmons, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 930—An Act to amend an Act entitled “An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, and making certain acts a felony and repealing an Act entitled ‘An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,’ approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled ‘An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,’ approved April 1, 1897; also, repealing an Act entitled ‘An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,’ approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled ‘An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,’ approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled ‘An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,’ approved April 1, 1897,

and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof and by adding three new sections, to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering, and making certain acts a misdemeanor, and repealing Section 1½ of said Act.

Mr. Chandler asked for and was granted unanimous consent to have the above Assembly bill re-referred to Committee on Roads and Highways.

TIME FOR RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until the business before the house be disposed of.

RESOLUTION.

The following resolution was offered:

By Mr. Hayes:

WHEREAS, The all-wise and bountiful Heavenly Father has showered His blessings upon the home of our esteemed Assemblyman, the Hon. John H. Guill, by bringing "out of the somewhere in the here" a bouncing baby boy; therefore, be it

Resolved by the Assembly, That we extend to our fellow Assemblyman our congratulations; and be it further

Resolved, That a copy of these resolutions be printed in the Journal, and a copy of said Journal be mailed to the happy mother, Mrs. J. H. Guill, at Chico, California.

Resolution read, and on motion adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Also: Assembly Bill No. 288—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Also: Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 536—An Act to improve the quality of dairy products and promote

sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor—have had the same under consideration, and respectfully report the same back without recommendation.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 944—An Act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same, for the holding of agricultural fairs, exhibitions and displays, creating a commission to select the location or site for such fairs, exhibitions or expositions, appropriating money to pay the expenses of such commission, and repealing all Acts and parts of Acts in conflict with this Act.

Also: Assembly Bill No. 1250—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College and making appropriations therefor.

Also: Assembly Bill No. 1022—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Also: Assembly Bill No. 192—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 193—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Also: Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Also: Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 364—An Act to amend section four thousand two hundred and thirty-six of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class—have had the same under consideration, and respectfully report the same back with recommendation that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Also: Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 626g, relating to sea otter—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 2033—An Act concerning fish and game and prohibiting the hunting or taking of the same upon private property under certain circumstances—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 1695—An Act to authorize and empower the board of trustees of Whittier State School to sell and convey all or any part of the lands and buildings of said school, and from the proceeds of such sale to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

ELLIS, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Senate Bill No. 524—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STRINE, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 321—An Act to amend an Act entitled "An Act to add a new section to the Political Code, to be known as Section 1665a, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools, in which shall be taught the French, Italian and German languages in connection with the English branches," approved March 18, 1909,

relating to cities of the first and first and one half classes—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STRINE, Chairman.

The above reported bill ordered on file for second reading.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Universities, to whom was referred Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library and the various county free libraries of California, for the purpose of carrying on a practical system of university extension—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GATES, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 841—An Act to amend Section 2641 of the Political Code, relating to road districts, road commissioners and road engineers—have had the same under consideration, and respectfully report the same back, without recommendation, and ask that it be re-referred to the Committee on County Government.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on County Government.

ON REVISION OF CRIMINAL PROCEDURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to whom was referred Assembly Bill No. 1065—An Act to amend Section 476a of the Penal Code of the State of California, relating to the making, drawing, uttering or delivering of bank checks with intent to defraud—have had the same under consideration, and respectfully report the same back, without recommendation.

WEISEL, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1620—An Act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain state buildings and grounds—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do not pass as amended.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 991—An Act to amend Section 319 of the Penal Code of California, relating to lotteries.

Also: Senate Bill No. 992—An Act to amend Section 320 of the Penal Code of California, relating to lotteries.

Also: Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered three hundred and twenty-seven, relating to lotteries and providing a penalty for the violation thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

NELSON, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1248—An Act to establish a state censor committee to censor moving-picture films and to regulate the use thereof in the State of California—have had the same under consideration, and respectfully report the same back as amended without recommendation as to passage, and recommend it be re-referred to Committee on Ways and Means.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1345—An Act to amend Section 1 of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 880—An Act to amend Sections 412, 413 and 414 of the Penal Code of the State of California and to add two new sections to said code, to be designated as Sections 412a and 413a, relating to prize fights, prohibiting the same, defining the duties of certain officers in connection therewith, and fixing the penalties for engaging in such fights, and for aiding or abetting the same—have had the same under consideration, and respectfully report the same back, without recommendation.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock and twenty minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 12—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or all of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 73—An Act providing for the construction and equipment of two dormitories at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out the words "two dormitories" in the title of the Act, and substitute therefor "one dormitory".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the word "eighty", and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 1, of the printed bill, strike out the numerals "\$80,000", and insert in lieu thereof the numerals "\$40,000".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 5, of the printed bill, strike out the words "two dormitories", and insert in lieu thereof the words "one dormitory".

Amendment adopted.

Bill read second time.

Assembly Bill No. 97—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mt. Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 198—An Act providing for the support, maintenance and equipment of the Department of Agriculture of the University of California, including the station at Berkeley, and the various substations throughout the State, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, lines 1 and 2, of printed bill, strike out everything from and inclusive of the word "eight" in line 1, down to and inclusive of the numerals "\$814,360)", in line 2, and insert in lieu thereof the following: "Seven hundred thousand (\$700,000)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 385—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 271—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and the Treasurer of the State in relation thereto.

Bill read second time.

Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill, and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Bill read second time.

Assembly Bill No. 582—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 665—An Act making an appropriation for university extension work for the University of California.

Bill read second time.

Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Bill read second time.

Assembly Bill No. 1023—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Bill read second time.

Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Bill read second time.

Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Bill read second time.

Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Bill read second time.

Assembly Bill No. 98—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 13, strike out the word "four."

Amendment adopted.

AMENDMENT No. 2.

On page 4, line 35, strike out the words "and others" where they appear immediately after the word "grant".

Amendment adopted.

AMENDMENT No. 3.

On page 4, line 36, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 37, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 5.

On page 5, line 2, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 6.

On page 5, line 4, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 7.

On page 7, line 12, strike out the words "foreign born person" and insert in lieu thereof the word "alien".

Amendment adopted.

AMENDMENT No. 8.

On page 7, lines 15 and 16, strike out the words "foreign born person" and insert in lieu thereof the word "alien".

Amendment adopted.

AMENDMENT No. 9.

On page 7, Section 11, line 20, insert after the "period" following the word "California" the following words: "For the purposes of this Act the word alien shall refer to all persons who are not native born or who have not received their final citizenship papers under the naturalization laws of the United States."

Amendment adopted.

Bill read second time.

Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 2, of printed bill, insert a comma after the word "appropriated".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 2 and 3, strike out everything from and inclusive of the word "out" in line 2, down to and inclusive of the word "appropriated," in line 3, and insert in lieu thereof the following: "said amount to be drawn from the San Francisco Harbor Improvement Fund,".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1633—An Act appropriating money for the purchase of land adjoining the campus of the San Diego State Normal School.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1, of the title of the printed bill, after the word "of," strike out the words "land adjoining the campus of the," and insert in lieu thereof the following: "additional land for the".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 4, of the printed bill, after the word "appropriated," strike out the balance of Section 1, and insert in lieu thereof after the word "appropriated" a comma and the following words: "to be used by the trustees of the San Diego State Normal School to purchase additional land adjacent to and to become part of the present property of said school. Title to the land so purchased shall be taken in the name of the State of California, and shall have the approval of the attorney general of the state. The deed or deeds to the land shall be delivered by the owner or owners to said trustees upon payment of the purchase price. Said deed or deeds shall be filed in the office of the secretary of state."

Amendment adopted.

Bill read second time.

Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the state forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Board of Forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations or corporations; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable débris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the

cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the Laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line 15, of the title, after the word "corporations" and before the semicolon, insert the following: "and for agreements between the state board of forestry and the federal government".

Amendment adopted.

AMENDMENT No. 2.

On page 5, line 15, after the period, add the following: "The state board of forestry is further empowered to enter into agreements with the federal government upon such terms as may be deemed advisable or as may be provided by law, for the purpose of co-operating in the prevention and suppression of forest fires. All sums chargeable to the state on account of any co-operative agreement as provided in this section shall be paid from the appropriation for fire protection."

Amendment adopted.

AMENDMENT No. 3.

On page 6, line 19, strike out the word and figure "six (6)", and insert in lieu thereof the following: "eight (8)".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 222—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section, to be designated as 731a, relating to the abatement of public nuisances and by whom actions may be instituted for such purpose.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 1084—An Act to give the Reclamation Board of the State of California the right of action for the State in cases involving the diversion of streams and the impairment of natural reservoirs for flood waters.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1 strike out all of lines 1, 2, 3, 4 and 5, and insert in lieu thereof the following:

"SECTION 1. The right of action is hereby conferred upon the reclamation board, in behalf of the people of the State of California, by judicial proceedings, to prevent the diversion of streams from their natural course, except under an appropriation made in pursuance of law, and also to prevent the impairment of natural reservoirs for flood waters, when such diversion or impairment will impair or destroy lands that have been reclaimed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1334—An Act to amend Sections 339 and 340 of the Code of Civil Procedure of the State of California, relating to time of commencing actions other than for the recovery of real property.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the following words in italics: "*Within two years.*"

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 3, strike out the following words in italics: "*Within one year.*"

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1338—An Act to amend Section 204 of the Code of Civil Procedure of the State of California, relating to the selection of jurors for courts of record.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "Section".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1340—An Act to amend Sections 226 and 227 of the Code of Civil Procedure of the State of California, relating to the drawing and summoning of jurors.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "Section".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 3, strike out the word "Section".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 95—An Act defining and relating to wage-brokers; regulating assignments of wages and salaries as securities for loans; and fixing a maximum rate of interest for loans upon wages and salaries, and providing penalties for the violation thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 26, after the word "one", insert the words "and one half".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 38—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Page 1, Section 1, line 4, strike out the word "by", and insert in lieu thereof the word "be".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 27, strike out all of Section 5, also lines 1 and 2, on page 3, and insert in lieu thereof the following:

"SEC. 5. No nurse shall be placed in charge of any training school connected with a hospital, or in charge of any surgical, obstetrical, or medical department of such hospital, unless he or she shall be licensed by the state board of health for the purposes of this Act. Such license may be revoked by the state board of health after ten days' written notice given by mail to the holder thereof, for inefficiency or bad moral character upon proof of same."

Amendment adopted.

AMENDMENT No. 3.

On page 3, Section 7, line 22, strike out the word "felony", and insert in lieu thereof the word "misdemeanor"; also, in line 24, page 3, strike out the words "or state prison".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 286—An Act relating to cold storage, the regulation of refrigeration warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 15, Section 1, after the word "cheese", insert the following: "The term 'storer' as used in this Act shall be construed to mean the person or persons who offer articles of food for cold storage."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 17, Section 2, after the word "health", insert the following: "To be used exclusively for the purposes of this Act".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 12, Section 5, after the word "deteriorated", strike out the words "in any way", and insert in lieu thereof the following: "so as to injure its keeping qualities".

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 1, Section 7, after the word "on", insert the following: "or in connection with".

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 10, Section 8, after the word "health", strike out the word "may", and insert in lieu thereof the word "shall".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1549—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for the funds of banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds, and providing for the use of such bonds as security for the performance of any act, and providing for a commission which shall approve such bonds, for the foregoing purposes, for a report thereon, for the filing of said report and for the certification of such bonds by the State Controller.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In the title, strike out all from and including the word "the", in line 3, down to and including the last word in the title, and insert in lieu thereof the following: "funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized."

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 9 and 10, strike out the words "and or all outstanding issues of", and insert in lieu thereof the following: "any contemplated or outstanding".

Amendment adopted.

AMENDMENT No. 3.

On page 2, lines 20 and 21, strike out the words "or to be acquired or constructed by such district", and insert in lieu thereof the following: "by such district or to be acquired or constructed by it with the proceeds of any of such bonds".

Amendment adopted.

AMENDMENT No. 4.

On page 2, lines 24 and 25, strike out the words "outstanding issue or issues of", and insert in lieu thereof the following: "bonds under consideration and any other outstanding".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 27, strike out the comma after the word "lands", and insert in lieu of said comma the following: "within said district and of the".

Amendment adopted.

AMENDMENT No. 6.

On page 2, after paragraph (f), insert a new paragraph, to read as follows:
"(g) The numbers, date or dates of issue and denominations of the bonds, if any, which the commission shall find are available for the purposes provided for in Section 7 of this Act, or the total amount of bonds contemplated by the district, if the bonds under consideration have not been issued. In case any bonds covered in the aforesaid report have not been issued, the commission shall make an investigation upon the issuance of any such bonds, and prepare a supplementary report enumerating and describing such bonds as provided in this paragraph."

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 4, strike out the words "outstanding issue or issues of", and insert in lieu thereof the following: "bonds under consideration and any other outstanding".

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 7, after the word "lands", strike out the comma and insert in lieu of said comma the following: "within said district and of the".

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 10, after the word "report", insert the following: "and in any supplementary report made in accordance with paragraph (g) of Section 2 hereof, which must also be".

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 23, strike out the word "no", and insert in lieu thereof the word "not".

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 31, after the word "district", insert a comma and the following: "issued ----- (insert date)".

Amendment adopted.

AMENDMENT No. 12.

On page 3, lines 34 and 35, strike out the words "banking associations" and the comma following said words.

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 22, after the word "paid", insert a comma and the following: "as the commission may require".

Amendment adopted.

AMENDMENT No. 14.

On page 4, line 24, after the word "commission", strike out the comma and the words "at the time of filing said report" in lines 24 and 25.

Amendment adopted.

AMENDMENT No. 15.

On page 4, line 35, strike out the words "banking associations" and the comma following said words.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 56—An Act to amend an Act entitled “An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes,” approved March 31, 1897, by amending the title to said Act and by amending Sections 1, 15, 17 and 18 thereof to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes, and to add a new section, to be known as Section 110½.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out all of Section 1, and insert in lieu thereof the following:

“SECTION 1. The title of an Act entitled ‘An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and, also to provide for the distribution of water for irrigation purposes,’ is hereby amended to read as follows:

An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, to provide for the distribution of water for irrigation purposes, and, also, to provide for the acquisition, development and distribution of electric or other power by such districts.”

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 19, strike out the semicolon and the words “and every” following said semicolon, and insert in lieu thereof a period and the following: “The board of directors shall also have power to construct, acquire, operate and maintain such electric or other power plants as may be operated by means of water used or intended to be used for irrigation purposes by the district or by means of water diverted or raised from its natural course or level by any works or the enlargement of any works constructed or acquired by the district for the diversion or storage of water for irrigation purposes, and the board shall provide for the distribution of electricity or other power developed by means of any such plants, under such regulations as it may deem proper, in such manner and for such uses as the board may deem most advantageous to the district. Every”.

Amendment adopted.

AMENDMENT No. 3.

On page 3, lines 22 and 23, strike out the words “power for all necessary purposes throughout said district”, and insert in lieu thereof the following: “electricity and other power as herein provided for”.

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 23, after the word “district”, strike out the period and insert in lieu thereof a comma and the following: “and such by-laws, rules and regulations, when published once a week for two weeks in a newspaper of general circulation published in the county in which the office of the district is kept, shall have the force and effect of a county ordinance, and a violation of any such by-law, rule or regulation shall be a misdemeanor and punishable as such.”

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 21, after the word “water”, insert the words “or power”.

Amendment adopted.

AMENDMENT No. 6.

On page 5, strike out the semicolon at the end of line 14, and insert in lieu thereof a period, and strike out lines 15 and 16.

Amendment adopted.

AMENDMENT No. 7.

On page 5, line 26, before the word "distribution", insert the word "equitable".

Amendment adopted.

AMENDMENT No. 8.

On page 5, line 27, strike out the words "among the users of the district".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2024—An Act to provide for the regulation of smelters and the maintenance and operation thereof in the State of California, and for the licensing and supervision thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read second time.

Assembly Bill No. 82—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the woman's building, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 5, strike out everything from and inclusive of the word "directors" to and inclusive of the word "society," and insert in lieu thereof the following: "persons directed by law to receive the same,".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 16, of printed bill, strike out the words and figures "fifty thousand (\$50,000)," and insert in lieu thereof the following: "forty thousand (\$40,000)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 808—An Act appropriating money for repairing and improving Sutter's Fort.

Bill read second time.

Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Bill read second time.

Assembly Bill No. 807—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street, between Twenty-sixth and Twenty-seventh streets, in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Bill read second time.

Assembly Bill No. 1281—An Act appropriating the sum of \$5,000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Bill read second time.

Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, strike out all of lines 16 and 17, and insert in lieu thereof the following:

"13. Justices of the peace in counties of this class shall receive the following monthly salaries to be paid each month in the same manner, at the same time and out of the same funds as the county officers are paid, which shall be in full for all services rendered by them; in townships having a population of more than five thousand, one hundred fifty dollars per month; in townships having a population of more than twenty-five hundred and less than five thousand, seventy-five dollars per month; in townships having a population of more than one thousand and less than twenty-five hundred, thirty-five dollars per month; in townships having a population of more than five hundred and less than one thousand, twenty-five dollars per month; in townships having a population of less than five hundred, ten dollars per month.

The board of supervisors of such counties shall furnish and maintain for the use of justices of the peace in townships having a population of twenty-five hundred or more, an office suitable for use as a court room, equipped with the necessary furniture for the proper and convenient conduct of business therein.

The board of supervisors of such counties shall furnish and supply to the justices of the peace of the various townships in such counties the codes of this state and amendments thereto, and all necessary stationery, legal blanks and forms for the proper and convenient conduct of business."

Amendment adopted.

Bill read second time.

MOTION TO RE-REFER.

Mr. Schmitt moved that Assembly Bill No. 2024 be re-referred to Committee on Public Health and Quarantine, and retain its place on file.

Motion lost.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 12, 14, 97, 228, 229, 385, 271, 289, 582, 665, 532, 1023, 1024, 153, 531, 152, 270, 32, 808, 1604, 807 and 1281.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 12, 14, 97, 228, 229, 385, 271, 289, 582, 665, 532, 1023, 1024, 153, 531, 152, 270, 32, 808, 1604, 807 and 1281 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 12, 14, 97, 228, 229, 385, 271, 289, 582, 665, 532, 1023, 1024, 153, 531, 152, 270, 32, 808, 1604, 807 and 1281, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 73, 198, 1633, 98, 2022, 82 and 766.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 73, 198, 1633, 98, 2022, 82 and 766 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 73, 198, 1633, 98, 2022, 82 and 766, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1104—An Act to amend Section 1685 of the Political Code, relating to causes for suspension or expulsion of school children.

During third reading of the bill, Mr. Bagby moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, after the word "vulgarity", strike out the comma.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1104 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Brown, Clarke, Geo. A., Cram, Fish, Gabbert, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, Moorhouse, Mouser, Palmer, Polsley, Roberts, Shar-tel, Smith, Strine, White, Woodley, Wyllie, and Mr. Speaker—30.

NOES—Messrs. Alexander, Bowman, Bradford, Bush, Canepa, Cary, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Gelder, Green, Killingsworth, Kingsley, Libby, McDonald, Murray, Nolan, Richardson, Schmitt, Scott, Shannon, Simpson, Slater, Stuckenbruck, Sutherland, Wall, and Weisel—31.

NOTICE OF MOTION TO RECONSIDER.

Mr. Weisel gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1104 was this day refused passage.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Polsley moved that the vote whereby Senate Bill No. 165 was passed, be reconsidered.

Consideration of the above motion postponed until next legislative day.

Senate Bill No. 174—An Act to amend Section 1622 of the Political Code of the State of California, relating to expenditure of state and county school money.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 174 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1628—An Act to amend Section 1665 of the Political Code of the State of California, relating to including California history in the course of study.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1628 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1027—An Act to amend Section 1 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1027 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clark, Wm. C., Dower, Emmons, Finnegan,

Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1030—An Act to amend Section 3 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act," approved February 28, 1907, and amended by an Act approved March 24, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1030 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Clark, Wm. C., Dower, Emmons, Fish, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Johnstone, W. A., Judson, Kingsley, Libby, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 902—An Act to make an appropriation to pay the salaries and mileage of Senators for the fortieth session of the Legislature during the sixty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 902 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Schmitt, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 903—An Act making an appropriation for the pay of officers and clerks of the Senate for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 903 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Emmons, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley,

Richardson, Roberts, Schmitt, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 429—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments to the consent to such adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 429 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bolmett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section four and one half of article six thereof, relating to appeals.

The question being on the adoption of the constitutional amendment.

The roll was called and Senate Constitutional Amendment No. 12 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

Senate Constitutional Amendment No. 12 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 12.

A resolution to propose to the people of the State of California an amendment to the constitution of said state, by amending Section 4½ of Article VI thereof, relating to appeals.

The Legislature of the State of California, at its regular session commencing on the sixth day of January, in the year one thousand nine hundred thirteen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California, by amending Section 4½ of Article VI thereof, to read as follows:

Section 4½. No judgment shall be aside, or new trial granted in any case on the ground of misdirection of the jury, or of the improper admission or rejection of evidence, or for any error as to any matter of pleading, or for any error as to any matter of procedure, unless after an examination of the entire cause, including the evidence, the court shall be of the opinion that the error complained of has resulted in a miscarriage of justice.

ACTION RESCINDED.

Mr. Morgenstern moved that the action of the Assembly in postponing consideration of motion to reconsider vote on Senate Bill No. 165, be rescinded.

Motion carried.

The question being on the motion of Mr. Polsley to reconsider the vote whereby Senate Bill No. 165 was passed.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Alexander, Guiberson, Johnson, Geo. H., Libby, Murray, Nolan, Palmer, Polsley, Richardson, Schmitt, Shannon, Shearer, Simpson, Slater, Tulloch, Wall, and Wyllie—17.

NOES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Roberts, Ryan, Scott, Shartel, Smith, Strine, Stuckenbruck, Sutherland, Weisel, White, Woodley, and Mr. Speaker—50.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 933—An Act to amend Section 1696 of the Political Code of the State of California, relating to the duties of teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 933 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Dower, Emmons, Farwell, Guiberson, Hinkle, Kuck, Libby, Moorhouse, Mouser, Palmer, Shartel, Slater, Smith, Strine, Woodley, Wyllie, and Mr. Speaker—24.

NOES—Messrs. Alexander, Bohnett, Bradford, Bush, Canepa, Cary, Ferguson, Ford, Gates, Gelder, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, McDonald, Murray, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Stuckenbruck, Sutherland, Tulloch, Wall, and Weisel—31.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Weisel gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 933 was this day refused passage.

Senate Bill No. 1029—An Act to amend Section 676 of the Political Code, relating to the investment of state school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1029 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410a, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line 2 of title, after the word "ten", strike out the letter "a", and insert in lieu thereof the letter "b".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, after the word "ten", strike out the letter "a", and insert in lieu thereof the letter "b".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, strike out the figures and letter "1410a," and insert in lieu thereof the following: "1410b."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 436—An Act to create a reclamation district to be called "Reclamation District No. 999," and providing for the control and management thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 201—An Act to amend Section 791 of the Political Code, relating to notaries public.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 392—An Act to amend Section 280b of the Code of Civil Procedure, relating to licenses to practice law.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 215—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 296—An Act to amend Section 2981 of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 580—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearing of drug cases.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 12—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or all of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Assembly Bill No. 97—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings and providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Assembly Bill No. 222—An Act to amend Section 170 of the Code of Civil Procedure relating to the disqualification of judicial officers.

Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Assembly Bill No. 271—An Act appropriating the sum of \$62,000 for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill, and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Assembly Bill No. 385—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura or Santa Barbara, and for the planting of said lands, and making an appropriation therefor.

Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Assembly Bill No. 582—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Assembly Bill No. 665—An Act making an appropriation for university extension work for the University of California.

Assembly Bill No. 807—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street, between Twenty-sixth and Twenty-seventh streets, in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Assembly Bill No. 808—An Act appropriating money for repairing and improving Sutter's Fort.

Assembly Bill No. 1023—An Act to provide for repairing, altering, enlarging, furnishing and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant, equipment, tank pipe line, and improvements in drainage, water, heating and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Assembly Bill No. 1281—An Act appropriating the sum of \$5000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of \$1000 for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Assembly Bill No. 2024—An Act to provide for the regulation of smelters and the maintenance and operation thereof in the State of California, and for the licensing and supervision thereof.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, etc.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Assembly Bill No. 224—An Act to amend Section 727 of the Political Code, relating to the salary of superior judges.

Assembly Bill No. 383—An Act to amend Section 534 of the Political Code of the State of California.

Assembly Bill No. 655—An Act to amend Section 157 of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

Assembly Bill No. 681—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate districts and to the annexation of additional territory.

Assembly Bill No. 858—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman, or any other agent of any such employer to violate the provisions of this Act," approved March 22, 1911.

Assembly Bill No. 1062—An Act regulating the hours of employment in underground mines or any underground workings, whether for the purpose of tunneling, making excavation or to accomplish any other purpose or design, or in smelting and reduction works.

Assembly Bill No. 1278—An Act to amend Section 453a of the Political Code, in relation to the funds in the state treasury.

Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add a new section, to be numbered Section 22a, relating to reassessments.

Assembly Bill No. 1496—An Act to amend Section 653c of the Penal Code of the State of California, relating to crimes against employees.

Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Assembly Bill No. 2065—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to provide for the payment of municipal bonds before maturity.

An Act relating to the use and furnishing of stamps, coupons, tickets, certificates, cards or other similar devices for or with the sale of goods, wares and merchandise, and providing the penalty for the violation thereof.

An Act authorizing the boards of supervisors of the counties of this State to declare all or any portion of any innavigable river or stream within the State of California a public highway, when public convenience and necessity demands it, providing for the improvement and use of the same.

An Act appropriating money for the purpose of insuring the state printing plant.

An Act to amend the Penal Code of the State of California by adding thereto new sections, to be known and numbered Section 349b and 349c, relating to labor unions.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Nolan, Palmer, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Benedict: Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Schmitt: Assembly Bill No. 2076—An Act relating to the use and furnishing stamps, coupons, tickets, certificates, cards or other similar devices for or with the sale of goods, wares and merchandise; and providing the penalty for the violation thereof.

Bill read first time, and referred to Committee on County Government.

By Mr. Libby: Assembly Bill No. 2077—An Act authorizing the board of supervisors of the counties of this State to declare all or any portion of any innavigable river or stream within the State of California a public highway, when public convenience and necessity demands it, providing for the improvement and use of the same.

Bill read first time, and referred to Committee on County Government.

By Mr. Chandler: Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Kingsley: Assembly Bill No. 2079—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Sections 349*b* and 349*c*, relating to labor unions.

Bill read first time, and referred to Committee on Judiciary.

COMMUNICATION.

The following communication was filed, and ordered printed in the Journal:

WASHINGTON, D. C., April 11, 1913.

L. B. Mallory, Chief Clerk of the Assembly, Sacramento, Cal.:

Forester Graves of the Department of Agriculture has wired District Forester at San Francisco to carefully investigate the matter of allowing stock to graze on national forests in the State of California and to take such steps to care for the suffering stock as is possible. He also suggests that the men be notified to take this matter up directly with the District Forester at San Francisco, who has full authority to act in the matter and take such steps as in his judgment may be right and proper.

C. F. CURRY.
JULIUS KAHN.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until Monday, April 14, 1913.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Murray, the senior class of the Woodland High School—Eugene Laugenour, Roy Mast, Geo. Cranston, Waverly

Hodge, Harold Ball, Paul Cannon, Cyril Nelson, Jack Lawson, Percy Hurst, Flora Reith, Lucile Welch, Adelaide Stephens, Grace Sifferd, Eugenia Miller, Mabel Miller, Loyola Hildebrant, Ruth Hildebrant, Lawrence Maxwell, Muriel Dinsdale, Sophia Dinsdale, Ermyn Norton, Kenneth Laugenour, and Mrs. Lydia D. Lawhead, teacher of United States history and civics—were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. John T. York was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. J. J. Brannan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. T. B. Gibson was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, April 12, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgestern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—76.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Canepa, Mr. Nolan was granted leave of absence for the day.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

On motion of Mr. Ryan, Mr. Schmitt was granted leave of absence for the day.

On motion of Mr. McDonald, Mr. Walsh was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ferguson, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Polsley:

CHAMBER OF COMMERCE, RED BLUFF, CALIFORNIA.

WHEREAS, A joint resolution has been introduced in the State Legislature of the State of California, being Joint Resolution No. 29, introduced by Senator T. W. H. Shanahan, indorsing House Resolution No. 28825, introduced in Congress by Hon. John E. Raker, having for its purpose the restoration to the public domain all of the lands heretofore, in 1894, reserved; and

WHEREAS, The Pitt River Reservoir Reservation constitutes a part of the great Government reclamation, irrigation and flood control project, which is designed to irrigate and reclaim approximately three million acres of land in the Sacramento Valley; and

WHEREAS, The Iron Canyon project, for which we have worked for many years and have succeeded in interesting ex-Secretary of the Interior James R. Garfield, who, after personally visiting the site, considered it of national importance, and recommended it as the next project to be carried out by the Government in its reclamation and irrigation of lands; and

WHEREAS, The restoration to the public domain of said lands and reservoir sites would greatly interfere with the said reclamation and irrigation projects; now, therefore, be it

Resolved, That we earnestly protest against the passage of said Joint Resolution No. 29 in the State Legislature and against the said House Resolution No. 28825.

Resolved, further, That copies of these resolutions be sent to our representatives in State Senate and Assembly.

Dated April 10, 1913.

By Mr. Finnegan:

WHEREAS, A bill, designated as Senate Bill No. 713, has been introduced in the Legislature of the State of California, the ostensible object of which is to regulate the industry of gold dredging, but which goes so far as to place in the absolute power of an appointive board of three men the determination as to whether or not the dredging industry shall or shall not continue to exist; and

WHEREAS, The dredging industry in the State of California is regulated under the general laws and has been taxed on a basis justified only by the purposes to which the land has been devoted; and

WHEREAS, Said industry has done much to aid and promote the general welfare and prosperity of northern and central California, and is sufficiently regulated by the present law; be it

Resolved by the board of supervisors of the county of Nevada, That the members of the Senate and Assembly representing the county of Nevada in the California State Legislature be, and they are, hereby requested to use all lawful means within their power to defeat said Senate Bill No. 713; and be it further

Resolved, That the representatives of Nevada County be, and they are hereby, requested to vote against said Senate Bill 713 and its counterpart in the Assembly; and be it further

Resolved, That the clerk of the board be, and he is hereby, authorized and directed to mail a copy of these resolutions, duly certified, to the representatives of Nevada County at the California Legislature.

Adopted by the unanimous vote of the board of supervisors of Nevada County, California, this 10th day of April, 1913.

C. J. MILLER,

Chairman of Board of Supervisors of Nevada County.

Attested: GEORGE COUGHLAN,

County Clerk and ex officio Clerk of the Board of Supervisors.

By R. N. McCORMACK, Deputy.

STATE OF CALIFORNIA, }
County of Nevada. } ss.

I, George Coughlan, county clerk and ex officio clerk of the Superior Court, in and for said county of Nevada, State of California, do hereby certify that I have compared the foregoing with the original, and find the same to be a full, true and correct copy of the original resolution passed by the board of supervisors of Nevada County April 10, 1913, on file in this my office.

Witness my hand and the seal of said Superior Court, this 10th day of April, 1913.

GEORGE COUGHLAN, Clerk.

[SEAL]

By R. B. McCORMACK, Deputy Clerk.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 939—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom: to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments, and the issuance of such bonds.

Also: Senate Bill No. 1053—An Act to amend Sections 3, 8, 9, 13, 19, and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a new section, to be numbered 3 $\frac{1}{2}$, relating to the manner of effecting certain local improvements.

Also: Senate Bill No. 743—An Act to amend Sections 1, 2, 3, 4, 16, and 30 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, and to add two new sections to said Act, to be numbered Sections 26a and 33a, relating to reassessments and the form of certain notices, resolutions, orders and determinations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Also: Senate Bill No. 357—An Act to amend Section 607e of the Civil Code, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Also: Senate Bill No. 1298—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, aliening, encumbering or granting of the real property of religious, social and benevolent corporations.

Also: Senate Bill No. 1255—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 939 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1053 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 743 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 919 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 357 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1298 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1255 read first time, and referred to Committee on Engrossment and Enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 8, 1913, passed Senate Bill No. 1130—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1130 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Also: Assembly Bill No. 154—An Act to amend Section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justice courts in cities or towns of the second and one half and third classes, and appointments, salaries and duties of same.

Also: Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitations as the issuance of said certificate, and also as to the issuance of warrants by county auditors and the State Controller, as provided in Section 3572 of said Political Code.

Also: Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Also: Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Also: Assembly Bill No. 964—An Act to add a new section to the Political Code of the State of California, to be designated as Section No. 3084, relating to the issuance of burial permits.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Also: Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, relating to threats against life, and providing a punishment therefor.

Also: Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

Also: Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballots, when a challenge to a person offering to vote is sustained.

Also: Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town.

Also: Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Wall:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to authorize and provide for the sale of the land, buildings and improvements of Stockton State Hospital at Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, etc.

Referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 23—Relative to the appointment of a committee to investigate certain charges against the Secretary of State—have had the same under consideration, and respectfully report the same back, with the recommendation that the same be adopted.

BROWN, Chairman.

Mr. Brown moved that the resolution be taken up for consideration.
Motion carried.

The question being on the adoption of the concurrent resolution.

The roll was called, and Senate Concurrent Resolution No. 23 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gates, Gelder, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Sutherland, Tulloch, and Mr. Speaker—47.

NOES—None.

Concurrent resolution ordered transmitted to the Senate.

COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION No. 23.

Relative to the appointment of a committee to investigate certain charges against the Secretary of State.

WHEREAS, The Secretary of State of the State of California has petitioned for the appointment by the law-making body of this State of a committee to investigate certain charges stated by him to have been made to the effect that he has not properly fulfilled the duties of his office, such committee to investigate the conduct of his office and to report upon the truth or falsity of such charges during the present session of the Legislature; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That a special committee of six members of the Legislature be appointed to be composed of three Senators appointed by the President of the Senate, and three Assemblymen appointed by the Speaker of the Assembly, to investigate the conduct of the office of Secretary of State by the said Frank C. Jordan, incumbent, and of every department and branch thereof, and the acts of said Secretary of State, and each or all of his subordinates, deputies or assistants acting in any capacity and wherever stationed

with respect to the duties of such office of Secretary of State, or of any other office which he may hold or fill in an ex officio capacity, and upon the conclusion of such investigation to report to both houses of this Legislature the result thereof, together with such conclusions and recommendations as such committee shall deem proper; and be it further

Resolved, That said committee be, and it is hereby, authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subjects hereinbefore enumerated, and to that end to employ all necessary clerical and expert assistants; and said committee is hereby authorized and empowered to summon witnesses, send for persons and papers, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State, relative to the "attendance and examination of witnesses before the Legislature and committees thereof" shall apply to the committee appointed under this resolution; and the Sergeant-at-Arms of the Senate is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by the said committee when directed so to do by the chairman thereof; that said committee is further authorized and directed to co-operate with the State Board of Control in making such investigation, and inquire into such matters as may be called to its attention by said board or any member thereof, and to the end that the committee may have at its disposal and for its consideration all evidence taken by said State Board of Control pertaining to the office of the Secretary of State; that said committee be given leave to sit during the sessions of the Senate and Assembly, and that it report as speedily as possible the result of its investigations to both houses with such recommendation as it may deem proper; and be it further

Resolved, That the sum of three thousand dollars is hereby made available for the purpose of defraying the expenses of such committee in said investigation; one half of the same to be paid from the Contingent Fund of the Senate, and one half to be paid from the Contingent Fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said joint committee for such expenditures as the same may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Smith:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of the Globe Express Company for the sum of twelve dollars and thirty cents (\$12.30), said amount being one half of the expense of expressing Blue Books to various places as per itemized bill attached, and the State Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

Also:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for the sum of eighty-two (\$82) dollars, said amount to pay for eighty-two copies of Pending Legislation, 1913, as per itemized bill attached, and the State Treasurer is hereby authorized to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

Also:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of the Globe Express Company for the sum of five and 15/100 (\$5.15) dollars, said amount to pay for expressage on printed matter sent out to various sections of California as per itemized bill attached, and the State Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

RE-REFERENCE OF BILLS.

On motion of Mr. Ambrose, Senate Bill No. 513 was recalled from the Committee on Live Stock and Dairies and re-referred to Committee on Judiciary.

On motion of Mr. Ambrose, Senate Bill No. 514 was recalled from the Committee on Public Health and Quarantine and re-referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1736—An Act to add a new section to the Penal Code, to be numbered 54c, prohibiting the employment of, or acceptance of compensation by any political workers upon election days, except those employed at headquarters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1736 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bohnett, Brown, Cary, Cram, Farwell, Finnegan, Guiberson, Guill, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Roberts, Ryan, Shartel, Slater, Strine, Tulloch, Weisel, and Mr. Speaker—26.

NOES—Messrs. Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Byrnes, Canepa, Collins, Dower, Emmons, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Killingsworth, Libby, McCarthy, Morgenstern, Murray, Palmer, Polsley, Richardson, Scott, Shannon, Shearer, Simpson, Stuckenbruck, Wall, and Weldon—38.

RECONSIDERATIONS.

In compliance with his notice given on a previous day, Mr. Smith moved that the vote whereby Assembly Bill No. 1228 was refused passage be reconsidered.

On request of Mr. Smith, consideration of the above motion was made a special order for Wednesday, April 16, 1913, at eleven o'clock a.m.

In compliance with his notice given on a previous day, Mr. Weisel moved that the vote whereby Senate Bill No. 1104 was refused passage be reconsidered.

On request of Mr. Weisel, consideration of above motion was postponed until the next legislative day.

In compliance with his notice given on a previous day, Mr. Weisel moved that the vote whereby Senate Bill No. 933 was refused passage be reconsidered.

On request of Mr. Weisel, consideration of above motion was postponed until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1734—An Act to amend Sections 1083 and 1096 of the Political Code, relating to the right to vote and the registration of voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1734 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse,

Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and thirty-four minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Weldon moved a call of the House.

Motion carried.

Time, eleven o'clock and twenty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—60.

SPEAKER IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and thirty minutes a.m., further proceedings under call of the House was dispensed with, on motion of Mr. Weldon.

The roll of absentees was called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Collins, Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, and Weldon—57.

NOES—Messrs. Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Farwell, Fish, Gates, Green, Hinkle, Inman, Johnstone, W. A., Kuck, Shearer, Sutherland, White, Woodley, and Mr. Speaker—17.

Bill ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 2.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section two of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

The Legislature of the State of California, at its regular session, commencing on the sixth day of January, 1913, two thirds of all the members elected to each of the houses of the legislature voting in favor thereof, hereby proposes to the qualified electors of said state the following amendment to the constitution of the state:

To amend section two of Article 13 of the Constitution of the State of California, by adding to said section the following:

A homestead actually used and occupied by a family and owned by a member thereof, up to the value of one thousand dollars, is hereby exempt from all taxation (except strictly local assessments for streets, sidewalks, sewers and like improvements) and when such homestead exceeds one thousand dollars in value, it shall only be assessed for taxation on the excess value above one thousand dollars. The words homestead and family are used herein in the same meaning as now used in the Civil Code of the State of California.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Rules recommend the adoption of the two following special rules:

SPECIAL RULE No. 1.

Every member, when he speaks, shall stand in his place and address "Mr. Speaker." and when he has finished he shall sit down. No member shall be allowed to speak more than once during the consideration of any question at any one stage of the proceedings, except by leave of the Assembly; *provided*, that the author of a bill or resolution or the mover of a question shall be allowed to close the debate. No member shall be allowed to speak more than five minutes upon any question, except by the leave of the house; *provided*, that the author of a bill or resolution or the mover of a question shall be allowed five minutes to open and five minutes to close.

"Leave of the house" as used in this rule shall be expressed only by unanimous consent or by a two-thirds vote of the members present; *provided*, that such vote shall at all times be determined without a roll call.

No member shall be interrupted by a question until he has concluded.

SPECIAL RULE No. 2.

On and after the sixty-seventh day, evening sessions shall be held at 7.45 p.m., unless otherwise ordered by a majority vote.

During the evening sessions only Assembly bills shall be considered, unless otherwise ordered by a majority vote of the members present. The file numbers of all bills entitled to be taken up at such evening sessions shall be posted on the blackboard before five o'clock of each day.

Any member, who during the evening has notified the Speaker of his presence in the building in attendance at a committee meeting, shall be deemed to be excused; and no bill to the consideration of which a member so excused has filed an objection with the Speaker shall be considered without notice given in the committee room of the committee on which he is serving.

BROWN, Chairman.

On motion of Mr. Brown, the above report was ordered printed in the Journal, and made a special order for Monday, April 14, 1913, at eleven o'clock a.m.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with the adoption of Senate Concurrent Resolution No. 23, the Speaker announced the appointment of Messrs Chandler, Guiberson and Peairs as such committee to represent the Assembly.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the

Constitution, amending Article VI thereof, by inserting therein a new section to be known as Section 4a, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act *pro tempore* as justices of said District Courts of Appeal, to hold such extra sessions thereof.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 32 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, and Mr. Speaker—58.

NOES—None.

Assembly constitutional amendment ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 32.

A resolution to propose to the people of the State of California an amendment to the constitution, amending Article VI thereof, by inserting therein a new section, to be known as Section 4a, providing for the holding of extra sessions of the district courts of appeal, and the selection, designation and appointment of members of any court of appeal or judges of any superior court, to act *pro tempore* as justices of said district courts of appeal, to hold such extra sessions thereof.

The legislature of the State of California, at this fortieth session, commencing on the sixth day of January, 1913, two thirds of all of the members elected to each of the houses of said legislature voting in favor thereof, hereby propose that Article VI of the Constitution of the State of California be amended by adding thereto a new section, to be known as Section 4a, which section shall read as follows:

Section 4a. The governor of the State of California may, and at the request of the chief justice of the supreme court of the State of California shall direct that an extra session or extra sessions of the district court of appeal of any district be held, and upon the request of the presiding justice of the district court of appeal of any district, shall direct that an extra session of such court be held. Each extra session of such court of appeal of any district shall be held by three judges who may be justices of the court of appeal of other districts of the State of California, or judges of any superior court within the state, one of whom shall be selected by the governor of the State of California, another by the chief justice of the supreme court of the State of California, and the other by the presiding judge of the court of appeals of the particular district in which the extra session is, or extra sessions are to be held. Said justices and judges so selected shall be justices *pro tempore* of said courts of appeal for the purpose of holding such extra session or sessions of said court. More than one extra session of the court of appeal of any particular district may be held at one time; *provided*, that each session shall be held by three justices *pro tempore* consisting of justices of the district courts of appeal of other districts, or judges of the superior court selected as hereinabove set forth. During any extra session of the district courts of appeal, the presiding justice of the district court of appeal of such district may sit during such extra session with the said justices *pro tempore* holding such extra session, or he may designate one of the said justices *pro tempore* so holding said session, to act during such extra session as presiding justice thereof; *provided, however*, that whenever the presiding justice of the district court of appeal of such district shall so sit during such extra session with said other justices *pro tempore* holding such extra session, the concurrence of the three justices *pro tempore* holding such session, or of two of said justices and such presiding justice of the district court of appeal of such district, shall be sufficient to pronounce a judgment of said district courts of appeal of said district in any of the appeals, actions, proceedings or matters heard by, or submitted to such extra session of said court or the justices thereof. The presiding justice of the court of appeal of the district in which any such extra session is being held or to be held shall have power to assign causes and appeals pending in said court to such extra session, for consideration and decision. Said extra session of said district court of appeal and the said justices *pro tempore* holding the same, shall have jurisdiction to determine all causes, appeals, proceedings and matters that shall be so assigned to them for consideration and decision during such extra session, with like

force and effect as though such causes, appeals, proceedings and matters have been heard by, submitted to and determined by the duly elected, qualified and acting justices of said district court of appeal of the district in which said such extra session is, or extra sessions are being held, or by such court. No justice *pro tempore* of the court of appeal of any district shall be qualified to participate upon the hearing of any cause in which, or in any proceeding in which he has acted as judge in any other court. No justice *pro tempore* of any court of appeal of any district shall receive any compensation for acting as such, other than that attached to the office which he holds at the time of his selection as such justice *pro tempore*, but shall be entitled to his actual expenses. Whenever any justice *pro tempore* of the supreme court is for any reason disqualified or unable to act in a cause pending before it, or any extra session thereof, the governor or justice by whom he has been selected shall forthwith select some other justice of the district court of appeal or judge of the superior court to act in his place. At any time after the causes and matters which shall have been assigned to such extra session of any district court of appeal or the justices *pro tempore* thereof, shall have been finally determined, the supreme court of the State of California, by an order entered upon its minutes, may terminate such extra session or extra sessions.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations.

During reading of the constitutional amendment, the following amendments were submitted by the committee:

On page 2 of the printed bill, in line 6, strike out the figure "8", and insert in lieu thereof "eight".

On page 2 of the printed bill, in line 7, strike out the figure "8", and insert in lieu thereof "eight".

On page 2 of the printed bill, in line 13, strike out the figure "8", and insert in lieu thereof "eight".

On page 2 of the printed bill, in line 19, strike out the figures "7½", and insert in lieu thereof "seven and one half".

In line 4, strike out the figure "8", and insert in lieu thereof "eight".

On line 5, strike out figure "6", and insert in lieu thereof "six".

Amendments adopted.

Assembly constitutional amendment read, ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 12—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or all of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 12 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Roberts, Ryan, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the

counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 14 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Tulloch, Weisel, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 97—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mt. Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 97 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Clarke, Geo. A., Collins, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gates, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weisel, Weldon, White, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 228 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weisel, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 229 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Weisel, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 271—An Act appropriating the sum of \$62,000 for the use and benefit of the University of California, and specifying the duties of the Controller and the Treasurer of the State in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 271 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HOOR OF RECESS EXTENDED.

On motion of Mr. Bohnett, the hour of recess was extended to one o'clock p.m. of this day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill, and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 289 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Chandler, Clarke, Geo. A., Collins, Cram, Emmons, Fer-

guson, Fish, Fitzgerald, Gabbert, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 582—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 582 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Chandler, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 665—An Act making an appropriation for university extension work for the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 665 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Richardson, Roberts, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 532 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—54.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 153 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McDonald, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weldon, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 531 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 152 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clarke, Geo. A., Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Scott, Shannon, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 270 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Mouser,

Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 385—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, after the word "therefore", strike out the comma and add the words "to be used for an experimental farm".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 385 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McDonald, Moorhouse, Mouser, Nelson, Palmer, Peairs, Roberts, Scott, Shannon, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Weisel, and Mr. Speaker—44.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 43 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Clark, Wm. C., Collins, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shearer, Smith, Stuckenbruck, Tulloch, Weisel, Woodley, and Mr. Speaker—45.

NOES—Mr. Brown—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 600—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the course of study, the granting of diplomas of graduation, and the amending of the courses of study.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 600 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert,

Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Moorhouse, Mouser, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Smith, Weisel, Woodley, and Mr. Speaker—38.

NOES—Messrs. Bagby, Clarke, Geo. A., Gates, Green, Guill, Murray, Nelson, Palmer, Shearer, Slater, Stuckenbruck, Tulloch, and Weldon—13.

NOTICE OF MOTION TO RECONSIDER.

Mr. Gates gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 600 was this day refused passage.

Assembly Bill No. 1204—An Act to amend Title V of Part III of the Political Code by adding and enacting new chapters to be designated Chapters 1, 1a, 1b, 1c, 1d and 1e, relating to and creating a state board of administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the appointment and duties of an advisory board to be known as the state board of charities and corrections; providing for the government and management by said board of administration of the state hospitals for the insane and other incompetent persons, the state schools and institutions for reformation, the Veterans' Home of California, the Women's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said Title V of Part III of the Political Code by renumbering Chapter 1c thereof, relating to the Woman's Relief Corps Home of California, and designating said Chapter as Chapter 1f, and to repeal Chapter 1 of Title V of Part III of the Political Code, relating to the State Commission in Lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and Chapter 1b of Title V of Part III of the Political Code relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto, and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home

for the United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish the California state reformatory; to provide for the purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911, in so far as the provisions of said Act conflict with this Act; and to repeal all Acts and parts of Acts in conflict with this Act.

During third reading of the bill, Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 6, strike out the word "Section."

Also: On page 3, line 21, strike out the word "Section."

Also: On page 3, line 29, strike out the word "Section."

Also: On page 33, beginning on line 24, strike out all after the word "be" down to and including the word "hospital", in line 34, and insert in lieu thereof the following: "delivered to the officer in charge of the hospital to which such person is committed".

Also: On page 41, line 13, after the figures and letter "2168j", insert the figure "1".

Also: On page 60, line 34, strike out the letter "c" which follows the figures "2191", and insert in lieu thereof the letter "d".

Also: On page 61, line 4, strike out the letter "d" which follows the figures "2191", and insert in lieu thereof the letter "e".

Also: On page 61, line 16, after the word "California", insert quotation marks ("").

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1204, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriations of water;

providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 12, strike out the word "their", and insert in lieu thereof the word "his".

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 642, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendment adopted.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 642 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 642, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to pro-

mote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

During third reading of the bill, Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

In line 7 of the title, between the word "establish" and the word "uniform", insert the words "within the State of California".

Also: In line 10 of the title, strike out the word "therein".

Also: By striking out the words "in every incorporated city, except", in line 1, and all of lines 2 and 3, and the words "mission composed of five members", in line 4, all on page 1, and inserting in lieu thereof the words "Every incorporated city, except those of the fifth and sixth class, and every city and county is hereby authorized to establish and maintain a municipal milk commission composed of three members."

Also: By striking out the word "four", in line 6, on page 1, and inserting in lieu thereof the word "two".

Also: By striking out the words "and practicing physician, one a regularly licensed," in line 4 on page 2.

Also: By striking out the words "two shall be practical dairymen", and inserting in lieu thereof the words "one shall be a practical dairyman", in line 5, on page 2.

Also: By striking out the words "the legislature hereby declares that the provisions", in line 13, and all of lines 14 to 23, inclusive, and the words "population than the fourth class, and cities and counties", in line 24, all on page 2.

Also: By inserting the word "similar" after the word "other", in line 3, on page 3.

Also: By striking out the period after the word "act", in line 5, on page 3, and inserting in lieu thereof a semicolon and the following: "and the said milk commission shall have sole jurisdiction over the matters and things in this subdivision 2 of Section 1 specified."

Also: By striking out the words "or if the", in line 10, and all of lines 11 to 36, both inclusive, on page 6, and also all of lines 1 and 2, on page 7.

Also: By striking out all of lines 29 to 37, both inclusive, on page 7, and all of lines 1, 2 and 3, on page 8.

Also: By inserting after the word "temperature", in line 19, on page 11, the words "except during pasteurization."

Also: By inserting after the word "distributor", in line 32, on page 11, the words "or creamery".

Also: By inserting at the beginning of line 34, on page 11, and before the words "as soon", the word "either".

Also: By striking out the words and figures "Sections 5, 6 and 10 of", in line 8, on page 13.

Also: By striking out the words and figures "Sections 5, 6 and 10 of", in line 23, on page 13.

Also: By striking out the words and figures "Sections 5 and 6 of", in line 28, on page 13.

Also: By striking out all after the letters "ties," in line 1, and all of lines 2, 3 and 4, and the words "cent of milk fat", in line 5, all on page 14.

Also: By striking out the words and figures "Sections 5, 6 and 10 hereof", in line 27, on page 14, and inserting in lieu thereof the words: "this Act".

Also: By striking out the words "or which has not been produced", in line 12, and all of line 13, and the words and figures "of Sections 5, 6 and 10 of this Act", in line 14, all on page 19.

Also: By striking out the words "or which has", in line 20, and all of line 21, and all of line 22, except the word "or", all on page 19.

Also: By striking out all of Section 14 on page 20.

Also: By striking out the figures "15" following the word "Sec.", in line 23, on page 20, and inserting in lieu thereof the figures "14".

Also: By striking out the figures "16" following the word "Sec.", in line 34, on page 20, and inserting in lieu thereof the figures "15".

Also: By striking out the figures "17" following the word "Sec.", in line 29, on page 21, and inserting in lieu thereof the figures "16".

Also: By striking out the figures "18" following the word "Sec.", in line 1, on page 22, and inserting in lieu thereof the figures "17".

Also: By adding after line 8, on page 22, the following: "Sec. 18. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed."

Also: By striking out the word "side-locking", in line 24, on page 9, and inserting in lieu thereof the word "side-looking".

Motion carried.

The Speaker appointed Mr. Guiberson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 535, with instructions, do now report that the instructions of the Assembly have been carried out.

GUIBERSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

TIME FOR RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until the business before the house be disposed of.

Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

During third reading of the bill, Mr. Scott moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 4, strike out the words "to photograph, finger print," and insert in lieu thereof the following: "to take photographs, finger prints".

Also: On page 2, line 7, strike out the following: "if they so request".

Motion carried.

The Speaker appointed Mr. Scott as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1654, with instructions, do now report that the instructions of the Assembly have been carried out.

SCOTT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 85—An Act defining commission merchants, providing for a license for the conduct of the business of commission merchants and the procedure for obtaining the same, also providing regulations for the conduct of the said business and for penalties for violations of this Act.

During third reading of the bill, Mr. Slater moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, lines 5 and 6, strike out the words "state commissioner of horticulture", and insert in lieu thereof the words "secretary of state".

Also: On page 2, lines 1 and 2, strike out the words "state commissioner of horticulture", and insert in lieu thereof the words "secretary of state".

Also: On page 2, line 11, strike out the words "commissioner of horticulture", and insert in lieu thereof the words "secretary of state".

Also: On page 2, line 12, strike out the word "ten", and insert in lieu thereof the word "five".

Also: On page 2, lines 13 and 14, strike out the words "commissioner of horticulture", and insert in lieu thereof the words "secretary of state".

Also: On page 2, lines 21 and 22, strike out the words "commissioner of horticulture", and insert in lieu thereof the words "secretary of state".

Also: On page 2, line 24, strike out the word "commissioner", and insert the words "secretary of state".

Also: On page 2, line 32, after the comma after the word "consignor", insert the words "when known" and a comma.

Also: On page 2, line 33, after the word "received", insert a comma and the words "if unusual".

Also: On page 2, line 35, after the word "commissioner", insert the word "of horticulture".

Also: On page 2, line 36, strike out the words "or to any consignor".

Also: On page 2, line 37, strike out the words "by him", and insert in lieu thereof the following: "upon complaint by any consignor in writing to the state commissioner of horticulture, and to the commission merchant within twenty days from date of shipment."

Also: On page 3, line 4, after the comma following the word "consignors", insert the words "when known".

Also: On page 3, line 5, strike out the period following the word "thereof", insert a comma and the words "if unusual".

Also: On page 3, line 14, after the comma following the word "sold", insert the word "and" and a period after the word "therefor", and strike out the remainder of lines 14, 15 and 16.

Also: On page 3, line 4, strike out all of Section 7.

Also: On page 4, strike out all of Section 12.

Motion carried.

The Speaker appointed Mr. Slater as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 85, with instructions, do now report that the instructions of the Assembly have been carried out.

SLATER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER SET.

On motion of Mr. Bradford, the consideration of Assembly Bill No. 2064, was made a special order for Tuesday, April 15, 1913, at eleven o'clock and thirty minutes a.m.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, etc.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, after line 5, insert the following: "Provided, that no quarantine ordinance as against any other county in this state, which shall restrain the free commercial movement of any agricultural or horticultural products within this state, shall be effective for more than twenty days unless such ordinance shall have first received the written approval of the State Horticultural Commissioner, and no such quarantine shall be so maintained after such written approval shall have been withdrawn."

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 412, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 429—An Act regulating the payment of wages earned in seasonal labor, and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 6, strike out all of Section 5, and insert in lieu thereof the following:

"Sec. 5. The amount of the award of the commissioner shall be conclusively presumed to be the amount of the wages due and unpaid to the employee at the time of the termination of the employment, and prosecution may be commenced under the provisions of an Act entitled 'An Act providing for the time of payment of wages,' approved May 1, 1911."

Motion carried.

The Speaker appointed Mr. Shannon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 429, with instructions, do now report that the instructions of the Assembly have been carried out.

SHANNON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 224—An Act to amend Section 737 of the Political Code, relating to the salary of superior judges.

During third reading of the bill, Mr. Moorhouse moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, after the word "Marin", insert the words "Butte" and "Imperial";

Also: On page 1, line 12, strike out the word "Humboldt".

Also: On page 1, line 8, after the word "Ventura", insert the word "Humboldt".

Also: On page 1, line 14, after the word "Orange", insert the word "Trinity".

Also: On page 1, line 15, after the word "dollars", insert the following: "the county of Inyo, thirty-six hundred dollars;"

Motion carried.

The Speaker appointed Mr. Moorhouse as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 224, with instructions, do now report that the instructions of the Assembly have been carried out.

MOORHOUSE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 536—An Act to improve the quality of dairy

products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

During third reading of the bill, Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

In line 6, of the title, strike out the words "contagious abortion", and insert in lieu thereof the words "other infectious diseases".

Also: In line 7, of the title, insert before the word "and" the following: "to establish uniform standards and uniform rules and regulations governing the production, manufacture and marketing of dairy products;"

Also: On page 3, in line 32, amend by inserting after the word "cow" the words "for dairy purposes".

Also: On pages 4 and 5, amend by striking out all of Section 4 after the words "Sec. 4" in line 35, page 4, and inserting in lieu thereof the following: "Milk and cream shall be deemed adulterated within the meaning of this Act if it or they shall not conform to the following definitions and standards:

1. Milk is the fresh, clean, lacteal secretion, all parts of which within seventy-two hours last past shall have been obtained from the udder by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen (15) days before and five (5) days after calving; and after it is bottled or canned and is ready for delivery to the consumer or to the trade it shall contain not less than three and three tenths (3.3%) per cent of milk fat, and not less than eight and five tenths (8.5%) per cent of solids not fat.

2. Cream is that portion of milk, rich in milk fat, which rises to the surface of milk on standing or is separated from it by centrifugal force, is fresh and clean, and contains not less than twenty (20%) per cent of milk fat.

3. Evaporated cream or clotted cream is cream from which a considerable portion of the water has been evaporated, and contains not less than thirty (30%) per cent of milk fat."

Also: On page 5, in line 36, amend by inserting before the word "principal", the words "creamery or".

Also: On page 6, in line 10, amend by striking out the words and figures "thirty-five per cent (35%)", and inserting in lieu thereof the words and figures "thirty per cent (30%)".

Also: On page 7, in line 3, amend by striking out the word "employees", and inserting in lieu thereof the word "persons".

Also: On page 8, in line 23, amend by inserting the words "received and" before the word "bottled".

Also: On page 8, in line 30, amend by striking out the words "the trade", and inserting in lieu thereof the words "a distributor or creamery".

Also: On pages 10 and 11, amend by striking out all of Section 13.

Also: On page 11, in line 18, amend by striking out the figures "14" following the word "Sec.", and inserting in lieu thereof the figures "13". Also by striking out the in same line the word "purpose", and inserting in lieu thereof the word "person".

Also: On page 11, in line 24, amend by striking out the figure "5", and inserting in lieu thereof the figures "13".

Also: On page 11, in line 34, amend by striking out the figure "5", and inserting in lieu thereof the figures "13".

Also: On page 14, in line 5, amend by striking out the figures "15", and inserting in lieu thereof the figures "14".

Also: On page 14, in line 16, amend by striking out the figures "16", and inserting in lieu thereof the figures "15".

Also: On page 15, in line 1, amend by striking out the figures "17", and inserting in lieu thereof the figures "16".

Also: On page 15, in line 9, amend by striking out the figures "18", and inserting in lieu thereof the figures "17".

Also: On page 15, in line 21, amend by striking out the figures "19", and inserting in lieu thereof the figures "18".

Also: On page 15, in line 27, amend by striking out the figures "20", and inserting in lieu thereof the figures "19".

Also: On page 15, in line 31, amend by striking out the figures "21", and inserting in lieu thereof the figures "20". Also, in the same line, amend by inserting before the word "acts" the word "All".

Motion carried.

The Speaker appointed Mr. Guiberson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 536, with instructions, do now report that the instructions of the Assembly have been carried out.

GUIBERSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1250—An Act providing for the changing of the name of the State Normal School at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College and making appropriations therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 8, after the word "service," insert the words "other than that which, under the law, requires of teachers the possession of the general high school certificate".

Amendment adopted.

AMENDMENT No. 2.

On page 2, strike out all of line 9, and substitute therefor the following: "shall be granted a credential for a certificate to teach the subjects represented by it".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violation of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

Strike out all after the enacting clause, and insert in lieu thereof the following: "SECTION 1. There is hereby established a commission to be known as the industrial welfare commission, hereinafter called the commission. Said commission shall be composed of five persons, four of whom shall be appointed by the governor as follows: one for the term ending January 1, 1914; one for the term ending January 1, 1915, one for the term ending January 1, 1916, and one for the term ending January 1, 1917; *provided, however*, that at the expiration of their respective terms, their successors shall be appointed to serve a full term of four years. Any vacancies shall be similarly filled for the unexpired portion of the term in which the vacancy shall occur. The commissioner of the bureau of labor statistics (hereinafter called labor commissioner) shall be ex officio the fifth member of said commission. One of said members shall be a woman, one thereof shall be a representative of labor, one thereof shall be a representative of employers of labor, and all thereof shall be citizens of this state. Three members of the commission shall constitute a quorum at all regular meetings and public hearings.

SEC. 2. The members of said commission shall draw no salaries but all of said members, except the labor commissioner, shall be allowed ten dollars per diem while engaged in the performance of their official duties. The commission may employ a secretary, and such expert, clerical and other assistants as may be necessary to carry out the purposes of this act, and shall fix the compensation of such employees, and may, also, to carry out such purposes, incur reasonable and necessary office and other expenses, including the necessary traveling expenses of the members of the commission, of its secretary, of its experts, and of its clerks and other assistants

and employees. All employees of the commission shall hold office at the pleasure of the commission.

SEC. 3. (a) It shall be the duty of the commission to ascertain the wages paid, the hours and conditions of labor and employment in the various occupations, trades, and industries in which women and minors are employed in the State of California, and to make investigations into the comfort, health, safety and welfare of such women and minors.

(b) It shall be the duty of every person, firm or corporation employing labor in this state:

1. To furnish to the commission, at its request, any and all reports or information which the commission may require to carry out the purposes of this Act, such reports and information to be verified by the oath of the president, secretary or manager, if a corporation, or of the members of the firm, if such, or of the person, if an individual employer, if and when so requested by the commission or any member thereof.

2. To allow any member of the commission, or its secretary, or any of its duly authorized experts or employees, free access to the place of business or employment of such person, firm, or corporation, for the purpose of making any investigation authorized by this Act, or to make inspection of, or excerpts from, all books, reports, contracts, payrolls, documents, or papers, as such person, firm, or corporation, relating to the employment of labor and payment therefor by such person, firm or corporation.

3. To keep a register of the names, ages, and residence addresses of all women and minors employed.

(c) For the purposes of this Act, a minor is defined to be a person of either sex under the age of eighteen years.

SEC. 4. The commission may specify times to hold public hearings, at which times, employers, employees, or other interested persons, may appear and give testimony as to the matter under consideration. The commission or any member thereof shall have power to subpoena witnesses, and to administer oaths. All witnesses subpoenaed by the commission shall be paid the fees and mileage fixed by law in civil cases. In case of failure on the part of any person to comply with any order of the commission or any member thereof, or any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the commission, it shall be the duty of the superior court or the judge thereof, on the application of a member of the commission, to compel obedience in the same manner, by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding pending before said court.

SEC. 5. If, after investigation, the commission is of the opinion that, in any occupation, trade, or industry, the wages paid to women and minors are inadequate to supply the cost of proper living, or the hours or conditions of labor are prejudicial to the health, morals or welfare of the workers, the commission may call a conference, hereinafter called wage board, composed of an equal number of representatives of employers and employees in the occupation, trade, or industry in question, and a representative of the commission to be designated by it, who shall act as the chairman of the wage board. The members of such wage board shall be allowed five dollars per diem and necessary traveling expenses while engaged in such conferences. The commission shall make rules and regulations governing the number and selection of such representatives and the mode of procedure of such wage board, and shall exercise exclusive jurisdiction over all questions arising as to the validity of the procedure and of the recommendations of such wage board. The proceedings and deliberations of such wage board shall be made a matter of record for the use of the commission, and shall be admissible as evidence in any proceedings before the commission. On request of the commission, it shall be the duty of such wage board to report to the commission its findings, including therein:

1. An estimate of the minimum wage adequate to supply to women and minors engaged in the occupation, trade or industry in question, the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The number of hours of work per day in the occupation, trade or industry in question, consistent with the health and welfare of such women and minors.

3. The standard conditions of labor in the occupation, trade or industry in question, demanded by the health and welfare of such women and minors.

SEC. 6. (a) The commission shall have further power after a public hearing had upon its own motion or upon petition, to fix:

1. A minimum wage to be paid to women and minors engaged in any occupation, trade or industry in this state.

2. The maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade or industry in this state; *provided*, that the hours so fixed shall not be more than the maximum now or hereafter fixed by law.

3. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade or industry in this state.

(b) Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and acting upon any matters referred to in subsection (a) hereof, the commission shall give public notice by advertisement in at least one newspaper published in each of the cities of Los Angeles and Sacramento and in the

city and county of San Francisco, and by mailing a copy of said notice to the county recorder of each county in the state, of such hearing and purpose thereof, which notice shall state the time and place fixed for such hearing, which shall be not earlier than fourteen days from the date of publication and mailing of such notices.

(c) After such public hearing, the commission may, in its discretion, make a mandatory order to be effective in sixty days from the making of such order, specifying the minimum wage for women or minors in the occupation in question, the maximum hours (provided that the hours specified shall not be more than the maximum for women or minors in California), and the standard conditions of labor for said women or minors; *provided, however*, that no order shall become effective until after April 1, 1914. Such order shall be published in at least one newspaper in each of the cities of Los Angeles and Sacramento and in the city and county of San Francisco, and a copy thereof be mailed to the county recorder of each county in the state, and the labor commissioner shall send by mail, so far as practicable, to each employer in the occupation in question, a copy of the order, and each employer shall be required to post a copy of such order in the building in which women or minors affected by the order are employed. Failure to mail notice to employer shall not relieve employer from the duty to comply with such order. Finding by the commission that there has been such publication and mailing to county recorders shall be conclusive.

SEC. 7. Whenever wages, or hours, or conditions of labor have been so made mandatory in any occupation, trade, or industry upon its own motion or upon petition of either employers or employees, the commission may, at its discretion, and from time to time, after a public hearing held upon the notice prescribed for an original hearing, rescind, alter or amend any prior mandatory order. Any mandatory order rescinding a prior mandatory order shall have the same effect as herein provided for in an original mandatory order.

SEC. 8. For any occupation in which a minimum wage has been established, the commission may issue to a woman physically defective by age or otherwise, a special license authorizing the employment of such licensee for a period of six months, subject to renewals for like periods of six months each for a wage less than such legal minimum wage; and the commission shall fix a special minimum wage for such person.

SEC. 9. Upon the request of the commission, the labor commissioner shall cause such statistics and other data and information to be gathered, and investigations made, as the commission may require. The cost thereof shall be paid out of the appropriations made for the expenses of the commission.

SEC. 10. Any employer who discharges, or threatens to discharge, or in any other manner discriminates against any employee because such employee has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings relative to the enforcement of this Act, shall be deemed guilty of a misdemeanor.

SEC. 11. The minimum wage for women and minors fixed by said commission as in this Act provided, shall be the minimum wage to be paid to such employees, and the payment to such employees of a less wage than the minimum so fixed shall be unlawful, and every employer or other person who, either individually or as an officer, agent, or employee of a corporation or other person, pays or causes to be paid to any such employee a wage less than such minimum, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment.

SEC. 12. In every prosecution for the violation of any provision of this Act, the minimum wage established by the commission as herein provided shall be *prima facie* presumed to be reasonable and lawful, and to be the living wage required herein to be paid to women and minors.

SEC. 13. Any employee receiving less than the legal minimum wage applicable to such employee shall be entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of suit, notwithstanding any agreement to work for such lesser wage.

SEC. 14. Any person may register with the commission a complaint that the wages paid to an employee for whom a living rate has been established, are less than that rate, and the commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the living wage.

SEC. 15. The commission shall biennially make a report to the governor and state legislature of its investigations and proceedings.

SEC. 16. There is hereby appropriated annually out of the moneys of the state treasury, not otherwise appropriated, the sum of twenty thousand dollars, to be used by the commission in carrying out the provisions of this Act, and the controller is hereby directed from time to time to draw his warrants on the general fund in favor of the commission for the amounts expended under its direction, and the treasurer is hereby authorized and directed to pay the same.

SEC. 17. The commission shall not act as a board of arbitration during a strike or lock-out.

Amendments, on motion of Mr. Ryan, ordered printed in the Journal and bill passed on file.

Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts."

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out the title, and insert in lieu thereof the following: An Act to amend the title and an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert in lieu thereof the following:

Section 1. The title of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, is hereby amended to read as follows: "An Act concerning neglected, dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons; fixing the salaries of probation officers; providing for detention homes for said persons; providing for the punishment of those responsible for, or contributing to, the dependency or delinquency of said persons; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts."

Sec. 2. Said Act is hereby amended to read as follows:

Section 1. This Act shall be known as the "juvenile court law" and shall apply only to persons under the age of twenty-one years and not now or hereafter inmates of a state institution.

Sec. 2. Within the meaning of this Act the words "neglected person" shall include any person:

(1) Whose home by reason of neglect, cruelty or depravity of his parents or either of them, or on the part of his guardian, or on the part of the person in whose care or custody he may be, is an unfit place for such person; or

(2) Whose father is dead or has abandoned his family or is an habitual drunkard, and it appears that such person is destitute of a suitable home, or of adequate means of obtaining an honest living, and is in danger of being brought up to lead an idle and dissolute, or immoral life; or

(3) Who has not the proper care and discipline essential to the welfare of such

person, and who is without parent or guardian able or willing to give such care and enforce such discipline; or

(4) Who, being under the age of sixteen years, is found wandering and not having any home or settled place of abode, or any visible means of subsistence; or

(5) Who, being under the age of fifteen years, is in a condition of extreme want, and is without parent or other person able and willing to maintain such person; or

(6) Who, being under the age of fifteen years, is found begging, or receiving or gathering alms in any street, road or public place, or who is there for the purpose of so doing, whether actually begging or doing so under the pretext of peddling, or selling any article or articles, or singing or playing any musical instrument, or giving any public entertainment in such street, road or public place, or who accompanies or is used in aid of any person so doing.

SEC. 2a. It is hereby provided that no person shall be dealt with under this Act as a neglected person who properly can be dealt with under any other law of the State of California now or hereafter in force providing for the placing, care and custody of neglected persons.

SEC. 3. Within the meaning of this Act the word "dependent person" shall include any person:

(1) Who has no parent or guardian willing to exercise, or capable of exercising proper parental control, and for the want of such proper parental control such person is wayward and addicted to vicious habits, and is in danger of being brought up to lead an idle and dissolute, or immoral life; or

(2) Who knowingly associates with thieves or other vicious or immoral persons; or

(3) Who is found living or being in any house of prostitution or assignation, knowing at the time that such house is a house of prostitution or assignation; or

(4) Who habitually visits, without parent or guardian, any billiard room or pool room, or any saloon, or place where any spirituous, vinous or malt liquors are sold, bartered or given away; or

(5) Who is incorrigible, that is, who is beyond the control and power of his parents, guardian or custodian by reason of the vicious conduct or nature of said person; or

(6) Who is an habitual truant within the meaning of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of said Act," approved March 24, 1903, and any Act or Acts amending or superseding the same, and who is not placed in a parental school under the provisions of said Act, or who being over the age of fifteen years refuses to attend public or private school as directed by his parents, guardian or custodian; or

(7) Who habitually uses intoxicating liquor as a beverage; or, who habitually smokes cigarettes; or, who habitually uses opium, cocaine, morphine or other similar drug, without the direction of a competent physician; or

(8) Who from any cause of personal depravity is in danger of growing up to lead an idle and dissolute, or immoral life.

SEC. 4. Within the meaning of this Act the words "delinquent person" shall include any person who violates any law of this state, or any ordinance of any town, city, county or city and county of this state, defining crime, and which involves moral turpitude.

SEC. 5. The superior court in every county of this State shall exercise the jurisdiction conferred by this Act, and, while sitting in the exercise of its said jurisdiction, shall be known and referred to as the "juvenile court," and is hereinafter so referred to. In counties having more than one judge of the superior court, the judges of such court shall annually designate one or more of their number whose duty it shall be to hear all cases coming under this Act; *provided*, that no judge shall be designated to serve in such capacity for less than one year; and that no judge shall be designated to serve in such capacity who has already or shall hereafter have served for five consecutive years, until an interval of one year has elapsed: *provided, however*, that nothing in this section contained shall be construed in conflict with that portion of Article VI, Section 6, of the Constitution of the State of California, applying to the city and county of San Francisco. The orders and findings, if any, of the superior court, in all cases coming under the provisions of this Act, shall be entered in a book to be kept for that purpose and known as the "juvenile court record," and the court when acting under this Act shall be called the "juvenile court." All cases coming under the provisions of this Act shall be heard at a special or separate session of the court, and no other matter shall be heard at such session, nor shall there be permitted to be present at such session any person on trial or awaiting trial, or under accusation of crime, who does not come under the provisions of this Act.

SEC. 6. Any person may file with the clerk of the superior court a petition showing that there is within the county, or residing therein a neglected, dependent or delinquent person, and praying that the superior court deal with such person as provided in this Act. Such petition shall be verified and shall contain a statement of facts constituting such neglect, dependency or delinquency, as defined in this Act, and the names and residence if known to the petitioner, of the parents or guardian of said neglected, dependent or delinquent person. There shall be no fee for filing such petition.

SEC. 7. Upon the filing of the petition provided for in section six hereof, a citation shall issue, requiring the person or persons having the custody or control of the alleged neglected, dependent or delinquent person, or with whom such alleged neglected, dependent or delinquent person may be, to appear with said alleged neglected, dependent or delinquent person at a time and place stated in the citation. Service of such citation must be made at least twenty-four hours before the time stated therein for such appearance. The parents or guardians of said alleged neglected, dependent or delinquent person, if residing within the county in which the court sits, and if their places of residence be known to the petitioner, or if there be neither parent nor guardian so residing, or if their places of residence be not known to the petitioner, then some relative of said alleged neglected, dependent or delinquent person, if any there be residing within said county, and if his residence and relationship to such alleged neglected, dependent or delinquent person be known to petitioner, shall be notified of the proceedings by service of citation requiring him or them to appear at the time and place stated in such citation. In any case the judge may appoint some suitable person to act in behalf of said alleged neglected, dependent or delinquent person, and may order such further notice of the proceedings to be given as he may deem proper. If any person, cited as herein provided, shall fail, without reasonable cause, to appear and abide by the order of the court, or to bring said alleged neglected, dependent or delinquent person, if so required in the citation, such failure shall constitute a contempt of said court and may be punished as provided for in other cases of contempt of court. In case such citation cannot be served or the party served fails to obey the same, and in any case in which it shall be made to appear to the court that such citation will probably be ineffective, a warrant of arrest shall issue on the order of the court, either against the parent or guardian, or the person having the custody of said alleged neglected, dependent or delinquent person, or with whom the said alleged neglected, dependent or delinquent person may be, or against the said alleged neglected, dependent or delinquent person himself, or any or all said persons; or if there be no person to be served with citation as above provided, a warrant of arrest may be issued against the said alleged neglected, dependent or delinquent person immediately. On the return of the citation or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Until the final disposition of any case, the said alleged neglected, dependent or delinquent person may be retained in the possession of the person having charge of said person, or may be kept, upon the order of the court, in some suitable place, provided by the county, or may be held otherwise as the court may direct.

SEC. 8. When any alleged neglected person under the age of twenty-one years shall be found by said court or judge to be a neglected person within the meaning of this Act, the court shall make such order or orders as may be necessary for the care of said neglected person; *provided, however*, that no such neglected person shall be placed in the care of any family home, association, society, corporation, school or institution, where there are dependent or delinquent persons. When any alleged dependent or delinquent person under the age of twenty-one years shall be found by said court or judge to be dependent or delinquent, within the meaning of this Act, the court may make an order committing said dependent or delinquent person, for such time as the court may deem fit but not beyond the time when such dependent or delinquent person shall reach the age of twenty-one years, to the home and care of some reputable person of good moral character, or to the care of some association, society or corporation willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for dependent or delinquent children, or to the care of the probation officer, or other person, said dependent or delinquent person to remain in his or her home, or in any other home approved by the court; or the court may, if said dependent or delinquent person be a boy of at least sixteen years of age commit him to the Preston School of Industry, or if under sixteen years of age to the Whittier State School during his minority; or, if a girl, commit her to the Whittier State School or to any similar state institution for girls until twenty-one years of age; *provided, however*, that such commitment under this Act to either the Preston School of Industry or the Whittier State School shall permit the transfer of any boy from one institution to the other upon the agreement thereto by the superintendents of both of such institutions. Accompanying the commitment papers, the court must submit to the superintendent of such institution a record of all the facts in the possession of the court, covering the history of the person committed, including a statement of the mental and physical condition.

Should it develop, either at the time of their presentation, or after having become an inmate thereof, that any dependent or delinquent person, who has been committed to either of such institutions, is an improper person to be there retained, or so incorrigible or so incapable of reformation under the discipline of the school to which such person may be committed as to render his or her retention detrimental to the interests of the school, the superintendent may, with the approval of the board of trustees of such institution return such dependent or delinquent person to the committing court. And in the event of such return, the transportation of such dependent or delinquent person shall be made in the same manner, and the compensation therefor, if any, shall be paid for as is provided for in the execution of an order of commit-

ment to such institution. After making any of the above mentioned orders the court may, from time to time, change or modify the same, or set aside the same, or commit such dependent or delinquent person to such place or institution, and for such time as the court may deem fit, but not beyond the time when such person shall attain the age of twenty-one years.

SEC. 9. The judge of the Superior Court in and for each county, or city and county, of the State, and in counties where there is more than one judge of the said court, the judges of the Superior Court in said county shall, by order entered in the minutes of the court, appoint seven discreet citizens of good moral character, not more than four of whom shall be of the same sex, and at least two of whom shall have been mothers, to be known as the "probation committee," and shall fill all vacancies occurring in such committee. So far as possible, there shall not be appointed more than one member of such probation committee from the same vocation, business or profession. The clerk of said court shall immediately notify each person appointed on said committee and thereupon said persons shall appear before the judge of the Superior court to whom has been assigned all proceedings under this Act and qualify by taking an oath, which shall be entered in said juvenile court records, to perform faithfully the duties of a member of such probation committee.

SEC. 10. The members of such probation committee shall hold office for four years, and until their successors are appointed and qualify; *provided*, that of those first appointed, one shall hold office for one year, two for two years, two for three years, and two for four years, the terms for which the respective members shall hold office to be determined by lot as soon after their appointment as may be. When any vacancy occurs in any probation committee by expiration of the term of office of any member thereof, his successor shall be appointed to hold office for the term of four years; when any vacancy occurs for any other reason, the appointee shall hold office for the unexpired term of his predecessor.

SEC. 11. The juvenile court or the judge thereof may at any time, and upon request of the county board of supervisors, shall require said probation committee or probation officer to examine into the qualifications and management of any society, association or corporation, other than a state institution, receiving, or applying for, any neglected dependent or delinquent person under this Act, and to report thereon to the court. It shall be the duty of each probation committee to prepare each year one or more reports in writing on the qualifications and management of all societies, associations and corporations, except state institutions, applying for or receiving any neglected, dependent or delinquent person under this Act from the courts of their respective counties, and in such report said committee may make such suggestions or comments as to them may seem fit; such report to be filed as a public document with the clerk of the juvenile court appointing such committee. The probation committee shall also make to the court an annual report to be filed as a public document prior to the first day of December, copies of which shall be filed with the county board of supervisors and the state board of charities and corrections. It shall be the duty of the probation committee to exercise a friendly supervision and visitation over the neglected, dependent or delinquent person when so directed by the court, to furnish the court information and assistance whenever required, and, from time to time, to advise and recommend to the court any change or modification of the order made in the case of a neglected, dependent or delinquent person as may be for the best interests of such person. Upon request of the probation officer, any member of the probation committee shall investigate the case of any alleged neglected, dependent or delinquent person coming under the provisions of this Act, and render a report thereon to the probation officer. The probation committee shall also have the control and management of the internal affairs of any detention home or branch detention home heretofore or hereafter established by the county board of supervisors; and it shall be the duty of said board of supervisors to provide for the payment of such employees as may be needed in the efficient management of such detention home or branch detention home or homes.

SEC. 12. Members of the probation committee shall serve without compensation, but shall be allowed their reasonable traveling expenses as approved by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasurer for the specified amount of such expenses. All orders by the juvenile court judge upon the county treasury shall be filed in duplicate with the county board of supervisors.

SEC. 13. There shall be appointed, as hereinafter provided, a probation officer in every county, and he may appoint as many deputies as he may desire; *provided*, however, that such deputies shall not have authority to act until their appointment shall have been approved by a majority vote of the probation committee, and by the judge of the juvenile court. The term of office of such deputies shall expire with the expiration of the term of office of the probation officer making such appointments; but either the probation officer, or the probation committee by a majority vote, or the judge of the juvenile court, may at any time in his or their discretion, revoke and terminate any such appointment. Such deputies, except as hereinafter provided,

shall serve without compensation. Every probation officer and every assistant probation officer receiving an official salary shall, at the time that he files his oath of office, file with the county clerk of the county his official bond approved by the judge of the juvenile court. The judge of the juvenile court shall have authority by an order entered in the minutes of said court to determine and fix the amount of bonds of the probation officer of the county and of his assistants. If said bonds, or any of them, are furnished by any surety company licensed to transact business in the State of California, the premium thereon shall be paid out of the county treasury.

SEC. 14. The offices of probation officer and assistant probation officer are hereby created. The probation officers and assistant probation officers to serve hereunder in any county shall be nominated by the probation committee in such manner as the judge of the juvenile court in the respective counties shall direct; and the appointment of such probation officers and assistant probation officers shall then be made by the judge of the respective juvenile courts. The term of office of the probation officers and assistant probation officers shall be two years from the date of their said appointments. All probation officers and assistant probation officers receiving a salary of seventy-five dollars or more per month shall devote their entire time and attention to the duties of their offices, and no such probation officer or assistant probation officer, while holding such office and receiving salary therefor, shall be a candidate or seek the nomination for any other public office or employment, and no person shall be appointed to and receive the salary attached to such office of either probation officer or assistant probation officer who is related to the judge of the juvenile court or to a member of the probation committee of such county, by consanguinity or affinity, within the third degree, computed according to the rules of law. Such probation officers and assistant probation officers may at any time be removed by the judge of the juvenile court for good cause shown; *provided*, that no such probation officer or assistant probation officer shall be removed unless he has been furnished with a specific statement in writing of the reasons for such removal, said statement to be signed by the judge of the juvenile court and by a majority of the probation committee.

SEC. 14a. In counties of the first class there shall be one probation officer and twenty-five assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen probation officers, one hundred dollars per month; one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month; one assistant probation officer to act as probation officer's clerk, eighty-five dollars per month; one assistant probation officer to act as stenographer to the probation officer in clerical work, seventy-five dollars per month; one assistant probation officer to act as bookkeeper, seventy-five dollars per month; one assistant probation officer to act as telephone exchange operator and stenographer, sixty-five dollars per month.

SEC. 14b. In counties, or cities and counties of the second class there shall be one probation officer and ten assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; and nine assistant probation officers, one hundred and twenty-five dollars per month each.

SEC. 14c. In counties of the third class there shall be one probation officer and eight assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; two assistant probation officers, each one hundred dollars per month; two assistant probation officers, each seventy-five dollars per month.

SEC. 14d. In counties of the fourth class there shall be one probation officer and one assistant probation officer. The salaries of said officers shall be as follows: Probation officer, one hundred and fifty dollars per month; assistant probation officer, one hundred dollars per month.

SEC. 14e. In counties of the fifth class there shall be one probation officer, whose salary shall be one hundred and fifty dollars per month; and one assistant probation officer, whose salary shall be one hundred and twenty-five dollars per month. In counties of the fourteenth class there shall be one probation officer, whose salary shall be one hundred and twenty-five dollars per month.

SEC. 14f. In counties of the sixth class there shall be one probation officer and two assistant probation officers. The salaries of such officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, one hundred dollars per month.

SEC. 14g. In counties of the seventh class there shall be one probation officer and two assistant probation officers. The salaries of said officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant pro-

bation officer, one hundred and twenty-five dollars per month; and one assistant probation officer, one hundred dollars per month.

SEC. 14*h*. In counties of the eighth class there shall be one probation officer, whose salary shall be one hundred dollars per month.

SEC. 14*i*. In counties of the ninth class there shall be one probation officer and two assistant probation officers. The salaries of said officers shall be as follows: Probation officer, one hundred dollars per month; one assistant probation officer, seventy-five dollars per month; and one assistant probation officer, fifty dollars per month.

SEC. 14*j*. In counties of the tenth class there shall be one probation officer who shall maintain an office in the court house at the county seat. The salary of said probation officer shall be one hundred and fifty dollars per month.

SEC. 14*k*. In each of the counties of the eleventh, twelfth, thirteenth, seventeenth, eighteenth, twenty-third, twenty-fifth, twenty-sixth, twenty-seventh, and thirty-third classes, there shall be one probation officer. The salary of each of said probation officers shall be one hundred dollars per month. In counties of the thirteenth class, there shall be one assistant probation officer, whose salary shall be twenty-five dollars per month. In counties of the eighteenth class, there shall be four assistant probation officers, whose salary shall be twenty-five dollars per month each. In counties of the twenty-sixth class, there shall be one assistant probation officer, whose salary shall be forty dollars per month.

SEC. 14*l*. In counties of the thirty-fifth class there shall be one probation officer who shall maintain an office in the court house at the county seat. The salary of said probation officer shall be one hundred dollars per month.

SEC. 14*m*. In each of the counties of the fifteenth class there shall be one probation officer. The salary of said probation officer shall be eighty dollars per month.

SEC. 14*n*. In each of the counties of the sixteenth, nineteenth, twentieth, twenty-second, thirtieth, thirty-second and thirty-eighth classes there shall be one probation officer. The salary of each of said probation officers shall be fifty dollars per month.

SEC. 14*p*. In counties of the thirty-fourth class there shall be one probation officer. The salary of said probation officer shall be eighty dollars per month.

SEC. 14*q*. In counties of the thirty-first class there shall be one probation officer. The salary of said probation officer shall be sixty dollars per month.

SEC. 14*r*. In each of the counties of the twenty-first, thirty-fourth, thirty-ninth and forty-second classes, there shall be one probation officer. The salary of each of said probation officers shall be fifty dollars per month.

SEC. 14*t*. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 14*u*. In each of the counties of the forty-fourth, fiftieth, fifty-second, and fifty-fifth classes, there shall be one probation officer. The salary of each of said probation officers shall be ten dollars per month.

SEC. 14*v*. In each of the counties of the fifty-seventh and fifty-eighth classes there shall be one probation officer. The salary of each of said probation officers shall be five dollars per month.

SEC. 14*z*. In every other county than those heretofore expressly enumerated the salary of the probation officer shall be thirty-five dollars per month.

SEC. 15. The salaries of all probation officers and assistant probation officers shall be paid out of the county treasury of the county for which they are appointed, respectively, in the same manner as the salaries of the county officers. The probation officers and assistant probation officers and deputy probation officers in all counties of the state shall be allowed such necessary incidental expenses incurred in the performance of their duties as required by any laws of the State of California as may be authorized by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out of the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasurer for the specific amount of such expenses. The probation officer and the clerk of the juvenile court shall each keep a classified list of expenses and file a duplicate copy with the county board of supervisors.

SEC. 16. It shall be the duty of the clerk of any court before which an alleged neglected, dependent or delinquent person is brought under the provisions of this Act, before hearing, to notify the probation officer of the county thereof.

SEC. 17. The probation officer shall inquire into the antecedents, character, family history, environment and cause of dependency or delinquency of every alleged neglected, dependent, or delinquent person brought before the juvenile court, and shall make his report in writing to the judge thereof; It shall also be the duty of said probation officer, to be present in court in order to represent the interests of the neglected, dependent or delinquent person when the case is heard, and to furnish to the court such information and assistance as it may require and to make such report at such time; and to take charge of said neglected, dependent or delinquent person before and after the hearing as may be ordered. Whenever any person is declared neglected, dependent or delinquent under the provisions of this Act, and is placed in or committed to the care and custody of the probation officer, the case may be transferred to the

juvenile court of any county of this state, in which such person resides or to which such person shall remove, and such court shall thereafter have entire jurisdiction over said case. Every probation officer, assistant probation officer and deputy probation officer shall have the powers of a peace officer. At any time the probation officer may bring any neglected, dependent or delinquent person placed in or committed to his care before the court for such further or other action as the court may deem proper. Before any neglected person is replaced, or any dependent or delinquent person is recommitted, the probation officer shall inquire into the reasons assigned for such action and shall be present in court in order to represent the interests of such person. Every probation officer shall have the powers of a school attendance officer, in such portions of the county, in which such probation officer has been appointed, as are not otherwise provided with a school attendance officer, and shall exercise such powers when not inconsistent with his other duties. Every probation officer, within fifteen days after the thirtieth day of June, and within fifteen days after the thirty-first day of December, of each year, shall make in writing and file as a public document a report to the judge of the juvenile court of the county in which such probation officer is appointed, and shall furnish to the county board of supervisors and to the secretary of the state board of charities and corrections of this state a copy thereof. Such report without giving names shall state separately the exact number of neglected, dependent and delinquent persons, segregating male and female, who have been committed by such juvenile court to the care and custody of such probation officer, and the exact number of such persons who are wards of such juvenile court, but of whose cases other disposition has been made, as such number exists deducting all cases dismissed, or where such person has passed the age of twenty-one years upon such thirtieth day of June and such thirty-first day of December, segregating such persons as having been adjudged by such juvenile court to be neglected, dependent or delinquent, as the case may be, in 1903, 1904, 1905 and so on, up to and including the calendar year in which such report is made and filed. Any of the duties of a probation officer may be performed by an assistant or deputy probation officer, and shall be so performed whenever directed by the probation officer; and it shall be the duty of the probation officer to see that his assistant and deputy probation officers perform their duties.

SEC. 18. Whenever a deposition or complaint shall be filed in any court other than a Superior Court, charging a person with a crime and it shall be suggested to the judge, justice or recorder before whom such person is brought that the person charged is under the age of eighteen years, said judge, justice or recorder shall immediately suspend all proceedings against such person on said charge and examine into the age of such person, and if, from such examination, it shall appear to the satisfaction of said judge, justice or recorder that such person is under the age above specified, he shall forthwith certify to the juvenile court of his county (a) that said person (naming him) is charged with such crime (briefly stating its nature); (b) that such person appears to be under the age of eighteen years, giving date of birth when known, and (c) the suspension of proceedings against such person on such charge by reason of his age, with the date of such suspension; and immediately thereupon all proceedings against the said person on said charge shall be suspended until said juvenile court shall issue its mandate, as hereinafter provided, directing the court before which said charge was pending to proceed with the examination into or trial thereof, and the court so suspending its proceedings shall forthwith cause such person to be taken before the juvenile court of the county for consideration and proceedings under this Act. When such person shall be brought before the judge of the juvenile court said judge shall cause a complaint to be filed as provided in Section 6 of this Act and shall fix a time for considering said matter and shall cause citation to be issued, as provided in Section 9 of this Act. Pending such hearing, said judge may admit such person to bail or otherwise provide for his temporary custody in any manner provided herein for the care of a delinquent person after the finding of his delinquency. The judge of said juvenile court may further investigate the age of such person and may also inquire into the condition and care of such person and make such orders for his disposition under the provisions of this Act as he may deem proper. If said judge shall, after such investigation, decide that such person was at the time said offense was alleged to have been committed of the age of eighteen years or more, such determination shall be conclusive and he shall immediately issue his mandate directing the court before which such charge is pending to proceed therewith, and upon receipt of such mandate said court shall proceed with the examination or trial of said charge as though no suspension thereof had taken place; *provided, however*, that if the court shall find that the person so charged is under the age of twenty-one years but a fit subject for consideration under the provisions of this Act, he may make such order or orders hereunder as he may deem best in relation to such person; *provided further, however*, that if such judge shall at any time conclude that such person is not a fit subject for further consideration under this Act, he may remand such person to the court in which said person is charged with said offense for further proceedings on said charge, and upon receipt of the mandate of said juvenile court, or the judge thereof, the court before which said charge is then pending shall be vested with full authority to proceed with the examination or trial thereof. All statutes of limitations relating to the charge so pending against such person shall be suspended as to said person and charge from

the issuance by said judge, justice or recorder of his certificate hereinbefore provided for until said juvenile court, or judge thereof, shall issue its mandate remanding such person for further proceedings as aforesaid; and all statutes of limitation relating to any charge, made in any court, against any person under the age of twenty-one years, shall be suspended as to such charge and person whenever, and as long as, such person is before the juvenile court for consideration under the provisions of this Act, or is detained by virtue of any commitment issued hereunder and unrevoked; *provided, however*, that if said delinquent person shall be discharged by the juvenile court as reformed, such order of discharge shall constitute a bar to any further proceedings in any court against said delinquent person upon said charge.

SEC. 19. Whenever it is claimed that any person under the age of twenty-one years is a neglected, dependent or delinquent person as defined in this Act, a verified petition shall be filed in the juvenile court of the county wherein said alleged neglect, dependency or delinquency occurred, stating such neglect, dependency or delinquency and the facts constituting the same, and that said neglected, dependent or delinquent person is under the age of twenty-one years, and praying that the said court shall adjudge said person to be a neglected, dependent or delinquent person within the meaning of this Act. Notice shall be given of the time and place of hearing as in the case of a person alleged to be a neglected, dependent or delinquent person, and the petition shall be heard at the time and place designated by the juvenile court. If the court shall adjudge said person to be a neglected, dependent or delinquent person, within the meaning of this Act, such order shall be made as is meet in the premises, as in this Act provided.

If upon said hearing said court shall determine that a delinquent person is not a fit and proper subject to be dealt with under the reformatory provisions of this Act, said court may dismiss the petition hereunder and direct that such delinquent person be prosecuted under the general law. No dependent or delinquent person under eighteen years of age shall be prosecuted for crime until the matter has first been submitted to the juvenile court by petition as herein provided, or by certificate of the lower court as provided in section sixteen hereof.

SEC. 20. Whenever any person over the age of eighteen years and under the age of twenty-one years is accused of a felony, and the indictment or information has been filed in the Superior Court of the county wherein the crime was committed, charging said person with the commission of said felony, the judge may, in his discretion, with the consent of the accused, or upon his request, arrest said proceeding at the time of arraignment or at any time previous to the impanelment of a jury, except where the crime charged is a capital offense, and may proceed to investigate the charge against the defendant, and all the facts and circumstances necessary to determine the proper disposition to be made of said person, and shall determine whether said person shall be dealt with as a delinquent under the provisions of this Act. If the court is satisfied upon such investigation that said person should be declared a delinquent and should be dealt with under this Act, it may make such order as herein provided for the disposition of delinquent persons. If such person thereafter prove not to be amenable to the discipline of the state school to which he may be committed, and the trustees thereof shall determine that said person should be committed to a state penitentiary, such person shall be returned to the custody of the sheriff of the county in which such crime was committed, and thereafter proceedings shall be had upon the indictment or information commencing at the point at which proceedings were arrested; and said person shall be tried for the offense alleged in the information, and if convicted shall be sent to the penitentiary for such time as the court may determine, or otherwise dealt with in accordance with the law for dealing with persons convicted of a felony. If no request is made by the defendant for proceedings under this statute, or if the defendant desires a trial by jury, or if the judge declines to consent to the application of the defendant for proceedings under this statute, said cause shall proceed in the ordinary manner up to the verdict of guilty or not guilty as the case may be. If said person is convicted, the court may thereafter receive such evidence as may be offered, touching the question as to whether or not said person should be dealt with as a delinquent in the manner hereinbefore provided in case of the application and consent of the accused before trial, and may make such order of probation or commitment to said state schools, and may from time to time modify said probation orders, as is herein provided in the case of persons adjudged delinquent. If such person during the period of his commitment to said state institution, proves to be incorrigible or not amenable to the discipline of such institution, and it shall be deemed advisable in the judgment of the trustees of such institution that said person be sent to the penitentiary, then said person shall be returned to the superior court in which the verdict was rendered, for sentence, and thereupon the court shall pronounce judgment.

SEC. 21. In the case of a person alleged to be delinquent within the meaning of this Act, the juvenile court may, pending the hearing, at any time before the person is adjudged delinquent or otherwise disposed of, order that said person be detained in any detention home, provided for that purpose by any county or it may be otherwise temporarily provided for as to the court may seem fit in any manner provided herein for the care of a person after the termination of his delinquency.

SEC. 22. If the court find a person to be dependent or delinquent, then the court

may commit such person to the care and custody of the probation officer and may allow the said person to remain in the home of said person, subject to the visitation of a probation officer, and such person shall report to the probation officer as often as may be required, and be subject to be returned to the court for further proceedings whenever such action may appear necessary or desirable, or the court may commit the person to the care and custody of the probation officer, to be placed in a suitable family home subject to the supervision of said probation officer and the further order of the court; or it may order the probation officer to board out the person in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of said person until suitable provision may be made for said person in a home without such payment; or the court may commit said person for such time until such person arrives at the age of twenty-one years as to the court may seem fit, to the care and custody of some association, society or corporation that will receive it, embracing within its objects the care of dependent or delinquent children; or the court may commit said person to a state school as hereinbefore provided, or to such other state institution as may be authorized by law to receive it; *provided, further*, that should the legislative body of the county provide a suitable place for the detention of dependent or delinquent persons which they are hereby authorized and required to do, such dependent or delinquent persons may be committed thereto after the adjudication of dependency or delinquency for a definite period to be specified in such order, at the end of which time said person shall be brought before the court for further order of court. The court may thereafter set aside, change or modify said order and provide for a further detention in said place.

The court shall retain the jurisdiction of any person who is found to be dependent or delinquent until such person attains his majority, or if a girl, until she attains the age of twenty-one years, unless she is married with the consent of the court, or until said court is satisfied that said person has fully reformed and that further direction and supervision under the provisions of this Act are unnecessary for said person's reformation.

If a boy, under the age of sixteen years, said person may be committed by said court to the Whittier State School or if over the age of sixteen years, the Preston State School of Industry at any time during his minority for the period of his minority. If a girl, she may be committed to the said Whittier State School at any time before she is twenty-one years of age until she is twenty-one years of age. Such person may be committed to any other institution now or hereafter provided by the state for such persons.

Upon the return of said person to the custody of the juvenile court, if said person be accused of felony, it shall be the duty of the judge of said court to sit as a committing magistrate and hold the preliminary examination of such person, and if upon said hearing he shall determine that there is probable cause to believe that the said person has committed the offense charged in the petition theretofore filed in said court, he shall hold such person to answer to the superior court, and thereupon, the usual proceedings shall be had for the trial of said case in the Superior Court after the filing of the information in pursuance to said order of said judge sitting as a committing magistrate, and said person shall be tried by court and jury in the usual manner for the trial of a felony; *provided, however*, that no minor under the age of fourteen years at the time of the commission of the offense with which he is charged shall ever be sent to a penitentiary until he has first been committed to the Whittier State School or the Preston State School of Industry and has there proved to be incorrigible or not amenable to the discipline of said school.

No minor who is under the age of eight years and no one who is suffering from any contagious, infectious or other disease which would probably endanger the lives or health of the other inmates of said state schools shall be committed thereto. No person shall be committed to said state schools unless the judge of said court shall be fully satisfied that the mental and physical condition and qualifications of said person are such as to render it probable that such person will be benefited by the reformatory educational discipline of such schools.

SEC. 23. Any order providing for the custody of a neglected, dependent or delinquent person may provide that the expense of maintaining such person shall be paid by the parent or parents or guardian of such person, and in such case shall state the amount to be so paid, and shall determine whether or not the parent or parents or guardian shall exercise any control of said person, and define the extent thereof. Any disobedience of such order or interference with the custody of the person as therein determined shall constitute a contempt of court. It shall be the duty of the probation officer to investigate and report in writing at the first session of the juvenile court held after the first days of January, April, July and October of each year, whether said orders have been obeyed. If it be found, however, that the parent or parents or guardian of a neglected, dependent or delinquent person is unable to pay the whole expense of maintaining such person, the court may, in the order providing for the custody of such person, direct such additional amount as may be necessary to support such person to be paid from the county treasury of the county for the support of such person, the amount so ordered to be paid from the treasury of said county not to exceed, in case of any one person the sum of eleven dollars per month; *provided*, that no order for the payment of all or part of the expense of support and maintenance of a neglected, dependent or delinquent person from the

county treasury shall be effective for more than six months, unless a new order is secured at the expiration of that period. The court may thereafter set aside, change or modify any order herein provided for.

All orders by the juvenile court judge upon the county treasury shall be filed in duplicate with the county board of supervisors.

SEC. 24. Any order made by the court in case of a dependent or delinquent person may at any time be changed, modified or set aside as to the judge may seem meet and proper.

Nothing in this Act contained shall be deemed to interfere with the system of parole and discharge that is now or may hereafter be provided by law, or by rule of the board of trustees of the Whittier State School and the Preston State School of Industry, respectively, for the parole and discharge of dependent and delinquent persons committed to the said schools or to any similar state institutions hereafter created, or with the internal management of the said schools, save that the court committing a person to either of said schools may thereafter change, modify or set aside said order of commitment upon ten days' notice of the hearing of the application therefor being served by United States mail upon the superintendent of the said school to which said person had previously been committed.

SEC. 25. Any alleged neglected, dependent or delinquent person may have a private hearing upon the question of his neglect, dependency or delinquency, and upon the request of said person or said person and either of his parents or guardian, such hearing may be had privately in the manner provided by law for private hearings at preliminary examinations. An order of court adjudging a person neglected, dependent or delinquent under the provisions of this Act shall in no case be deemed to be a conviction of crime.

SEC. 26. No court, judge, magistrate or peace officer shall commit a person under sixteen years of age to any jail or prison, before trial and conviction, but if any such person is not released pending such hearing, he may be committed to the care and custody of a sheriff, constable or other peace officer who shall keep such person in a detention home or some other suitable place outside of the enclosure of any jail or prison, as the court may direct. When any person under sixteen years of age shall be sentenced to confinement in any institution to which adult convicts or prisoners are sentenced or confined, it shall be unlawful to confine such persons in the same room, yard or enclosure with such adult convicts or prisoners, or to permit such person to come or remain in contact with such adult convicts or prisoners.

SEC. 27. It shall be the duty of the legislative body of every county, or city and county, immediately upon this Act becoming effective, to provide and thereafter maintain, at the expense of such county, or city and county, in a location approved by the judge of the juvenile court, a suitable house or place to be known as the "detention home" of said county, or city and county, for the detention of dependent and delinquent persons. Such detention home must not be in, or connected with, any jail or prison, and shall be conducted in all respects as nearly like a home as possible and shall not be deemed to be or treated as a penal institution. Such legislative body must also provide for a suitable superintendent and matron to have charge of such detention home, and for such other employees as may be needed in the efficient management of such detention home, and provide for the payment, out of the general fund of the county, or city and county, of suitable salaries for such superintendent and matron, and such other employees, such superintendent, matron and other employees to be appointed by said legislative body, upon the nomination of the probation committee and approval of the judge of the juvenile court. The superintendent of the detention home shall keep a classified list of expenses, and file a duplicate copy with the county board of supervisors. The superintendent, matron or other employee of such detention home may, at any time, be removed by the probation committee, in its discretion.

SEC. 28. Any person who shall commit any act or omit the performance of any duty, which act or omission causes or tends to cause, encourage or contribute to the dependency or delinquency of any person under the age of twenty-one years, as defined by any law of this state, or any person who shall, by any act or omission, threats or commands or persuasion, endeavor to induce any such person, under twenty-one years of age, to do or perform any act or follow any course of conduct, or to so live as would cause or manifestly tend to cause any such person to become, or to remain a dependent or delinquent person, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, and the superior court, sitting as juvenile court, shall have original jurisdiction of all such misdemeanors; but no person shall be tried on the charge of contributing to the dependency and delinquency of any person under the age of twenty-one years, before the same judge who has heard or before whom is pending the case of the person under the age of twenty-one years to whose dependency and delinquency such person is alleged to have contributed.

SEC. 29. This Act shall be liberally construed to the end that its purpose may be carried out, to wit: That the care, custody and discipline of a neglected, dependent or delinquent person as defined in this Act shall approximate as nearly as may be that which should be given by his parents, and in all cases where it can be properly done,

the neglected, dependent or delinquent person as defined in this Act shall be placed in an approved family, with people of the same or similar religious belief, and become a member of the family, by legal adoption or otherwise, or if placed in the care of, or committed to, an association, society, corporation, school or institution, then to one of the same or similar religious belief. No neglected, dependent or delinquent person as defined in this Act shall be taken from the custody of his parent or legal guardian, without the consent of such parent or guardian, unless the court shall find such parent or guardian to be incapable of providing, or to have failed or neglected to provide proper maintenance, training and education for said person; and in no case unless the parent or guardian has been duly notified to be present in court before or at the time of placement or commitment or recommitment, or unless said person if dependent or delinquent has been tried on probation in said custody, and has failed to reform. In this Act words used in any gender shall include all other genders, and the word "county" shall include "city and county," the plural shall include the singular and the singular shall include the plural.

SEC. 30. An appeal to the district court of appeal shall lie from any decision and judgment of the juvenile court. The party appealing shall serve on the opposite party and file a notice of such appeal within fifteen days from the day of rendition of the judgment from which the appeal is taken. It is hereby made the duty of the judge of the juvenile court when such an appeal is taken, to find the facts of the case based upon a preponderance of evidence in the form of a special finding and the appellate court shall pass upon the sufficiency of the evidence to sustain the judgment rendered. In case the party appealing, questions the sufficiency of the evidence to warrant the findings made by the court, such evidence shall be incorporated in a bill of exceptions prepared by the appellant within fifteen days after notice of appeal shall have been served on the opposite party and filed as aforesaid. The opposite party shall within ten days prepare and serve on appellant proposed amendments to such bill of exceptions, which amendment shall be settled by the judge within five days thereafter. Within ten days after the settlement of said bill of exceptions, the appellant shall engross the same and serve a copy on the opposite party and also on the attorney general, and file the original thereof together with proof of service as herein required endorsed thereon, with the clerk of the juvenile court who shall immediately transmit the same to the court to which the appeal is taken with his certificate that such bill of exceptions is correctly engrossed. An assignment of error that the decision of the juvenile court is contrary to law shall be sufficient to present both a sufficiency of the facts found to sustain the judgment and a sufficiency of the evidence to justify the findings. Appeals from the juvenile court shall have precedence in the court to which such appeal is taken over all other cases. The prosecution and appeal of such cases shall be governed as to costs and as to all other matters not herein provided for by the statutes governing appeals and criminal causes.

SEC. 31. This Act shall supersede all provisions of the Act entitled "An Act to establish a state reform school for juvenile offenders, and to make an appropriation therefor," approved March 11, 1889, and all amendments thereto, and all provisions of the Act entitled "An Act to establish a school of industry and to provide for the maintenance and management of same, and to make an appropriation therefor," approved March 11, 1889, and all amendments thereto relating to the mode of commitments to the institutions therein named; but said Acts shall control as to all matter concerning the management of said institutions, respectively.

SEC. 32. An Act entitled "An Act defining and providing for the control, protection and treatment of dependent and delinquent children; prescribing the powers and duties of courts with respect thereto; providing for the appointment of probation officers, and prescribing their duties and powers; providing for the separation of children from adults when confined in jails or other institutions; providing for the appointment of boards to investigate the qualifications of organizations receiving children under this Act and prescribing the duties of such boards; and providing when proceedings under this Act shall be admissible in evidence," approved February 26, 1903; and the amendments thereto, approved March 22, 1905, and March 27, 1907, are hereby repealed; *provided, however*, that all orders and judgments made heretofore under said Act shall continue in full force and effect, and that the court shall retain jurisdiction of all children heretofore declared dependent or delinquent, and such children shall be hereafter dealt with in the same manner as if such orders had been made under the provisions of this Act, and all proceedings now pending shall be continued under the provisions of this Act. All children now on probation from justice courts shall remain on probation for the period fixed in the judgment, and if required may be certified to the superior court in the manner in said Act provided. When so certified the said certificate shall be dealt with in the same manner as herein provided for a petition alleging delinquency.

Amendment, on motion of Mr. Ryan, ordered printed in the Journal, and bill passed on file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 101—An Act to amend section three of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225a, 4225b, 4225c, 4225d, 4225e, 4225f, 4225g, 4225h, 4225i, and 4225j, all relating to county boards of health and sanitary inspectors.

Assembly Bill No. 830—An Act to amend Section 4041 of the Political Code of the State of California, relating to the general powers of boards of supervisors.

Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

Also: Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 34—An Act to regulate the hours of employment of conductors, drivers, gripmen and motormen employed on street railways.

Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, county, town, township or district, on the eighth day of November, in the year one thousand nine hundred and ten, which is provided in Section 14 of Article XIII of the Constitution of this State and as provided in an Act of the thirty-ninth session of the Legislature entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau for the purpose of regulating barbers and their occupation and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants, and necessary clerical, expert, and other assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred the following:

Senate Bill No. 939—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage

district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

Assembly Bill No. 1602—An Act to create a drainage district, to be called Knight's Landing Ridge Drainage District to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

Have had the same under consideration, and respectfully report that Senate Bill No. 939 and Assembly Bill No. 1602 are not identical.

MOORHOUSE, Chairman.

Senate Bill No. 939 referred to Committee on Drainage, Swamp and Overflowed Lands.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8, 8a, and 8b of, and to add a new section to be known as Section 8c to, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 1476—An Act to amend Section 6 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

Also: Assembly Bill No. 2054—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as an Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 272—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 507—An Act to amend Sections 1183, 1184, 1186, 1187 and 1202 of the Code of Civil Procedure; to add a new section thereto to be numbered 1200, and to repeal Sections 1192, 1203½ and 1203a of said code, all relating to mechanics' liens—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 930—An Act creating the office of inspector of mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the Attorney General and district attorney in relation to suits instituted by the inspector of mines—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Also: Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Also: Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Also: Assembly Bill No. 156—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Also: Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor—which was re-referred to us from the Committee on Agriculture, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Which were re-referred to us from the Committee on Normal Schools, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 832—An Act making an appropriation to pay the claim of the California Highway Construction Company for money expended and labor performed in and upon the construction and completion of state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County—which was re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1695—An Act to authorize and empower the board of trustees of Whittier State School to sell and convey all or any part of the lands and buildings of said school, and from the proceeds of such sale to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school—which was re-referred to us from the Committee on Prisons and Reformatories, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Civil Service, to whom was referred Assembly Bill No. 59—An Act to regulate the civil service of the State of California.

Also: Assembly Bill No. 502—An Act to establish a civil service commission, and to regulate the civil service of the State of California.

Have had the same under consideration, and herewith submit a committee substitute therefor, the title of which reads as follows: "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission and to make an appropriation therefor."

BLOODGOOD, Chairman.

The above reported bills ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California—have had the same under consideration, and respectfully report the same back, without recommendation, and further recommend that it be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 1041—An Act appropriating money to pay the claim of Johan Alfred Matsson against the State of California.

Also: Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Frederick Maskew.

Also: Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Graham against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and further recommend that they be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs, and making an appropriation therefor," by adding a new section thereto, to be known as Section 27—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUSH, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 1196—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 64 thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 1849—An Act to amend an Act entitled "An Act to provide for the organization and supervision thereby of irrigation districts; for the organization and government of such irrigation districts, for the acquisition or construction thereby of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 1378—An Act to provide for an irrigation commission and for the organization and supervision thereby of irrigation districts; for the organization and government of such irrigation districts, for the acquisition or construction thereby of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

ADJOURNMENT.

At one o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, April 14, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names.

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—76.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Emmons, Mr. Kuck was granted leave of absence for the day.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

On motion of Mr. Gates, Mr. Fish was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Gelder, the further reading was dispensed with.

COMMUNICATION.

The following communication was filed, and ordered printed in the Journal:

DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY,
WASHINGTON, April 8, 1913.

Mr. L. B. Mallory, Chief Clerk of the Assembly, Sacramento, California.

DEAR SIR: Your telegram of April 5th is received.

On March 28th I received a copy of a resolution passed by the Stockmen's Protective Association, at Livermore, California, on March 21st, which in its substance corresponds with the resolution adopted by the Assembly of the State of California. The District Forester at San Francisco, Cal., who has charge of all national forests within the State of California, was immediately requested by wire to give the matter his attention and to ascertain without delay the number of additional stock for which range could be provided within the national forests. Immediately upon receipt of the telegram the District Forester issued a circular letter requiring each supervisor to report at once the amount of range available for outside stock and the extent to which relief could be granted the stock growers. This information is now being received and compiled by the District Forester, and arrangements are being made for the issuance of temporary permits which will allow the grazing of the maximum number of stock which can be accommodated within the national forests without injustice to the regular occupants of the range and without very material injury to the forest lands.

This department will do everything within its power to afford the stock growers of California relief during the present emergency and will co-operate with them as

fully as possible. As the District Forester is the direct representative of the Foresters in all matters concerning the administration of the national forests in the State of California and has full authority to take such action as may be necessary, I suggest that the stockmen be advised to confer directly with him. A telegram is being sent the District Forester directing his attention to the resolution passed by the Assembly and repeating the instructions which have already been issued.

Very truly yours,

W. CODY, Acting Secretary.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time.

Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time.

Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time.

Assembly Bill No. 288—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 7, of the printed bill, after the word "California", insert the following clause: "Of the total amount hereby appropriated the sum of one hundred thousand dollars (\$100,000.00) shall be available for expenditure during the sixty-fifth and sixty-sixth fiscal years, or during either of such years, and the remaining three hundred thousand dollars (\$300,000.00) shall be available for expenditure during the sixty-seventh and sixty-eighth fiscal years, or during either of such fiscal years".

Amendment adopted.

Bill read second time.

Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, after line 9 of printed bill, add the following:

"Section 2. Of the moneys herein appropriated not more than one hundred and sixty thousand dollars (\$160,000.00) shall be available during the year ending June 30, 1914; the remaining one hundred thousand dollars shall be available during the year ending June 30, 1915."

Amendment adopted.

Bill read second time.

Assembly Bill No. 192—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Bill read second time.

Assembly Bill No. 193—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Bill read second time.

Assembly Bill No. 1022—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 1 and 2 of printed bill, strike out everything after and inclusive of the word "one" in line 1, to and inclusive of the numerals "(185,000.00)" and insert in lieu thereof the following: "three hundred seventy thousand dollars (\$370,000)".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, of printed bill, after the word "school", insert the following: "Of the total amount hereby appropriated, the sum of one hundred eighty-five thousand dollars (\$185,000) shall be available for expenditure during the sixty-fifth and sixty-sixth fiscal years, or during either of such years and the remaining one hundred eighty-five thousand dollars (\$185,000) shall be available for expenditure during the sixty-seventh and sixty-eighth fiscal years or during either of such years."

Amendment adopted.

Bill read second time.

Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

Bill read second time.

Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Bill read second time.

Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Bill read second time.

Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Bill read second time.

Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Bill read second time.

Assembly Bill No. 156—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Bill read second time.

Assembly Bill No. 21—An Act appropriating money for the purchase or equipment for shops, power plant, and laboratories at the California Polytechnic School.

Bill read second time.

Assembly Bill No. 832—An Act making an appropriation to pay the claim of the California Highway Construction Company for money expended and labor performed in and upon the construction and completion of state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

During second reading of the bill, the following amendments were submitted.

AMENDMENT No. 1.

On page 1, lines 1 and 2, of printed bill, strike out everything from the word "of," in line 1, up to and including the word "dollars," in line 2, and insert in lieu thereof the following: "fifty thousand seventy-five and 22/100 dollars (\$50,075.22)".

Amendment adopted.

AMENDMENT No. 2.

On page 1 of title, strike out all the words following "An Act," and insert in lieu thereof the following: "making an appropriation to pay the claim of the California Highway Construction Company against the State of California".

Amendment adopted.

AMENDMENT No. 3.

On page 1, Section 1, line 5, strike out the words "for moneys expended and labor performed in"; also, lines 6, 7 and 8, and insert in lieu thereof the following: "against the State of California".

Amendment adopted.

Bill read second time.

Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend title by placing comma after word "veterinarian" in first line of title and insert thereafter the following: "the secretary of the state board of health".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of printed bill, insert comma after word "veterinarian", and insert thereafter the following: "the secretary of the state board of health."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 2, of printed bill, strike out the word "immediately".

Amendment adopted.

Bill read second time.

Assembly Bill No. 944—An Act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same, for the holding of agricultural fairs, exhibitions and displays, creating a commission to select the location or site for such fairs, exhibitions or expositions, appropriating money to pay the expenses of such commission, and repealing all Acts and parts of Acts in conflict with this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out the title, and insert in lieu thereof the following:

"An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the state, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act."

Amendment adopted.

AMENDMENT No. 2.

After the enacting clause, on page 1, strike out all that follows, and insert in lieu thereof the following:

"SECTION 1. The several counties of this state are divided and classified into agricultural districts, and numbered as follows:

District No. 1—Counties of San Francisco, Napa, Solano, Marin, Sonoma, Lake Mendocino.

District No. 2—Counties of Humboldt, Trinity and Del Norte.

District No. 3—Counties of Siskiyou, Shasta, Tehama, Glenn, Butte, Yuba, Sutter, Colusa, Yolo, Nevada, Placer, El Dorado.

District No. 4—Counties of Alameda, Contra Costa, Santa Clara, San Mateo.

District No. 5—Counties of Amador, Calaveras, San Joaquin, Tuolumne, Sacramento and Stanislaus.

District No. 6—County of Los Angeles. (No appropriation requested.)

District No. 7—Counties of Monterey, San Benito, Santa Cruz, San Luis Obispo, Santa Barbara, Ventura.

District No. 8—Counties of Kern, Tulare, Kings.

District No. 9—Counties of Fresno, Madera, Merced, Mariposa.

District No. 10—Counties of San Bernardino, Riverside, Orange.

District No. 11—County of San Diego.

District No. 12—County of Imperial.

District No. 13—Counties of Mono, Inyo and Alpine.

District No. 14—Counties of Modoc, Lassen, Plumas and Sierra.

SEC. 2. For the purpose of holding fairs, expositions or exhibitions of all of the industries and industrial enterprises, resources and products of every kind or nature of the district for which they are appointed, or of the state, with a view of improving, exploiting, encouraging and stimulating the same, there shall be a board of directors for each of such agricultural districts, consisting of one member from each county within the district, to be appointed by the governor of the State of California, but no district shall contain less than eight directors. In such districts as are composed of less than eight counties, one director at least shall be chosen from each county constituting the district. No person shall be appointed to the office of such director unless he is a citizen of the State of California and is actively engaged in agricultural, mining, manufacturing or stock-raising pursuits within the district from which he may be appointed.

SEC. 3. The term of office of said directors shall be four years from and after the date of their appointment; *provided, however*, that within ten days after their appointment, the members of the first board of directors appointed under the provisions of this Act shall so classify themselves, that two of them shall serve only one year, two of them for two years, two of them three years, and two of them four years. All directors appointed under the provisions of this Act shall qualify by taking the usual oath of office, as required by the constitution, and any vacancy occurring in any such board of directors shall be refilled by the governor of said state, as hereinbefore provided for the appointment of the members thereof.

SEC. 4. Within thirty days after their appointment, the members of each of said board of directors shall meet at a place within their respective districts and organize by the election of one of their number as president of the board, who shall hold office for the period of one year and until his successor is elected; they shall also elect a secretary and treasurer not of their number, who shall hold office at the pleasure of said board.

SEC. 5. Each board of directors appointed and organized under the provisions of this Act shall be known as "California Agricultural Association No. _____" (inserting the number of the district for which such board was appointed), and by such name and style shall have perpetual succession, shall have power to contract, to sue and be sued, to have a seal, to purchase, to hold and to lease real estate and personal property and may sell, lease, beautify and dispose of the same, and do any and all acts and things necessary to carry out the objects and purposes for which said associations are formed, and the board of directors so appointed and qualified shall have the exclusive control and management of such institution for and in the name of the state, and shall have possession and care of all the property of the association, and shall fix and determine the salaries and duties of its secretary and treasurer. They shall have the power to make all necessary by-laws, rules and regulations for the government of the association and the management of its public

industrial and financial affairs. They must provide for an annual fair, exposition or exhibition by the association of all industries and products in the district or state at such time as they by majority vote may determine upon, and at the place in each of their districts, respectively, which may be selected, chosen or designated as hereinafter provided; *provided*, that the state shall in no event be liable for any premiums offered or awards made or on account of any contract made by any district board of agriculture or agricultural association; *provided, further*, that any such agricultural association having a speedway or racecourse upon any lands owned or leased by it under its control, shall maintain the same for the purpose of holding speed contests and training and speeding horses thereon. All moneys received or collected by said board for admission fees, or by way of gifts or donations shall be under the sole control and possession of said board and shall be expended under its direction.

SEC. 6. The legislature shall, at each session hereafter provide in the general appropriation bill, or otherwise, for the maintenance and support of the agricultural districts created by this Act.

SEC. 7. The fairs or exhibitions to be given by the district agricultural association shall be given at such place or places within such districts, as the board of directors of the said district may elect. But only one of such district fairs shall receive state aid in any district during any given year, and the money provided by the state as premium money shall be applied to exhibits at this one fair; *provided, however*, whenever the board of directors of two or more agricultural districts shall, by a majority vote of each board elect to unite, the several districts may associate and combine as one district, and hold a fair in any one of said districts that may be agreed on by the board of directors of said associations so combining, and may for such purpose draw the appropriation for all the said districts and expend the same for said fair.

SEC. 8. No sum appropriated by the state for aid to the district agricultural associations herein provided for and created or for any of them, shall be used for the payment of purses or premiums for speed contest, but shall be used exclusively for the payment of premiums upon bona fide exhibits of agricultural, horticultural, viticultural and mechanical products, or of manufactures, or mining or forestry products, and for the payment of premiums upon exhibits of domestic live stock, except as hereinafter provided in Section 13 of this Act.

SEC. 9. The board of directors of the district agricultural associations hereby created, and each of such boards, in preparing their premium lists and in the offering of premiums for the annual fairs, exhibitions and expositions to be given by them as required hereby, shall classify the premiums to be offered for livestock exhibits in the same way as the same are offered and classified by the state board of agriculture in the same department, so that the classes for animals shall be uniform for the state fair, and each of the district agricultural association fairs, provided for herein; *provided*, that such uniformity need not extend to the amount of the premiums to be offered.

SEC. 10. No free passes shall be issued by the board of directors of the district agricultural associations herein provided or by any of them, to the grounds of such associations during the fairs, exhibitions or expositions to be held by them, except to bona fide exhibitors and accredited newspaper correspondents, and all other persons shall be admitted thereto only upon paid admissions, to be uniformly and equally assessed.

SEC. 11. It is further provided that no sum appropriated by the state in aid of the district agricultural associations herein provided for, or for any of them, shall be available or can be obtained or collected by any such association in any case where betting or gambling of any kind is allowed upon the grounds or premises controlled or used by said association, nor shall any intoxicating malt, vinous or spirituous liquors be permitted to be sold upon any grounds used by or occupied or under the control of any district agricultural association created hereby and receiving aid or support from the State of California.

SEC. 12. The sum of seventy thousand (\$70,000) dollars is hereby appropriated for the purposes of this Act, thirty-five thousand (\$35,000) dollars of said sum to be available during the sixty-fifth fiscal year, and thirty-five thousand (\$35,000) dollars thereof to be available during the sixty-sixth fiscal year and said total sum of seventy-thousand (\$70,000) dollars to be apportioned annually as follows:

For aid to agricultural district number one, four thousand (4,000) dollars.

For aid to agricultural district number two, fifteen hundred (1,500) dollars.

For aid to agricultural district number three, three thousand (3,000) dollars.

For aid to agricultural district number four, four thousand (4,000) dollars.

For aid to agricultural district number five, four thousand (4,000) dollars.

For aid to agricultural district number six (no appropriation requested).

For aid to agricultural district number seven, three thousand (3,000) dollars.

For aid to agricultural district number eight, three thousand (3,000) dollars.

For aid to agricultural district number nine, four thousand (4,000) dollars.

For aid to agricultural district number ten, four thousand (4,000) dollars.

For aid to agricultural district number eleven, two thousand (2,000) dollars.

For aid to agricultural district number twelve, one thousand (1,000) dollars.

For aid to agricultural district number thirteen, seven hundred fifty (750) dollars.

For aid to agricultural district number fourteen, seven hundred fifty (750) dollars.

SEC. 13. Each board of directors herein provided for, together with the members hereof, shall serve without pay, but each board shall be allowed its reasonable expenses, including the traveling expenses of the members thereof; and for advertising, printing, salaries and general office expenses of the board of directors, secretary and treasurer; *provided*, that the total of such allowance for all purposes does not exceed twenty per cent of the annual appropriation to any one such board.

SEC. 14. All sums of money appropriated by the state for the support of the district agricultural associations herein provided for shall be paid to said associations and collected by them in the same manner in which sums now provided for the support of the state board of agriculture, or state agricultural society, are paid to and collected by it.

SEC. 15. All Acts and parts of Acts in conflict with this Act are hereby repealed."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1251—An Act regulating the employment of women and minors, and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, lines 27 and 28 of the printed bill, strike out the words "assist in establishing harmonious relations between employers and employees," and insert in lieu thereof the following: "make investigation into the comfort, health, safety, and welfare of such women and minors."

Amendment lost.

AMENDMENT No. 2.

On page 2, line 31, of the printed bill, after the word "any", insert the words "and all".

Amendment lost.

AMENDMENT No. 3.

On page 2, line 32 of the printed bill, after the word "act", insert in parentheses the following: "(such reports and information to be verified by the oath of the president, secretary, or manager, if a corporation, or of the members of the firm, if such, or of the person, if an individual employer)."

Amendment lost.

AMENDMENT No. 4.

On page 3, line 15 of the printed bill, after the period following the word "cases", insert the following: "In case of failure on the part of any person to comply with any order of the commission, or any member thereof, or any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the commission, it shall be the duty of the superior court or the judge thereof, on the application of a member of the commission to compel obedience by attachment proceedings for contempt as in cases of disobedience of any requirements of such subpoena issued from such court or a refusal to testify therein."

Amendment lost.

AMENDMENT No. 5.

On page 3, line 21 of the printed bill, after the word "conference", insert the following: "(hereinafter called wage board)".

Amendment lost.

AMENDMENT No. 6.

On page 3, line 22, of the printed bill, strike out the word "of", and insert in lieu thereof the following "chosen by the".

Amendment lost.

AMENDMENT No. 7.

On page 3, line 22, of the printed bill, after the word "and", insert the following: "an equal number of representatives chosen by the".

Amendment lost.

AMENDMENT No. 8.

On page 3, line 23, of the printed bill, strike out all of line 23 following the word "with", also all of lines 24, 25, 26, 27 and that portion of line 28 to and including the word "public", and insert in lieu thereof the following: "a representative chosen by the commission. The members of such wage boards shall be allowed five dollars per diem and necessary traveling expenses while engaged in such conferences."

Amendment lost.

AMENDMENT No. 9.

On page 3, line 29, of the printed bill, strike out the word "selection", and insert in lieu thereof the word "number".

Amendment lost.

AMENDMENT No. 10.

On page 3, line 29, of the printed bill, after the word "of", insert the word "such".

Amendment lost.

AMENDMENT No. 11.

On page 3, line 30, of the printed bill, strike out the word "conferences", and insert in lieu thereof the words "wage boards".

Amendment lost.

AMENDMENT No. 12.

On page 3, lines 32 and 33, of the printed bill, strike out the words "said conference", and insert in lieu thereof the words "such wage board".

Amendment lost.

AMENDMENT No. 13.

On page 3, line 34, of the printed bill, strike out the words "the conference", and insert in lieu thereof the words "such wage board".

Amendment lost.

AMENDMENT No. 14.

On page 4, line 4, of the printed bill, strike out the words "the conference", and insert in lieu thereof the words "such wage board".

Amendment lost.

AMENDMENT No. 15.

On page 4, line 7, of the printed bill, strike out the word "conference", and insert in lieu thereof the words "wage board".

Amendment lost.

AMENDMENT No. 16.

On page 4, line 10, of the printed bill, strike out the word "conference", and insert in lieu thereof the words "wage board".

Amendment lost.

AMENDMENT No. 17.

On page 4, line 11, of the printed bill, strike out the word "conference", and insert in lieu thereof the words "wage board".

Amendment lost.

AMENDMENT No. 18.

On page 4, line 26, of the printed bill, after the word "minors", change the period to a comma and insert the following: "provided, however, that no order shall become effective until after April 1, 1914."

Amendment lost.

AMENDMENT No. 19.

On page 5, line 7, of the printed bill, strike out the word "conference", and insert in lieu thereof the words "wage board".

Amendment lost.

AMENDMENT No. 20.

On page 5, line 9, of the printed bill, strike out the word "conference", and insert in lieu thereof the words "wage board".

Amendment lost.

AMENDMENT No. 21.

On page 5, line 10, of the printed bill, strike out the word "conference", and insert in lieu thereof the words "wage board".

Amendment lost.

AMENDMENT No. 22.

On page 5, line 14, of the printed bill, strike out the word "license", and insert in lieu thereof the word "licensee".

Amendment lost.

AMENDMENT No. 23.

On page 5, line 14, of the printed bill, after the word "license", add a comma and insert the following: "for a period of six months, subject to renewals for like periods of six months each".

Amendment lost.

AMENDMENT No. 24.

On page 5, line 20, of the printed bill, after the period following the words "require", insert the following: "the cost thereof shall be paid out of the appropriations made for the expenses of the commission".

Amendment lost.

AMENDMENT No. 25.

On page 5, of the printed bill, strike out all of section eleven (11), and insert in lieu thereof the following:

"SEC. 11. The minimum wage for women and minors fixed by said commission as in this Act provided, shall be the minimum wage to be paid to such employees, and the payment to such employees of a less wage than the minimum so fixed shall be unlawful, and every employer or other person who, either individually or as an officer, agent or employee of a corporation or other person, pays or causes to be paid to any such employee a wage less than such minimum, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment."

Amendment lost.

AMENDMENT No. 26.

On page 6, following line 7, add the following new section:

"SEC. 14. Any person may register with the commission a complaint that the wages paid to an employee for whom a living rate has been established, are less than that rate, and the commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the living wage."

Amendment lost.

AMENDMENT No. 27.

On page 6, line 8, of the printed bill, strike out the figures "14", and insert in lieu thereof the figures "15".

Amendment lost.

AMENDMENT No. 28.

On page 6, line 11, of the printed bill, strike out the figures "15", and insert in lieu thereof the figures "16".

Amendment lost.

AMENDMENT No. 29.

On page 6, line 13, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "twenty".

Amendment lost.

AMENDMENT No. 30.

At the end of the printed bill add a new section as follows:

"SEC. 17. This commission shall not act as an arbitration board in any case of a strike or lockout."

Amendment lost.

During second reading of the bill, the following amendment was submitted by Mr. Roberts:

Strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. There is hereby established a commission to be known as the industrial welfare commission, hereinafter called the commission. Said commission shall be composed of five persons, four of whom shall be appointed by the governor as follows: one for the term ending January 1, 1914; one for the term ending January 1, 1915, one for the term ending January 1, 1916, and one for the term ending January 1, 1917; *provided, however,* that at the expiration of their respective terms, their successors shall be appointed to serve a full term of four years. Any vacancies shall be similarly filled for the unexpired portion of the term in which the vacancy shall occur. The commissioner of the bureau of labor statistics (hereinafter called labor commissioner) shall be ex officio the fifth member of said commission. One of said members shall be a woman, one thereof shall be a representative of labor, one thereof shall be a representative of employers of labor, and all thereof shall be citizens of this state. Three members of the commission shall constitute a quorum at all regular meetings and public hearings.

SEC. 2. The members of said commission shall draw no salaries but all of said members, except the labor commissioner, shall be allowed ten dollars per diem while engaged in the performance of their official duties. The commission may employ a secretary, and such expert, clerical and other assistants as may be necessary to carry out the purposes of this Act, and shall fix the compensation of such employees, and may, also, to carry out such purposes, incur reasonable and necessary office and other expenses, including the necessary traveling expenses of the members of the commission, of its secretary, of its experts, and of its clerks and other assistants and employees. All employees of the commission shall hold office at the pleasure of the commission.

SEC. 3. (a) It shall be the duty of the commission to ascertain the wages paid, the hours and conditions of labor and employment in the various occupations, trades, and industries in which women and minors are employed in the State of California, and to make investigations into the comfort, health, safety and welfare of such women and minors.

(b) It shall be the duty of every person, firm or corporation employing labor in this state:

1. To furnish to the commission, at its request, any and all reports or information which the commission may require to carry out the purposes of this Act, such reports and information to be verified by the oath of the president, secretary or manager, if a corporation, or of the members of the firm, if such, or of the person, if an individual employer, if and when so requested by the commission or any member thereof.

2. To allow any member of the commission, or its secretary, or any of its duly authorized experts or employees, free access to the place of business or employment of such person, firm, or corporation, for the purpose of making any investigation authorized by this Act, or to make inspection of, or excerpts from, all books, reports, contracts, pay rolls, documents, or papers, as such person, firm, or corporation, relating to the employment of labor and payment therefor by such person, firm, or corporation.

3. To keep a register of the names, ages, and residence addresses of all women and minors employed.

(c) For the purposes of this Act, a minor is defined to be a person of either sex under the age of eighteen years.

SEC. 4. The commission may specify times to hold public hearings, at which times, employers, employees, or other interested persons, may appear and give testimony as to the matter under consideration. The commission or any member thereof shall have power to subpoena witnesses, and to administer oaths. All witnesses subpoenaed by the commission shall be paid the fees and mileage fixed by law in civil cases. In case of failure on the part of any person to comply with any order of the commission or any member thereof, or any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the commission, it shall be the duty of the superior court or the judge thereof, on the application of a member of the commission, to compel

obedience in the same manner, by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding pending before said court.

SEC. 5. If, after investigation, the commission is of the opinion that, in any occupation, trade, or industry, the wages paid to women and minors are inadequate to supply the cost of proper living, or the hours or conditions of labor are prejudicial to the health, morals or welfare of the workers, the commission may call a conference, hereinafter called wage board, composed of an equal number of representatives of employers and employees in the occupation, trade, or industry, in question, and a representative of the commission to be designated by it, who shall act as the chairman of the wage board. The members of such wage board shall be allowed five dollars per diem and necessary traveling expenses while engaged in such conferences. The commission shall make rules and regulations governing the number and selection of such representatives and the mode of procedure of such wage board, and shall exercise exclusive jurisdiction over all questions arising as to the validity of the procedure and of the recommendations of such wage board. The proceedings and deliberations of such wage board shall be made a matter of record for the use of the commission, and shall be admissible as evidence in any proceedings before the commission. On request of the commission, it shall be the duty of such wage board to report to the commission its findings, including therein:

1. An estimate of the minimum wage adequate to supply to women and minors engaged in the occupation, trade or industry in question, the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The number of hours of work per day in the occupation, trade or industry in question, consistent with the health and welfare of such women and minors.

3. The standard conditions of labor in the occupation, trade or industry in question, demanded by the health and welfare of such women and minors.

SEC. 6. (a) The commission shall have further power after a public hearing had upon its own motion or upon petition, to fix:

1. A minimum wage to be paid to women and minors engaged in any occupation, trade or industry in this state.

2. The maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade or industry in this state; *provided*, that the hours so fixed shall not be more than the maximum now or hereafter fixed by law.

3. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade or industry in this state.

(b) Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and acting upon any matters referred to in subsection (a) hereof, the commission shall give public notice by advertisement in at least one newspaper published in each of the cities of Los Angeles and Sacramento and in the city and county of San Francisco, and by mailing a copy of said notice to the county recorder of each county in the state, of such hearing and purpose thereof, which notice shall state the time and place fixed for such hearing, which shall be not earlier than fourteen days from the date of publication and mailing of such notices.

(c) After such public hearing, the commission may, in its discretion, make a mandatory order to be effective in sixty days from the making of such order, specifying the minimum wage for women or minors in the occupation in question, the maximum hours (provided that the hours specified shall not be more than the maximum for women or minors in California), and the standard conditions of labor for said women or minors; *provided, however*, that no order shall become effective until after April 1, 1914. Such order shall be published in at least one newspaper in each of the cities of Los Angeles and Sacramento and in the city and county of San Francisco, and a copy thereof be mailed to the county recorder of each county in the state, and the labor commissioner shall send by mail, so far as practicable, to each employer in the occupation in question, a copy of the order, and each employer shall be required to post a copy of such order in the building in which women or minors affected by the order are employed. Failure to mail notice to employer shall not relieve employer from the duty to comply with such order. Finding by the commission that there has been such publication and mailing to county recorders shall be conclusive.

SEC. 7. Whenever wages, or hours, or conditions of labor have been so made mandatory in any occupation, trade, or industry upon its own motion or upon petition of either employers or employees, the commission may, at its discretion, and from time to time, after a public hearing held upon the notice prescribed for an original hearing, rescind, alter or amend any prior mandatory order. Any mandatory order rescinding a prior mandatory order shall have the same effect as herein provided for in an original mandatory order.

SEC. 8. For any occupation in which a minimum wage has been established, the commission may issue to a woman physically defective by age or otherwise, a special license authorizing the employment of such licensee, for a period of six months, subject to renewals for like periods of six months each, for a wage less than such legal minimum wage; and the commission shall fix a special minimum wage for such person.

SEC. 9. Upon the request of the commission, the labor commissioner shall cause such statistics and other data and information to be gathered, and investigations made, as the commission may require. The cost thereof shall be paid out of the appropriations made for the expenses of the commission.

SEC. 10. Any employer who discharges, or threatens to discharge, or in any other manner discriminates against any employee because such employee has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings relative to the enforcement of this Act, shall be deemed guilty of a misdemeanor.

SEC. 11. The minimum wage for women and minors fixed by said commission as in this Act provided, shall be the minimum wage to be paid to such employee, and the payment to such employees of a less wage than the minimum so fixed shall be unlawful, and every employer or other person who, either individually or as an officer, agent, or employee of a corporation or other person, pays or causes to be paid to any such employee a wage less than such minimum, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment.

SEC. 12. In every prosecution for the violation of any provision of this Act, the minimum wage established by the commission as herein provided shall be prima facie presumed to be reasonable and lawful, and to be the living wage required herein to be paid to women and minors.

SEC. 13. Any employee receiving less than the legal minimum wage applicable to such employee shall be entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of suit, notwithstanding any agreement to work for such lesser wage.

SEC. 14. Any person may register with the commission a complaint that the wages paid to an employee for whom a living rate has been established, are less than that rate, and the commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the living wage.

SEC. 15. The commission shall biennially make a report to the governor and state legislature of its investigations and proceedings.

SEC. 16. There is hereby appropriated annually out of the moneys of the state treasury, not otherwise appropriated, the sum of twenty thousand dollars, to be used by the commission in carrying out the provisions of this Act, and the controller is hereby directed from time to time to draw his warrants on the general fund in favor of the commission for the amounts expended under its direction, and the treasurer is hereby authorized and directed to pay the same.

SEC. 17. The commission shall not act as a board of arbitration during a strike or lock-out.

Amendment adopted.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 2, 112, 171, 192, 193, 1022, 266, 292, 158, 159, 157, 156 and 21.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills. Nos. 2, 112, 171, 192, 193, 1022, 266, 292, 158, 159, 157, 156 and 21 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 2, 112, 171, 192, 193, 1022, 266, 292, 158, 159, 157, 156 and 21, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 288, 191, 533, 832, 703, 944 and 1251.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 288, 191, 533, 832, 703, 944 and 1251 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 288, 191, 533, 832, 703, 944 and 1251, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

After the word "receive" in line 11, of subdivision 2, insert the words "and retain"; also, strike out the words "outside of his own county" in line 14, page 2, subdivision 2.

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "two thousand and five hundred" in line 18, page 2, subdivision 3, and in lieu thereof insert the following, to wit: "three thousand and six hundred".

Amendment adopted.

AMENDMENT No. 3.

After the words "per annum" in line 25, page 2, subdivision 5, add the following, to wit: "provided, that he shall have power to appoint one deputy, which office is hereby created, at a salary of nine hundred dollars per annum, payable at the same time and in the same manner as that of other county officers."

Amendment adopted.

AMENDMENT No. 4.

Strike out the words "thirty-six hundred dollars" in line 35, page 2, subdivision 7, and insert in lieu thereof the following: "four thousand two hundred dollars".

Amendment adopted.

AMENDMENT No. 5.

Strike out the words "one thousand eight hundred" in lines 16 and 17, page 3, subdivision 11, and insert in lieu thereof the words "two thousand".

Amendment adopted.

AMENDMENT No. 6.

Strike out the words "seventy-five" in line 34, page 3, subdivision 13, and insert in lieu thereof the words "one hundred" and add the following after the word "month" to wit: "provided, that where there is now or may be hereafter created in such township, more than one justice of the peace, the monthly salary of said two justices shall each be seventy-five dollars per month,".

Amendment adopted.

AMENDMENT No. 7.

Strike out the word "fifty" in line 36, page 3, subdivision 13, and insert in lieu thereof the word "sixty".

Amendment adopted.

AMENDMENT No. 8.

Strike out the word "forty" in line 1, page 4, subdivision 13, and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT No. 9.

Strike out the word "thirty" in line 3, page 4, subdivision 13, and in lieu thereof insert the word "forty".

Amendment adopted.

AMENDMENT No. 10.

Strike out the words "twenty-five" in line 3, page 4, subdivision 13, and insert in lieu thereof the words "thirty-five".

Amendment adopted.

AMENDMENT No. 11.

Strike out the word "twenty" in line 6, page 4, subdivision 14, and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT No. 12.

Strike out the word "sixty" in line 16, page 4, subdivision 14, and insert in lieu thereof the word "seventy".

Amendment adopted.

AMENDMENT No. 13.

Strike out the words "forty-five" in line 18, page 4, subdivision 14, and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT No. 14.

Strike out the words "thirty-five" in line 20, page 4, subdivision 14, and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT No. 15.

Strike out the word "thirty" in line 22, page 4, subdivision 14, and insert in lieu thereof the words "thirty-five".

Amendment adopted.

AMENDMENT No. 16.

Strike out the words "twenty-five" in line 24, page 4, subdivision 14, and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT No. 17.

Strike out the word "twenty", in line 26, page 4, subdivision 14, and insert in lieu thereof the words "twenty-five".

Amendment adopted.

AMENDMENT No. 18.

Strike out the word "five" in line 14, page 5, subdivision 16, and insert in lieu thereof the words "three and one half".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 6, strike out the words and figures "one hundred (\$2,100.00)", and insert in lieu thereof the following: "five hundred (\$2,500.00)" after the word "thousand" and before the word "per".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 1, after the word "assessor" and before the word "per", strike out the character and figures "\$2400", and insert in lieu thereof "\$3600".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and maintenance of the same.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2033—An Act concerning fish and game and prohibiting the hunting or taking of the same upon private property under certain circumstances.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1695—An Act to authorize and empower the board of trustees of Whittier State School to sell and convey all or any part of the lands and buildings of said school, and from the proceeds of such sale to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out of title the following words: "An act to authorize and empower the board of trustees of Whittier State School to sell and convey all or any part of the lands and buildings of said school, and from the proceeds of such sale", and insert in lieu thereof the following: "An act to authorize the appointment of a commission and to empower it to sell and convey all or any part of the lands and buildings of the Whittier State School; to change the name of the Whittier State School to 'California Trades School';".

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, strike out the whole thereof, and insert in lieu thereof the following:

"SECTION 1. A commission, consisting of the superintendent of the Whittier State School, the state engineer, and three other members to be appointed by the

governor, is hereby created to carry into effect the purposes of this Act. Said commissioners shall act without compensation for the services herein specified, but shall be entitled to their actual and necessary traveling expenses.

Said commission is empowered to sell at public auction on such terms as may be determined by said commission and approved by the state board of control all or any part of the lands and buildings thereon of the Whittier State School, near Whittier. Notice of the time and place of said sale at public auction and the terms and conditions thereof, which the said commission is hereby authorized to make, shall be published in one daily newspaper in the city of Los Angeles and one newspaper in the city of Whittier at least once a week for four weeks prior to the appointed time of sale. The said commission is hereby authorized and empowered to reject any and all bids and offers therefor, and after the first rejection of bids to continue the date of sale from time to time as in their judgment may be necessary, or to sell the property or any portion thereof at private sale, provided the price accepted at private sale shall not be less than the highest price offered at public auction upon the same property. Said commission is hereby authorized and empowered to order and have made all necessary deeds of conveyance and papers and searches, abstracts and certificates of title, and surveys of said lands, and to take all necessary and proper proceedings and bring the necessary suits to cure any defect or defects in said title, the cost and expense of all of which shall be paid out of the moneys herein made available upon the warrant of the state controller after the same shall have been audited by the state board of control."

Amendment adopted.

AMENDMENT No. 3.

On page 2, lines 17 and 18, strike out all of line 17 and the words "the secretary of said board", in line 18, and insert in lieu thereof the following:

"SEC. 2. The said commission shall elect from among their own number a chairman and a secretary and such chairman and secretary".

SEC. 3. Section 3 shall be renumbered "SEC. 4", and a new Section 3 shall be inserted, to read as follows:

"SEC. 3. In addition to the moneys received from the sale of the present site, constituting the "California trades school building and improvement fund," there is hereby appropriated for the purpose of carrying into effect the provisions of this Act the sum of two hundred thousand dollars (\$200,000.00), out of any moneys in the state treasury not otherwise appropriated."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 29, strike out the words "Whittier State", and insert in lieu thereof the words "California Trades".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 30, amend by striking out the words "to the credit of the Whittier State School", and inserting in lieu thereof the following: "until there shall have been paid into such fund the total sum of two hundred and fifty thousand dollars (\$250,000.00)".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 34, amend line 34 by adding thereto the following: "All moneys received from the sale of said lands and buildings in excess of the total sum of two hundred and fifty thousand dollars (\$250,000.00) shall be paid into the state treasury to the credit of the general fund."

Amendment adopted.

AMENDMENT No. 7.

On page 2, Section 4 shall be renumbered "SEC. 5."

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 35, strike out the words "board of trustees", and insert in lieu thereof the word "commission".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 37, strike out the words "in the county of Los Angeles".

Amendment adopted.

AMENDMENT No. 10.

On page 3, lines 2 and 3, strike out the words "and the lands so purchased shall be and remain the site of the Whittier State School."

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 5, strike out the word "thirty", and insert in lieu thereof the words "one hundred", and add, after the word "dollars", the following: "When a suitable site is selected by said commission they are hereby authorized and empowered to purchase the land so selected, together with water and water rights appertaining thereto, and if necessary shall purchase additional water rights, or make provision for the development of water for use on said lands. The purchase price of said land may be made payable in installments as may be agreed between said commission and the owner or owners of said land."

Amendment adopted.

AMENDMENT No. 12.

SEC. 5. Section 5 shall be renumbered "SEC. 6."

Amendment adopted.

AMENDMENT No. 13.

SEC. 6. Section 6 shall be renumbered "SEC. 7."

Amendment adopted.

AMENDMENT No. 14.

On page 3, line 14, strike out the words "Whittier State", and insert in lieu thereof the words "California Trades".

Amendment adopted.

AMENDMENT No. 15.

There shall be added a new section, to be numbered Section 8, and to read as follows:

"SEC. 8. This Act, inasmuch as it provides for an appropriation for the current expenses of the state, shall, under the provisions of Section 1 of Article IX of the Constitution of the State of California, take effect immediately."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 321—An Act to amend an Act entitled "An Act to add a new section to the Political Code, to be known as Section 1665a, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools, in which shall be taught the French, Italian and German languages in connection with the English branches," approved March 18, 1909, relating to cities of the first class and first and one half classes.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT TO TITLE.

Strike out the following: "To amend an Act entitled 'An Act to add a new section to the Political Code to be known as Section 1665a, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools, in which shall be taught the French, Italian and German languages in connection with the English branches,' approved March 18, 1909, relating to cities of the first and first and one half classes", and insert in lieu thereof the following: "To amend Section 1665a of the Political Code of the State of California relating to the establishment and maintenance of cosmopolitan schools in cities of the first, first and one-half, and second and one-half classes".

Amendment adopted.

AMENDMENT No. 1.

On page 1, strike out all of lines 1, 2, 3, 4, 5, 6, 7, and insert in lieu thereof the following: "SECTION 1. Section 1665a is hereby amended to read as follows:

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, strike out the words "and first and one half", and insert in lieu thereof the following: "first and one half and second and one half."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 11, after the word "French", insert the word "Spanish".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 12, after the word "language", insert the following: "or any of them".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 6, add the following: "*Provided*, that the schools provided for in Section 1665a may be established by the board of education of cities of the second and one-half classes".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1065—An Act to amend Section 476a of the Penal Code of the State of California, relating to the making, drawing, uttering, or delivering of bank checks with intent to defraud.

During second reading of the bill, the following amendments were submitted by Mr. Simpson:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "Section".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 13, of the printed bill, strike out the words "less than fifty dollars", and insert in lieu thereof the following: "fifty dollars or less;".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 15, of the printed bill, after the word "is", where it appears the second time, insert "more than".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 16, strike out the words "or more".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1620—An Act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquor within or contiguous to certain state buildings and grounds.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out beginning with the word "in", in line 6, page 1, of the printed bill, to and including the word "Berkeley", line 8, page 1.

Amendment adopted.

AMENDMENT No. 2.

In line 8, page 1, of the printed bill, strike out the words "and one quarter miles", and insert in lieu thereof the word "mile".

Amendment adopted.

AMENDMENT No. 3.

After the word "Berkeley", at the end of line 9, page 1, of the printed bill, add the following: "measured from the library building of the University of California at Berkeley".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1345—An Act to amend Section 1 of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 880—An Act to amend Sections 412, 413 and 414 of the Penal Code of the State of California, and to add two new sections to said code, to be designated as Sections 412a and 413a, relating to prize-fights, prohibiting the same, defining the duties of certain officers in connection therewith, and fixing the penalties for engaging in such fights, and for aiding or abetting the same.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line 10, on page 1, strike out the words "be entitled to receive and retain," and in line 11, on page 1, strike out the words "for his own use, unless in this title otherwise provided" and substitute therefor the words "collect and pay to the county treasurer."

Amendment adopted.

AMENDMENT No. 2.

In line 1, on page 2, strike out the word "also."

Amendment adopted.

AMENDMENT No. 3.

Strike out the word "and" in line 10, on page 2, and all that follows up to but not including the word "nor" in line 15, on page 2.

Amendment adopted.

AMENDMENT No. 4.

Strike out the word "nor" in line 20, on page 2, and all that follows up to and including the word "him" in line 22, on page 2, and substitute therefor the words "and the license collector shall collect and pay to the county treasurer all license moneys collected by him."

Amendment adopted.

AMENDMENT NO. 5.

In line 23, on page 2, strike out the words "receive and retain for his own use," and substitute therefor the words "collect and pay to the county treasurer."

Amendment adopted.

AMENDMENT NO. 6.

On page 4, line 10, strike out all after the word "code", and substitute therefor the following: "provided, that all commissions and fees required or permitted to be collected by any officer named in this title, either as an officer or ex officio officer, his deputy or assistant, for the performance of any official duty, by any law of this state or of the United States, shall be collected for the benefit of the county unless otherwise expressly provided in this title, and shall be paid into the general fund of the county monthly.

SEC. 2. This Act shall take effect January 15, 1915."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as Section 27.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 12, after the word "tolerances", insert "and also exemptions as to small packages."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 272—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

In line 12, of the title of the printed bill, strike out the word "of" following the word "applicants", and insert in lieu thereof the word "by".

Amendment adopted.

AMENDMENT NO. 1a.

In line 7, of the title, after the word "by", strike out the words "a board of nurse examiners", and insert in lieu thereof the words "the state board of health".

Amendment adopted.

AMENDMENT No. 2.

Strike out Section 1, and insert in lieu thereof the following: "SECTION 1. Within thirty days after this Act takes effect the state board of health shall establish and maintain a department of examination and registration of graduate nurses, as hereinafter provided. The state board of health shall appoint a director, whose salary shall be fixed by the board, and said director shall have been graduated from an accredited training school for nurses, and shall be duly registered under the provisions of this Act. Said director shall perform all duties required by this Act, and such other duties as may be required by the state board of health. Lists of accredited training schools for nurses and register of the names of all nurses duly registered under this Act shall be prepared and kept by the department. An annual report shall be prepared and filed before January 1st of each year."

Amendment adopted.

AMENDMENT No. 3.

On pages 2 and 3, strike out Section 2.

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 10, after the word "section", strike out the numeral "3", and insert in lieu thereof the numeral "2".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 12, insert a period after the word "act".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 12, strike out the words "said meetings to be held alternately in San Francisco and Los Angeles".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 16, after the words "general circulation", insert the word "and".

Amendment adopted.

AMENDMENT No. 8.

On page 3, lines 16 and 17, strike out the words "one in San Francisco and one in Los Angeles also".

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 17, following the period after the word "journal", strike out everything down to the period in line 22, following the words "holding the same".

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 25, after the word "applicant", insert a period.

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 25, strike out the words "whether the examination be passed or not".

Amendment adopted.

AMENDMENT No. 12.

On page 3, lines 28 and 29, strike out the words "as are required to be examined".

Amendment adopted.

AMENDMENT No. 13.

On page 3, line 29, after the word "and", and preceding the word "issue", insert the word "to".

Amendment adopted.

AMENDMENT No. 14.

On page 3, line 32, beginning with the words "Any person to whom", strike out the remainder of the section.

Amendment adopted.

AMENDMENT No. 15.

On page 4, line 1, after the word "section", strike out the numeral "4", and insert in lieu thereof the numeral "3".

Amendment adopted.

AMENDMENT No. 16.

On page 4, strike out Section 4, and insert in lieu thereof the following:
"SEC. 3. All applicants for registration shall be registered without examination; *provided*, they make application prior to July 1st, 1914, and have graduated before said date from a reputable training school connected with a general hospital."

Amendment adopted.

AMENDMENT No. 17.

On page 4, line 27, strike out, after the word "section", the numeral "5", and insert in lieu thereof the numeral "4".

Amendment adopted.

AMENDMENT No. 18.

On page 4, line 30, after the words "attached to", insert the words "or operated in connection with".

Amendment adopted.

AMENDMENT No. 19.

On page 4, line 31, after the comma following the letters "i. e.", insert the word "one".

Amendment adopted.

AMENDMENT No. 20.

On page 4, line 36, after the word "qualifying", insert a period.

Amendment adopted.

AMENDMENT No. 21.

On page 4, line 36, beginning with the words "and any examiner", strike out the remainder of the section.

Amendment adopted.

AMENDMENT No. 22.

On page 5, line 4, after the word "section", strike out the numeral "6", and insert in lieu thereof the numeral "5".

Amendment adopted.

AMENDMENT No. 23.

On page 5, line 4, beginning with the words "after July 1st", strike out everything down to the period in line 7 following the word "examiners".

Amendment adopted.

AMENDMENT No. 24.

On page 5, line 11, after the word "section", strike out the numeral "7", and insert in lieu thereof the numeral "6".

Amendment adopted.

AMENDMENT No. 25.

On page 5, lines 14 and 15, strike out the words "certified, trained, or graduate", and insert in lieu thereof the word "registered".

Amendment adopted.

AMENDMENT No. 26.

On page 5, line 16, after the word "section", strike out the numeral "8", and insert in lieu thereof the numeral "7".

Amendment adopted.

AMENDMENT No. 27.

On page 5, lines 17 and 18, strike out the words "nurse examiners", and insert in lieu thereof the word "health".

Amendment adopted.

AMENDMENT No. 28.

On page 5, line 18, enclose in quotation marks the words "registered nurse".

Amendment adopted.

AMENDMENT No. 29.

On page 5, line 19, strike out the words "or any other letters", and insert in lieu thereof the words "in connection with, or".

Amendment adopted.

AMENDMENT No. 30.

On page 5, line 19, after the comma following the word "name", insert the word "or".

Amendment adopted.

AMENDMENT No. 31.

On page 5, line 20, enclose in quotation marks the words "registered nurse".

Amendment adopted.

AMENDMENT No. 32.

On page 5, line 21, after the word "section", strike out the numeral "9", and insert in lieu thereof the numeral "8".

Amendment adopted.

AMENDMENT No. 33.

On page 5, line 22, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT No. 34.

On page 5, line 23, strike out the word "those", and insert in lieu thereof the words "any applicant".

Amendment adopted.

AMENDMENT No. 35.

On page 5, line 23, strike out the word "have", and insert in lieu thereof the word "has".

Amendment adopted.

AMENDMENT No. 36.

On page 5, line 24, after the word "been", insert the word "duly".

Amendment adopted.

AMENDMENT No. 37.

On page 5, line 24, after the words "registered as", insert the word "a".

Amendment adopted.

AMENDMENT No. 38.

On page 5, line 24, strike out the final "s" in the word "nurses".

Amendment adopted.

AMENDMENT No. 39.

On page 5, line 25, after the word "having", strike out the word "the".

Amendment adopted.

AMENDMENT No. 40.

On page 5, line 25, after the words "equivalent to", strike out the words "the provisions of", and insert in lieu thereof the words "those provided for by".

Amendment adopted.

AMENDMENT No. 41.

On page 5, line 27, after the word "section", strike out the numeral "10", and insert in lieu thereof the numeral "9".

Amendment adopted.

AMENDMENT No. 42.

On page 5, line 28, strike out the word "incompetency".

Amendment adopted.

AMENDMENT No. 43.

On page 5, line 29, strike out the word "or".

Amendment adopted.

AMENDMENT No. 44.

On page 5, line 29, after the comma following the word "conduct", insert the following: "or any habit rendering a nurse unfit or unsafe to care for the sick".

Amendment adopted.

AMENDMENT No. 45.

On page 5, line 31, beginning with the words "prior to the hearing", strike out the remainder of the section.

Amendment adopted.

AMENDMENT No. 46.

On page 6, beginning with line 6, strike out all of Section 12, and insert in lieu thereof the following:

"SEC. 11. Within ten days after the beginning of each month the secretary of the state board of health shall report to the controller the amount and source of all collections made under the provisions of this Act, and at the same time all such amounts shall be paid into the state treasury and shall be placed to the credit of a special fund to be known as the fund for examination and registration of nurses. All amounts paid into this fund shall be held subject to the order of the state board of health to be used only for the purpose of meeting necessary expenses in the performance of the special duties imposed by this Act. Claims against the fund shall be audited by the state board of health and by the board of control and shall be paid on warrant drawn by the controller."

Amendment adopted.

AMENDMENT No. 47.

On page 5, line 37, strike out the numeral "11", and insert in lieu thereof the numeral "10".

Amendment adopted.

Bill read second time, and ordered to reprint, engrosment and third reading.

Assembly Bill No. 1476—An Act to amend Section 6 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

During second reading of the bill, the following amendment was submitted by the committee:

After the period in line 2, page 2, of the printed bill, add the following: "An amount not to exceed two thousand dollars may be drawn from the contingent fund herein created to be used as a revolving fund where cash advances are necessary; but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control or by the controller. Such fund shall be

in the possession of the board and shall be replenished from time to time from the contingent fund upon claims by the board properly audited."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 59—An Act to regulate the civil service of the State of California.

Also: Assembly Bill No. 502—An Act to establish a civil service commission, and to regulate the civil service of the State of California.

During second reading of the bills, the following substitute was submitted by the committee:

By Committee on Civil Service: Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority, and, in that behalf, to create a state civil service commission, and to make an appropriation therefor.

The question being on the adoption of the committee substitute.

The roll was called, and committee substitute adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Chandler, Clark, Wm. C. Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2080 read first time, and referred to Committee on Ways and Means.

Assembly Bills Nos. 59 and 502 withdrawn, and ordered stricken from the file.

Assembly Bill No. 2054—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 6, of the printed bill, strike out all of lines 1, 2, 3 and 4, and insert in lieu thereof the following:

"SEC. 10. It shall be the duty of the secretary of this board to report to the state controller on or before the tenth day of each month all fees, fines, licenses and other collections received during the preceding month and at the same time to pay the entire amount of such receipts into the state treasury. Such receipts shall be placed to the credit of the state board of dental examiners' contingent fund, which is hereby created. All salaries and all expenses necessarily incurred by the board

in the transaction of its business and in the enforcement of the law shall be paid out of such contingent fund upon claims to be presented and audited in the manner usual with other claims against the state."

Amendment adopted.

AMENDMENT No. 2.

On page 11, line 1, strike out the word "June", and insert in lieu thereof the word "October".

Amendment adopted.

AMENDMENT No. 3.

On page 5, line 14, after the word "states", insert "or the District of Columbia,".

Amendment adopted.

AMENDMENT No. 4.

On page 5, line 16, after the word "states," insert "or the District of Columbia,".

Amendment adopted.

Bill read second time. and ordered to reprint, engrossment and third reading.

Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8a and 8b of, and to add a new section, to be known as Section 8c to, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend by inserting on page 2, line 23, of Section 1 of the printed bill, after the word "full", a comma, and after said comma, insert the words "in ink".

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out on page 2, line 26, of Section 1 of the printed bill, the period after the word "pharmacist", and insert in lieu thereof the following: "or duly registered assistant pharmacist".

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out of page 3, section 4, of the printed bill, lines 15 to 37 inclusive, and out of page 4, section 4, of the printed bill, lines 1 to 14 inclusive, and insert in lieu thereof the following:

"SEC. 7. Any person violating any of the provisions of sections eight, or eight a of this Act shall upon conviction be punished as follows, viz: for the first offense by a fine of not less than one hundred dollars, and not to exceed four hundred dollars, or by imprisonment for not less than fifty days and not exceeding one hundred and eighty days, or by both such fine and imprisonment; for the second offense, by a fine of not less than two hundred and fifty dollars, and not to exceed five hundred dollars, or by imprisonment for not less than ninety days and not exceeding six months, or by both such fine and imprisonment; and for the third offense, by imprisonment in the state prison for not less than one year and not more than five years. Any person violating any of the provisions of this Act, except those contained in sections eight or eight a, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than thirty dollars, nor more than two hundred dollars, or by imprisonment for not less than thirty days and not more than fifty days, or by both such fine or imprisonment. All moneys received under the operation of this Act shall be paid by the magistrate receiving the same, seventy-five (75%) per cent to the state board of pharmacy, and twenty-five (25%) per cent to the city treasurer of the city, if incorporated, or to the county treasurer of the county in which the prosecution is conducted.

The following is Schedule 'A' referred to in section one, viz:

Schedule 'A.' Arsenic, its compounds and preparations, corrosive sublimate and other poisonous derivatives of mercury, corrosive sublimate tablets, antiseptic

tablets containing corrosive sublimate, cyanide of potassium, strychnine, hydrocyanic acid, oils of croton, rue and tansy, phosphorus and its poisonous derivatives and compounds, compound solution of cresol, lysol, strophanthus or its preparations, aconite, belladonna, nux vomica, veratrum viride, their preparations, alkaloids or derivatives, and poison containing any of the poisons enumerated in this schedule.

The following is Schedule 'B':

Hydrochloric or muriatic acid, nitric acid, oxalic acid, sulphuric acid, bromine, chloroform, cowhage, creosote, ether, solution of formaldehyde or formalin; cantharides, cocculus indicus, all their preparations; iodine, or its tinctures, oils of savin and pennyroyal, tartar emetic, and other poisonous derivatives of antimony, sugar of lead, sulphate of zinc, and wood alcohol."

Amendment adopted.

AMENDMENT No. 4.

On page 6, line 6, section 5, strike out the period after the word "act", and insert in lieu thereof a semicolon and the following: "*provided, further*, that a true and correct copy of all orders, contracts or agreements taken for narcotic drugs specified in this section shall be forwarded by registered mail to the secretary of the California State Board of Pharmacy within twenty-four hours after the taking of such order, contract or agreement, unless such order, contract or agreement is recorded by entry in a book used for that purpose only, of some wholesale jobber, wholesaler, or manufacturer permanently located in this state, as provided for in this section."

Amendment adopted.

AMENDMENT No. 5.

Amend by inserting on page 6, line 25, of section 5 of the printed bill, after the word "*provided*", the following: "that such licensed physician shall report in writing, over his signature, by registered mail, to the office of the California state board of pharmacy, within twenty-four hours after the first treatment, each and every habitual user of such narcotic drugs as are enumerated in this section, whom he or she has taken, in good faith, under his or her professional care, for the cure of such habit, such report to contain the date, name and address of such patient, and the name and quantity of the narcotic or narcotics prescribed in such treatment; and *provided, further*,".

Amendment adopted.

AMENDMENT No. 6.

Amend by inserting on page 6, line 28, of section 5, of the printed bill, after the word "codeine", the following: "or one sixth grain of cocaine, or one sixth grain of heroin,".

Amendment adopted.

AMENDMENT No. 7.

Amend by inserting on page 7, line 27, of section 7 of the printed bill after the word "however", the following: "that the judge shall turn all such evidence over to the California state board of pharmacy for such destruction; and *provided further*,".

Amendment adopted.

AMENDMENT No. 8.

Amend by striking out on page 7, line 33, of section 7 of the printed bill the period in said line and inserting in lieu thereof the following: "or of the Act creating such California state board of pharmacy."

Amendment adopted.

AMENDMENT No. 9.

Amend by striking out of page 7, line 36, of section 8 of the printed bill the word "license" and inserting in lieu thereof the word "registration."

Amendment adopted.

AMENDMENT No. 10.

Amend by striking out of page 8, line 2, section 8 of the printed bill, the word "license" and inserting in lieu thereof the word "registration."

Amendment adopted.

AMENDMENT No. 11.

Amend on page 8, line 3, section 8 of the printed bill, by striking out the word "returned" and inserting in lieu thereof the word "restored."

Amendment adopted.

AMENDMENT No. 12.

Amend on page 5, line 22, of section 5 of the printed bill, before the word "enumerated", by inserting the following: "in this section."

Amendment adopted.

AMENDMENT No. 13.

Amend by striking out of page 5, line 35, section 5, of the printed bill, the words "by them" and inserting in said line, after the word "authorized" the following: "by said board."

Amendment adopted.

AMENDMENT No. 14.

Amend on page 6, line 31, section 5, of the printed bill, by inserting a period after the word "avoidrupois" at the end of said line, and by striking out "ounce" in line 32 thereof.

Amendment adopted.

AMENDMENT No. 15.

Amend the title to the printed bill by striking out of the title the following: "and to add a new section, to be known as Section 'C' to", and insert in lieu thereof the following: "and to add two new sections, to be known as Sections 8c and 8d".

Amendment adopted.

AMENDMENT No. 16.

A new section, to be known as 8d is hereby added to Section 8 of said Act, to read as follows:

"The state board of pharmacy is hereby charged with the enforcement of the provisions of Section 307 of the Penal Code, and all fines imposed for violation of said section upon collection shall be disposed of as is provided for the disposition of fines in Section 7 of this Act."

Amendment adopted.

AMENDMENT No. 17.

In line 9, on page 2, of the printed bill, after the word "purpose", insert the following: "It shall be unlawful for any person to give a fictitious name or make any false representations to the seller or dealer when buying any of the poisons thus enumerated; *provided*, that this prohibition shall not apply to an officer or inspector of the state board of pharmacy in the performance of the duties enjoined by law upon said board, or to any person acting under authority of said board in the performance of said duties."

Amendment adopted.

AMENDMENT No. 18.

On page 3, line 4, after the word "alike", insert the following: "It shall be the duty of the board, upon request, to furnish any dealer with a copy of the laws relating to articles, preparations and compounds, the sale of which is prohibited or regulated by this Act."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1849—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 27, strike out the word "unless", and insert in lieu thereof the word "if".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 28, strike out the words "not and will not be", and insert in lieu thereof the following: "or will be substantially".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1196—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 64 thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title by striking out the period at the end thereof and substituting in lieu of said period a comma and adding the following: "and inserting a new section, relating to joint use of irrigation works".

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1 by striking out the period after the last word in said section and inserting in lieu thereof a comma and adding the following: "and a new section is hereby inserted in said Act in lieu of said Section 64, to be numbered 64, and to read as follows:

Section 64. Whenever the canals or any of the diverting or distributing works of any irrigation district or districts now or hereafter organized may, without injury to such district or districts, be used by another district now or hereafter organized, and the board of directors of such districts are unable to agree upon the terms under which such joint use shall be made, the district desiring to be permitted to make such joint use, either in the condition in which such works are at that time or by enlarging or changing the same, may institute proceedings in the superior court of the county in which the office of any of the districts involved is situated, which proceedings shall be substantially as provided in title seven, part three, of the Code of Civil Procedure, and the judgment in such proceedings shall determine the terms and conditions upon which such use may be made. Fair compensation shall be made to the district or districts whose property is used by another district, and in no event shall such additional use be permitted to interfere with or impair any of the rights of the district or districts owning such property."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1378—An Act to provide for an irrigation commission and for the organization and supervision thereby of irrigation districts; for the organization and government of such irrigation districts; for the acquisition or construction thereby of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds, and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title to read as follows: "An Act providing for the organization of water districts by the board of supervisors of the different counties of the state upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the state superintendent of banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power."

Amendment adopted.

AMENDMENT No. 2.

On line 1, page 1, strike out all of the bill after the enacting clause and insert in lieu thereof the following:

Section 1. The holders of title or evidence of title to a majority in area of lands which are susceptible of irrigation from a common source and by the same system of works may propose the organization of a water district by signing and presenting to the board of supervisors of the county in which the lands or the greater part thereof are situated, at any of its regular meetings, a petition setting forth the following facts,—that they propose to form under the provisions of this act a water district to be known as the "(-----) water district;" the boundaries thereof; a description of the lands contained therein by legal subdivisions or other boundaries, specifying the county in which the same are located; the number of acres in the proposed district and in each parcel or tract of land contained therein with the names, if known, of the owners thereof, and, if not, designating them as "unknown;" the place where the principal business thereof is proposed to be transacted; and the source or sources (which may be in the alternative) from which said lands are proposed to be irrigated. The words "title or evidence of title" as used in this section include the possessory rights of entrymen or purchasers of public lands under any law of the United States or of this state whether evidenced by receipts or otherwise. The records of the United States land office for the district in which said lands are located; the records of the state land office; and the records in the office of the county recorder of the county in which said lands are situated shall be conclusive evidence of ownership for the purposes of this section.

Section 2. A copy of said petition and a notice signed by one or more of the petitioners stating the time and place at which the petition will be presented to and heard by the board of supervisors shall be published once a week for four weeks in some newspaper of general circulation published in the county where said proceedings are to be held. Proof of publication must be attached to the petition and filed with the clerk of the board on or before the day on which the petition is presented. During the hearing, or any continuations thereof until concluded, the board must keep a full and complete record of all the proceedings and shall preserve the evidence of all persons appearing and testifying therein. If, at the hearing, it shall appear that the petition has been prepared and presented in the manner required by law and that it contains the required and properly qualified signatures thereto, the board shall enter its order approving the same. Thereupon the board shall fix the boundaries of the district and to that end may exclude therefrom any lands improperly included therein by the petitioners; and after a hearing thereon pursuant to a notice thereof published for the time and in the manner required for the publication of the petition (proof whereof has been filed with the clerk of the board on or before the date of said hearing) shall include in said district any land which shall appear to have been improperly excluded therefrom by the petitioners; and the board shall appoint until such time as their successors are elected and shall have qualified as in this Act provided and from among those qualified to serve, a board of directors and an assessor. The various orders of the board approving the petition, fixing the boundaries of the district and appointing its officials shall be indorsed upon or attached to the petition, and be signed by the president and attested by the clerk of the board and it must then be by them filed for record with the county recorder of each county in which any of the lands contained in said district are located, and by him recorded in a book kept by him for the purpose of recording instruments and writings relating to said

district. When said documents have been so recorded, the district shall be and is hereby declared to be legally organized and shall have power to sue and be sued.

Section 3. Any district formed hereunder, in order to determine the legality of its existence, may institute a proceeding therefor in the superior court of the county in which it was organized by filing with the clerk of said county a complaint setting forth the name of the district, its exterior boundaries, the date of its organization and a prayer that it be adjudged a legal water district formed under the provisions of this Act. The summons in such proceeding shall be served by publishing a copy thereof once a week for four weeks in some newspaper of general circulation published in each county in which any of the lands contained in said district are located. Within thirty days after the last publication thereof shall have been completed and proof thereof filed with the complaint any person interested may appear and answer said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of the district. If no answer shall be filed within said time the court must render judgment as prayed for in the complaint. If an answer be filed the court shall proceed as in other civil cases. Said proceeding is hereby declared to be a proceeding *in rem* and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California.

Section 4. The district must adopt for the government and control of its affairs a code of by-laws, not inconsistent with the constitution and laws of the state or the provisions of this Act. Sixty days after they shall have qualified for office the board of directors shall prepare by-laws for the written approval of the board of supervisors of the county in which the district was organized, and, when said by-laws are approved, shall adopt the same by resolution entered in the minutes of the meeting, unless, prior thereto, by-laws shall have been adopted and filed with the secretary of the district by the written assent of the holders of title or evidence of title, including such aforesaid possessory rights, to a majority in area of the lands embraced in said district. The records of the United States land office for the district in which said lands are located; the records of the state land office; and the records in the office of the county recorder of the county in which said lands are situated shall be conclusive evidence of ownership for the purposes of this section. The by-laws shall provide for the manner of calling, and the time, place and manner of conducting, all elections and the manner of giving notice thereof; the mode of voting in person or by proxy; the qualifications and duties of officers, the tenure of their office, the time and manner of their appointment or election; their compensation; the place at which the principal business of the district is to be transacted and the mode of changing the same; the mode of amending or repealing the by-laws and suitable penalties for the violation of the by-laws not to exceed in any one case two hundred dollars for any one offense. The by-laws may be repealed or amended, or new by-laws may be adopted by the assent of two thirds of the total vote of the district given either in writing or by ballot cast at an election of the district. The by-laws in their original form, and any repeal thereof, or amendment or addition thereto, must, together with the approval of the board of supervisors and the resolution of the directors, or the written assent thereto or a memorandum of the returns of the election at which the assent was given, be certified by a majority of the directors and the secretary of the district and must be filed for record with the county recorder of each county in which any of the lands contained in said district are located and by him recorded in a book kept by him for the purpose of recording instruments and writings relating to said district. Until so recorded, no by-law, addition thereto, amendment or repeal thereof, can be enforced against any person not having actual notice of the same.

Section 5. The officers of the district shall be a board of five directors, a secretary, and an assessor, all of whom shall, except as herein otherwise provided, be elected by ballot, except the secretary, who shall be appointed by the board of directors. No person shall be qualified to hold any of said offices, except that of secretary, unless he is a holder of title or evidence of title, including such aforesaid possessory rights, to lands contained in the district. Each appointee to office or officer-elect shall forfeit his office unless within ten days after he has notice of his election or appointment or before the expiration of ten days from the commencement of his term of office, when no such notice is given, he shall have filed for record with the county recorder of each county in which any of the lands contained in said district are located, a written acceptance of his office which shall be recorded in a book kept for the purpose of recording instruments and writings relating to the district. If any office shall become vacant by forfeiture, death, resignation, or from any other cause, the same shall be filled by appointment—by the board of directors in case of vacancy in the office of secretary, and by the board of supervisors of the county in which the district was organized in all other cases. Until such time as their salaries shall have been fixed by the adoption of by-laws, the officers of the district shall receive the following compensation for their services: The secretary and assessor such sum each as shall be fixed by the board of directors; and the directors five dollars each for each directors' meeting attended or for each day's service rendered as a director by order of the board of directors, together with any expenses incident to such service, except expenses incurred in traveling between his place of residence and the place at which directors' meetings are held.

Section 6. The board of directors shall choose from among its members a president; shall appoint the secretary of the district; shall select and maintain an office for the district in the principal place of business thereof and shall hold regular meetings therein at such time and place as may be agreed upon by resolution adopted, and shall hold therein such other meetings as, from time to time, may be deemed advisable; *provided*, that no meetings, except regular meetings, shall be valid unless prior thereto each director shall have filed with the secretary his written consent to the same, or unless the president, or three members of the board of directors, shall have called the same by giving each of said directors five days' written notice thereof, or unless said directors shall have authorized the same by resolution adopted at a former meeting and shall have caused five days' written notice thereof to be given by the secretary to each director not joining therein. A majority of the board of directors shall constitute a quorum for the transaction of business. The vote of a majority of those present at any meeting where a quorum is had shall be necessary to determine any proposition or resolution presented. The secretary shall keep a record of all the proceedings had at meetings of the board of directors. The books, maps, papers, contracts, records and other documents pertaining to the affairs of the district shall be filed in the office of the district with the secretary and must be open to inspection at all times by any persons interested.

Section 7. It shall be the duty of the board of directors to manage and conduct the affairs of the district and to that end it shall, in the name of the district, have power to plan, construct, maintain and keep in repair the irrigation works necessary or proper to supply the lands contained therein with sufficient water for irrigation purposes; to acquire by purchase, condemnation or other legal means all water, water rights, lands, properties or rights in properties necessary or proper therefor; to lease or sell for a valuable consideration any property, or right in property, belonging to the district and no longer necessary to its use and purpose; to take conveyances, contracts, leases or other assurances for property acquired by the district under the provisions of this Act; to execute by its president and secretary all contracts, leases, conveyances and other documents necessary to carry out the duties and powers specified herein; to institute, maintain and defend in person, or by attorneys, all actions, proceedings or suits at law or in equity necessary or proper to carry out the provisions of this Act, or to enforce, maintain, protect or preserve the rights, privileges and immunities created by or acquired in pursuance thereof; to establish, print and distribute among the land owners of the district equitable rules and regulations for the distribution of water; to enter, for the above purposes, either in person or by its agents or employees, in and upon any lands contained in the district; to employ and fix the salary of such persons as may be necessary or proper to fully carry out the uses and purposes of the district; and to do any other lawful thing necessary or proper to carry out the provisions of this Act or the uses and purposes for which the district is formed; *provided, however*, that the board of directors shall not let, or enter into, a contract for the construction of irrigation works, nor shall said board of directors construct the same by employees of the district until an election has been called and held to determine whether or not bonds of the district shall be issued as provided in section thirteen of this Act, nor, in case bonds are voted, until eighty-five per cent of the total amount of said bond issue has been sold and the money received thereon, as provided in section eighteen hereof.

Section 8. Between thirty and ninety days after the organization of the district, and between said dates annually thereafter, the board of directors must file with the clerk of the board of supervisors of the county in which said district was organized an estimate of the sum required by the district to discharge the unpaid matured obligations thereof at that date and the obligations thereof that will mature or that it is probable will be incurred and mature during the two years next following, specifying that portion of said estimate which will be required for the payment of bonds and of the interest on bonds. Between the date on which the district was organized and ninety days thereafter, and between said dates in each succeeding year, the assessor must view the lands of the district and assess each parcel or tract of land contained therein at the cash value of the benefit derived by it from the construction and maintenance or proposed construction and maintenance of irrigation works and said assessor must, within said time, file with the clerk of said board of supervisors, an assessment book, with appropriate headings, in which must be listed each parcel or tract of land within the district, specifying—(1) the name, if known (and, if unknown, stating that fact), of the holder of title or evidence of title, including such aforesaid possessory rights, thereto; (2) the description thereof by legal subdivisions, metes and bounds, or other boundaries sufficient to identify the same; and (3) the value assessed thereon. If the district is contained in more than one county, then the assessment book shall be prepared with a separate part in a separate volume for the lands of each county. Within sixty days after the said estimate and the said assessment list shall have been filed as above provided, the said board of supervisors, acting as a board of equalization, shall meet and hear any verified, written objections, stating the ground therefor, to the assessment as made, which objections, shall, prior to the hearing, be filed with the clerk of said board. Prior to the hearing, and during the office hours of said board of supervisors, the assessment list shall be open to public inspection. At the hearing, which must be continued from time to time until completed, the said board of supervisors shall hear the evidence offered in support of the objections

presented and shall add to or deduct from the valuation assessed to any tract or parcel of land such per centum thereof as shall be sufficient to raise it or reduce it to the full cash value derived by said tract or parcel of land from the construction or maintenance or proposed construction and maintenance of irrigation works and shall fix the value of any lands contained in said district that shall not have been so assessed. Thereupon, and before said hearing is closed, the assessor shall have the total valuation of all the lands assessed extended into columns, added and a statement thereof made. When said statement is completed, the board of supervisors must fix such an *ad valorem* rate of taxation upon each hundred dollars in value of the lands so assessed as will raise the sum specified in said estimate. Any changes in or additions to said list shall be entered in said assessment book in the proper place therefor and the order therefor shall be indorsed on the margin of the entry and signed by the president and attested by the secretary of said board of supervisors. The order of the board of supervisors approving the assessment, the statement of the assessor showing the total valuation of the property assessed, the order fixing the rate of taxation thereon, and the estimate of the sum required by the board of directors of the district for the expense thereof during the two years next following shall be signed by the president and attested by the secretary of the district and shall be attached to the assessment book on the last volume thereof, unless the lands of the district are contained in more than one county, in which case a copy thereof shall be signed and attached in a similar manner to each separate part of the assessment book. Within ten days after the hearing is completed, the assessor shall compute and charge in the assessment book in a place provided therefor in the record of each parcel or tract of land assessed the amount of the tax due thereon and shall file each said separate part of the assessment book with the county tax collector of the county in which the lands therein assessed are located and thereafter the charges therein taxed shall be due and payable to the county tax collector of the county in which the lands on which they are taxed are situated. The various orders of the board of supervisors made at the hearing shall be final and when indorsed on or attached to the assessment book shall be conclusive evidence that the assessment was made and the tax levied in accordance with the law; *provided, however*, that any person interested in lands of the district and aggrieved by the decision of the board of supervisors may, in order to have said assessment, or the tax levied thereon, corrected, modified, or annulled, institute an action therefor in the superior court of the county in which said district was organized. No action to determine the validity in any respect of any such assessment, or tax levied thereon, shall be maintained unless the same shall have been commenced within thirty days after the assessment book, on each separate part thereof, is filed with said county tax collector as above provided, and no objection to the assessment shall be considered by said board of supervisors or allowed in any other action, or proceeding, unless such objection shall have been made in writing, verified and presented to the clerk of the board of supervisors in the manner herein required.

Section 9. From and after the filing of the assessment book, or separate part thereof, with said county tax collector, as provided in section eight of this Act, the charges therein taxed upon any tract or parcel of land within the county for which he is the tax collector and any penalties added thereto as hereafter provided shall constitute a lien thereon and shall impart notice thereof to all persons.

Section 10. Within ten days after each tax shall have become due and payable, the assessor shall publish in some newspaper of general circulation published in the county in which the district was organized, a notice stating that the same became due and payable on (inserting date) to the county tax collector of the county in which the lands on which the charge therefor is a lien are located and that unless paid within six calendar months from said date the same will become delinquent, an additional charge of ten per cent thereof added thereto and the delinquent property sold at public auction. The tax must be paid in United States gold coin and the tax collector must mark the date of payment in the assessment book opposite the name of the person paying, and must give to such person a receipt, specifying the property taxed, the amount of the charge thereon and the amount paid, and thereafter must pay the moneys so received to the county treasurer of said county who must pay the same to the county treasurer of the county in which said district was organized, and he shall place the same to the credit of the district. As soon as possible after the tax shall become delinquent the assessment book and each separate part thereof shall be returned to the secretary of the district and the board of directors thereof shall publish once a week for three weeks in some newspaper of general circulation published in the county in which said district was organized a notice containing: a description of the delinquent property; the name, if known, and, if unknown, stating that fact, of the person to whom it is assessed; the amount of the taxes and penalties due thereon; and a statement that the delinquent property will be sold therefor in front of the court house of said county on a date therein stated, which must be not less than twenty-one or more than twenty-eight days from the first publication, unless an error is made in the publication and discovered prior to the sale, in which case the notice shall be republished in the same manner, specifying the sale for a date not less than twenty-one or more than twenty-eight days from the first republication.

Section 11. At the time and place stated in said notice or at such other time (written notice whereof has been posted at the place of sale) to which the board of directors may have postponed it, not exceeding thirty days in all from the original date of sale, that person is the purchaser who will immediately pay in gold coin of the United States the delinquent tax and the penalty thereon for the smallest portion of the delinquent property, or in case an undivided interest is taxed, then the smallest portion of the interest. In case there is no purchaser in good faith for the same the whole amount of the delinquent property shall, for the amount of the tax and penalty thereon, be struck off to the district as the purchaser. A certificate of sale shall be executed in duplicate by the board of directors, one of which shall be delivered to the purchaser or to the district, if the property shall have been struck off to the district, and the other of which shall be recorded in the office of the county recorder of the county in which the property sold is located. The certificate shall be dated the day of the sale and shall specify: the description of the property sold; the name, if known, and if not, stating that fact, of the person to whom it was assessed; the fact that it was sold for the amount of the tax and penalty thereon, giving the amount and year of said tax; and the date on which the purchaser will be entitled to a deed. The recorder upon receiving the certificates of sale must, when he records the same, enter, in a book provided for that purpose and kept with the book provided for the purpose of recording instruments and writings relating to the district, a description of the land sold, corresponding with the description in the certificate, the date of sale, the name of the purchaser, and the amount paid. The entries in said book shall be numbered consecutively on the margin thereof and a corresponding number shall be indorsed on the certificate. At the time of the sale the board of directors shall indorse in the assessment book opposite the description of the property, the portion of the same sold for taxes and penalties, with the date of sale and name of purchaser, and shall thereafter pay to the tax collector of the county in which the lands sold are located the amount received on the sale thereof and shall return said assessment book, or any such separate part thereof, to the county tax collector from whom the same was received, who must keep and file the same for the use and benefit of the district. Any person interested in any property sold may redeem the same within one year from the date of sale by paying in gold coin of the United States to the county tax collector of the county in which the property is located, and in trust for the purchaser or his assignees, the amount for which the same was sold, together with interest thereon at the rate of two per cent per month from the date of sale, and the tax collector must give him a receipt therefor, specifying therein a description of the property redeemed, the name of the purchaser and the date of sale, and he shall credit the amount so paid to the purchaser and shall thereafter pay the same on demand to the purchaser or his assignee. The county recorder of the county in which is located the property redeemed shall, upon presentation of the tax collector's receipt for said amount, mark the word "redeemed," the date and by whom redeemed on both the record of the certificate of sale of said property and on the margin of the memorandum thereof made in the book kept for that purpose. If no redemption shall be made within said one year, the purchaser, or the district, if said property shall have been sold to the district, shall be entitled to a deed executed by the board of directors, and said deed shall contain all the recitals of the certificate, and when duly acknowledged shall be (except as against actual fraud) conclusive evidence of the regularity of all proceedings from the assessment to the execution of said deed, inclusive, and said deed will convey to the grantee the absolute title to the lands described therein free of all incumbrances, except state, county, municipal or subsequent district taxes, and except when the land is owned by the United States or this state, in which case it is the prima facie evidence of the right of possession. All property sold for taxes to the district shall subsequently be assessed for district taxation as though it had never been sold, but it shall not again be sold for delinquent tax, so long as it is owned by the district. The title acquired by the district, in case it becomes the purchaser at a delinquent tax sale of the district, may, subject to the right of redemption herein provided, be sold at public auction or private sale, but such sale shall not be made for less than the reasonable market value of the property, or for less than the amount of the taxes levied thereon plus any penalties that may have been added thereto.

Section 12. If for any reason any tract or parcel of land contained within the district shall not have been charged with its portion of any tax levied, or if the tax levied on any tract or parcel of land shall be adjudged invalid by any court of competent jurisdiction, then such tract or parcel of land shall at the hearing in any subsequent tax levy be additionally taxed and charged by the board of supervisors of the county in which said district was organized in a sum which bears the same proportion to the total amount of said former tax as its then assessed valuation bears to the total amount of the assessed valuation placed on all the lands in the district at the time said former tax was levied.

Section 13. The board of directors shall, as soon after the organization of the district as is practicable, prepare and adopt a plan of irrigation works and shall estimate the cost of constructing the same and of acquiring the lands, property, property rights, water, and water rights necessary or proper therefor and to supply

the lands contained in the district with sufficient water for irrigation purposes, together with every other expense of the district that it is probable will be incurred and become payable before the expiration of one year from the completion of said work, for which the funds of the district then in the treasury or thereafter to be received from a tax previously levied, are inadequate, including the interest on any bonds of the district due and payable prior to said date. Thereafter, when it is considered by the board of directors for the best interest of the district that bonds thereof shall be issued for the purpose of obtaining all of the money necessary to pay the costs and expenses specified in the estimate accompanying the plan of irrigation works or when the holders of title, or evidence of title, including such aforesaid possessory rights to a majority in area of the land contained in the district, shall sign and file with the secretary of the district a petition therefor, the said board of directors shall, by resolution adopted and entered in its minutes, order a special election to be held at a time designated by said board at which shall be submitted to the landowners the question of whether or not bonds of the district shall be issued in said amount.

A notice of said election, specifying the time and place at which the same will be held, the amount of the bonds proposed to be issued, the interest rate and purpose thereof, shall be published once a week for four weeks in some newspaper of general circulation published in each county in which any of the lands contained in said district are located, and proof thereof must be filed with the secretary of the district prior to the date on which said election is held.

The ballots cast at such election shall specify the amount and purpose of the proposed bond issue and the rate of interest proposed. If two thirds of the votes cast thereat are in favor of the issuance of bonds, the board of directors shall cause bonds in the amount specified in the order for the election to be executed and delivered to the county treasurer of the county in which said district was organized.

Section 14. Bonds of the district, when issued, shall be payable in gold coin of the United States in twenty series as follows: five per cent of the whole amount of said bonds at the expiration of eleven years and at the expiration of each succeeding year to and including the expiration of thirty years from the date of execution thereof; they shall be of the denomination of not less than one hundred dollars nor more than one thousand dollars each; and they shall be signed by the president of the board of directors and attested by the county auditor of the county in which the district was organized. Each bond must be made payable at a given time for its entire amount and not for a percentage; shall bear interest at a rate not in excess of seven per cent per annum, payable semi-annually on the dates therein named at the office of said county treasurer upon the presentation and surrender of the proper coupons therefor, and the principal thereof shall be payable when due upon the presentation and surrender thereof to said county treasurer by the holder of the same. Each issue shall be numbered consecutively and the bonds of each issue shall be numbered consecutively and bear date at the time of their issue. Coupons for each installment of interest shall be attached to the bonds and shall be numbered the same as the bonds, and attested by the fac-simile signature of the county auditor of the county in which said district was organized.

The bonds shall be substantially in the following form:

"Issue _____, No. _____. For value received, _____ water district situated in the county of _____, State of California, promises to pay the holder hereof at the office of the treasurer of said county, on the _____ day of _____, 19____, the sum of _____ dollars in gold coin of the United States with interest in like gold coin at the rate of _____ per centum per annum, payable at the office of said treasurer semi-annually, on the _____ day of _____ and the _____ day of _____ in each year, on presentation and surrender of the interest coupons hereto attached. This bond is issued pursuant to an election held by said district on the _____ day _____, 19____, authorizing its issuance, and by authority of an Act entitled (specifying the title and date of approval of this Act).

In witness whereof, the said district, by its board of directors, has caused this bond to be signed by the president of said board and attested by the auditor of said county, with his seal of office attached, this _____ of _____, 19____.

President of said Board.

Attest:

Auditor of _____ County."

The interest coupons shall be substantially in the following form:

"No. _____

The treasurer of _____ county, State of California, will pay the holder hereof, on the _____ day of _____, 19____, at his office in _____ dollars, gold coin of the United States, out of the funds of _____ water district for interest on bond numbered _____ of said district.

Attest:

County Auditor."

The county treasurer of the county in which said district was organized shall, when he receives the same, place the said bonds to the credit of the district and he

shall, in a book provided for that purpose, keep a record of said bonds and of the payment thereof and the interest thereon. When filed with said county treasurer, as above provided, the bonds of the district and the interest thereon shall be and remain until paid a lien on the lands of the district, and a lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue.

Section 15. As soon as said bonds shall have been delivered to said county treasurer, the board of directors, or any holder of title, or evidence of title, including such aforesaid possessory rights, to land contained in the district, may, in order to determine that said bonds are a legal obligation of the district, institute a proceeding therefor in the superior court of the county in which the district was organized by filing with the clerk of said county a complaint setting forth that on a date therein named bonds of said district were delivered to the said treasurer, stating the amount of such bonds, and praying that such bonds be adjudged to be a valid legal obligation of such district. The summons in such proceeding shall be served by publishing a copy thereof once a week for four weeks in some newspaper of general circulation published in each county in which any of the lands contained in said district are located. Within thirty days after the last publication thereof shall have been completed and proof thereof filed with the court, any person interested may appear and answer said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of said bonds. If no answer shall be filed within said time, the court must render judgment as prayed for in the complaint. If an answer be filed the court shall proceed as in other civil cases. Said proceeding is hereby declared to be a proceeding *in rem* and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California.

Section 16. For the purpose of completing the irrigation works and of acquiring the lands, property, property rights, water and water rights necessary or proper therefor and to supply the lands contained in the district with sufficient water for irrigation purposes, or for the purpose of making additions to said irrigation works, or for the purpose of paying for and retiring any issue of bonds previously made, the district may, when it is necessary or proper therefor, issue additional bonds in the same manner as is hereinbefore provided for the original issue of bonds.

Section 17. The board of directors shall provide ways and means for the sale of said bonds or for the exchange thereof dollar for dollar for bonds of the State of California. Said board shall in no event sell or exchange, as above provided, any of said bonds for less than the par value thereof, nor shall any of said bonds be sold or exchanged nor shall said treasurer deliver any of the same unless the total proceeds thereof, either in gold coin of the United States or bonds of the State of California at their par value, shall be at least eighty-five per centum of the total amount of said bond issue. When any of said bonds are sold by the board of directors, the county treasurer of the county in which the district was organized shall transfer the bonds purchased to the purchaser upon receiving the purchase price, and the moneys received therefrom shall be placed to the credit of the district and in a similar manner bonds of the State of California that may be received for bonds of the district shall be placed to the credit thereof to be sold as the board of directors may direct, in no case, however, for less than the par value thereof.

Section 18. When approved as provided in this section the bonds of any water district issued in pursuance of this Act may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies and trust companies and, when thereunto duly authorized by the court, by guardians, executors, administrators and special administrators. When requested therefor in writing by a majority of the board of directors of any water district formed hereunder, the governor must select and appoint one hydraulic engineer, who, with one such engineer appointed by said board of directors and one such engineer mutually agreed upon and jointly appointed by the governor and said board of directors, shall constitute a board of investigation to determine whether or not the total cost of acquiring the water rights and the system of works that may be necessary to supply the lands of the district with water in sufficient quantities for irrigation purposes will be in excess of one hundred and ten per centum of the total amount of the bonds theretofore issued by such district. Within ninety days after the third and last member thereof is chosen, unless said time shall be extended by the board of directors, in which case within said extension of time, each member of said board of investigation shall prepare his separate written report and shall file the same with the state superintendent of banks and shall certify and file a copy thereof with the board of directors of said district, which report shall specify whether or not said cost will be in excess of one hundred and ten per centum of the total amount of the said bonds so issued. If two members of said board of investigation shall find that said cost will not be in excess of an amount equal to one hundred and ten per centum of the total amount of the said bonds so issued, the state superintendent of banks must, when so requested by the board of directors of said district, indorse upon the face of each of said bonds the word "approved" and shall affix thereunder his signature and the title of his office. The said district shall bear and pay for all expense incident to the investigation and the governor, before appointing any member of the board of investigation which he is hereby empowered to select and appoint, may require that the said district

provide, subject to his approval, a good and sufficient undertaking in an amount not in excess of six thousand dollars, conditioned that said district, or its sureties, which shall be two in number, will pay the salary and necessary expenses of that member of said board of investigation appointed by him, not to exceed, however, the total sum of five thousand dollars.

Section 19. Whenever there remains in the hands of the treasurer of the county in which the district was organized any unsold bonds of the district which it is not necessary to sell for the purpose of raising funds for the district, the board of directors may call a special election to determine whether said bonds shall be destroyed or not, or may submit such proposition at a general election. The notice thereof shall specify, in addition to the requirements therefor as provided in section twenty-three of this Act, the amount of the bonded indebtedness authorized, the amount of the bonds remaining unsold and the amount thereof proposed to be destroyed. When the vote cast at said election is canvassed by the board of election, if a two-thirds majority of the votes cast shall be found to be in favor of the destruction of said bonds, then the president of the board of directors, in the presence of a majority of the members thereof, must destroy the bonds so voted to be destroyed and the amount thereof shall be deducted from the total amount authorized to be issued, and no part thereof shall thereafter be reprinted or reissued.

Section 20. Whenever the funds of the district are in excess of the amount necessary to complete the construction of the irrigation works or to acquire the necessary water, water rights, property and rights in property therefor and to supply all the lands contained in the district with sufficient water for irrigation purposes and in addition thereto to pay every obligation of the district that is due and payable or that will become due and payable or that it is probable will become due and payable before the expiration of two years from the date on which the next preceding tax of the district was levied, the board of directors may direct the treasurer of the county in which said district was organized to pay with said excess (specifying the amount thereof) such an amount of the sold bonds of the district as said excess sum of money will redeem at the lowest value at which they may be obtained for liquidation, in no case for more than the par value thereof.

Section 21. The county treasurer of the county in which the district was organized shall receive to the credit of the district and in trust for the uses and benefits thereof all the funds thereof, and all such funds or moneys belonging to the district, or to which the district is entitled, shall, when received, except as herein otherwise provided, be paid by the person so receiving them to the state treasurer. The said treasurer shall establish for the district two funds: to wit, a bond fund and a general fund, and shall apportion the moneys of the district to said funds, as follows: To the bond fund, that portion of the moneys received from the collection of taxes or from the sale of property for delinquent taxes which bears the same proportion to the total amount so received from the collection of taxes or from the sale of property for delinquent taxes as that portion of the estimate of the board of directors (on which said tax was based) which is required for the payment of bonds and of the interest on bonds bears to the whole amount of said estimate; to the general fund, the balance of all moneys or funds so received. In case lands of the district, when sold for delinquent taxes, are struck off to the district as the purchaser, the tax collector of the county in which said lands are located shall, in making his accounting with the treasurer of said county, furnish a statement of the lands so sold to the district and of the amount for which the same were sold, and said treasurer shall deliver the same to the treasurer of the county in which said district was organized and said last-named treasurer shall thereupon estimate that portion of said amount belonging to the bond fund and shall charge the general fund with said portion and shall pay the same from the general fund into the bond fund. The moneys placed in the bond fund shall be used for the payment of bonds and of the interest thereon, and, until the total bonded indebtedness of the district is discharged, shall not be used for any other purpose. The funds of the district shall not, except for the payment of bonds and the interest thereon, be paid out by the treasurer of the county in which said district was organized, unless a warrant therefor shall have been drawn and executed by the board of directors and approved by the board of supervisors of said county. Such warrants are and shall be considered as contracts in writing for the payment of money, and the period prescribed for the commencement of an action based thereon, or connected therewith, is and shall be the term of four years from the date of their issuance. In any proceeding for a writ of mandate to compel the board of directors to issue a warrant, the court must determine the controversy in the manner provided for determining controversies in other civil actions, and shall cause a writ to issue for such sum as may be found to be due.

Section 22. Except as herein otherwise provided, every holder of title or evidence of title (including the aforesaid possessory rights) to land contained in said district, and no other, shall be qualified and entitled to vote either in person or by proxy at any election held by said district. Each person entitled thereto shall have one vote for each dollar's worth of land, the title to which is held by him as above provided. The next preceding assessment book of said district shall, for the purposes of this section, be conclusive evidence of ownership and of the value of the property so owned.

Section 23. Except as herein otherwise provided, all elections held under the provisions of this Act shall be called, held and conducted at the time, place and in the manner provided by the by-laws of the district; *provided, however*, that no such election shall be valid unless the place at which the same is held is at the principal place of business of the district and unless notice thereof shall first have been given in the following manner: by publication thereof once a week for at least two weeks in some newspaper of general circulation published in each county, in which any of the lands contained in said district are located. The said notice of election shall state the time, place and purposes thereof. At least ten days before any election, the board of directors must appoint from among those persons qualified and entitled to vote at said election an inspector and two judges, who shall constitute a board of election, and three alternates who shall, in the order in which they are appointed, fill any vacancies on said board if any members thereof do not attend at the opening of the polls. Each member of such board of election, or his successor, must, before entering upon his duties as such, take an official oath as such member of the board of election, which may be administered by any officer authorized to administer oaths or by any landholder in the district. The inspector is chairman of the election board and shall appoint the necessary clerks, and if during the progress of the election any judge or clerk shall cease to act, he shall appoint his successor. The polls shall be kept open for the reception of votes from ten o'clock a.m. until five o'clock p.m., when the same must be closed. The election board shall, before the opening of the polls, post in a conspicuous place thereat a list of all persons entitled to vote at said election with the number of votes they are entitled to cast. The ballots used at the election shall be provided by the board of directors and one of the clerks of election shall deliver one of them to each person qualified to cast a vote or to his representative by proxy. The Australian ballot shall be used and the clerk of the election board at the time of delivering the same to the voter, or his representative by proxy, shall mark thereon in a place provided for that purpose the name of the person casting the ballot and the number of votes which he is entitled to cast. The person casting the ballot shall stamp a cross with a rubber stamp, to be provided by the board of directors, in the square behind the name of each candidate or proposition he wishes to vote for. The election board shall retain and file with the returns of the election all proxies presented at said election. A list of the ballots cast shall be made by the board of election, containing the name of the voter and, if the ballot be cast by proxy or by the legal representative of the voter, the name of the person casting it; the number of votes cast; and how the person voted on the different matters presented at the election. At the close of the polls the board of election shall at once proceed to canvass the votes and declare the result, and shall forward a certificate, showing the same and the number of votes cast for or against each candidate or proposition and shall forward said certificate, together with all ballots used and all documents and papers used at such election, to the clerk of the board of supervisors of the county in which the district was organized, and a duplicate copy thereof to the secretary of the district. A copy of said certificate, certified by said clerk of the board of supervisors, shall be by him filed for record with the county recorder of each county in which any of the lands contained in said district are located, and by him recorded in a book kept by him for the purpose of recording instruments and writings relating to said district. Any person interested may contest such election, within twenty days after the result thereof has been declared, by filing a complaint in the superior court of the county where such election was held, and if no contest shall be commenced within said time, the declaration of the result by the board of election shall be final and conclusive.

No proxy shall be valid and no proxy shall be accepted or vote allowed thereon at any election held under the provisions of this Act unless the same be executed in writing by the person or corporation who, according to the next preceding assessment book of the district, is entitled to the votes for which the proxy is given. The said proxy shall be acknowledged before some person authorized to take certified acknowledgments of conveyances of real property and shall specify the election for which it is given and shall only be used at such election. Every proxy shall be revocable at the pleasure of the person executing it.

Section 24. The rights, privileges and immunities created by this Act in favor of any holder of title or evidence of title, including such aforesaid possessory rights, to lands contained in the district may for his benefit and on his behalf be exercised by, and are hereby extended to, his legal representative in all cases where said legal representative is an official of a corporation owning land within the district or is a guardian, executor or administrator of an estate who is appointed as such under the laws of this state and who as such is entitled to the possession of lands included within said water district belonging to the estate which he represents and who has been by the court duly authorized to exercise the particular right, privilege or immunity which he seeks to exercise; *provided, however*, that he must, before he cast a ballot at any election of the district, present the board of election or some clerk thereof with a certified copy of his authority, which must be kept and filed with the returns of the election.

Section 25. The use of all water required for the irrigation of the lands of any district formed under the provisions of this Act, and for domestic and other incidental

and other beneficial uses, within such district, together with the rights of way for canals and ditches, sites for reservoirs and all other property required in fully carrying out the provisions of this Act, is hereby declared to be a public use, subject to the regulation and control of the state in the manner prescribed by law.

Section 26. The board of directors shall have power to construct the irrigation works across any stream of water, water course, street, avenue, highway, railway, canal, ditch, or flume which the route of a canal or canals of said works may intersect or cross, in such manner as to afford security for life and property; but said board shall restore the same, when so crossed or intersected, to its former state as near as may be, or in a sufficient manner not to have impaired unnecessarily its usefulness; and every company whose railroad shall be intersected or crossed by said works shall unite with said board in forming said intersections and crossings and shall grant the privileges aforesaid; and if such railroad company and said board or the owners and controllers of said property, thing or franchise so to be crossed, can not agree upon the amount to be paid therefor, or the points or the matter of said crossings or intersections, the same shall be ascertained and determined in all respects as is herein provided in respect to the taking of land. A right of way is hereby given, dedicated, and set apart to locate, construct, and maintain said works over and through any of the lands which are now or may be the property of this state; and also there is given, dedicated, and set apart for the uses and purposes aforesaid, all waters and water rights belonging to this State within the district.

The rights of way, ditches, flumes, pipe lines, dams, water rights, reservoirs and other property of like character belonging to any district organized under this Act shall not be taxed for state and county or municipal purposes.

Section 27. In case of condemnation proceedings, the board shall proceed in the name of the district under the provisions of Title 7, Part 3 of the Code of Civil Procedure.

Section 28. No officer of the district shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded, or in the profits to be derived therefrom; and for any violation of this provision such officer shall be deemed guilty of a misdemeanor and such conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

Section 29. It is hereby expressly provided that all waters distributed for irrigation purposes shall be apportioned ratably to each land owner upon the basis of the ratio which the last assessment of such owner for district purposes within said district bears to the whole acreage assessed upon the district. When the equitable rules and regulations for the distribution of water have been provided by the board of directors and published once a week for two weeks in some newspaper of general circulation published in each county in which any of the lands contained in said district are located, any violation thereof shall be and is hereby declared to be a misdemeanor, and the person committing the same shall, upon conviction thereof, be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars.

Section 30. No supervisor, recorder, tax collector, treasurer, auditor or clerk of any county shall receive any fee for any service required to be performed by them under the provisions of this Act; *provided, however*, that the tax collector of each county in which any of the lands contained in the district are located, during the time for the collection of the taxes of the district, may require the board of directors to provide and pay for a deputy tax collector whose duty it shall be to care for the matters relating to the collection of the said taxes of the district.

Section 31. If at any time after the organization of any district hereunder, the boundaries of the county in which the same was organized shall be so changed or modified as to exclude therefrom all of the lands contained in said district, then in that event the records and documents of said district in the possession and care of the board of supervisors of said county, together with a certified copy of the proceedings had by the district under the jurisdiction of said board of supervisors, shall be transferred and filed with the clerk of the board of supervisors of the county in which the greater portion of the lands contained in said district are located. All proceedings, petitions, orders or other documents which have been filed with the recorder of the county in which said district was organized, and which, or a certified copy thereof, have not been recorded in the county to which said district is transferred shall be certified to by said county recorder and filed for record with the county recorder of the county to which said district has been transferred, and by him recorded in a book kept by him for the purpose of recording instruments and writings relating to said district. The treasurer and the auditor of the county in which said district was organized shall draw their warrant upon said treasurer for all of the funds of such district in the treasury of said county and the said treasurer shall pay such warrant and said funds shall be transferred to the treasurer of the county to which the district has been so transferred. From and after the transfer in the manner above specified the board of supervisors of the county to which the district is transferred shall have and exercise all of the jurisdiction, power and

authority over said district as was theretofore exercised by the board of supervisors of the county wherein such district was originally formed and thereafter any act or duty which is herein required to be done by the board of supervisors or any officer of the county in which said district was organized shall be performed by the corresponding board of supervisors or other official of the county to which said district has been transferred, and in general the said district shall thereafter conduct and manage its affairs through its proper officials and in conjunction with the proper officials of each county in which any of the lands contained in said district are located as though said district was originally organized in the county to which it was transferred.

Section 32. An action may be brought by the attorney general in the name of the people of this state, upon his own information, or that of a private party, for the dissolution of any district formed hereunder for a non-user of its corporate powers. In such action the complaint and summons shall be personally served upon said district by delivery of a copy thereof to either the president of the board of directors or the secretary of the district. When service has been made upon the defendant and an appearance has been entered or a default of the defendant entered, the court, upon the application of any of the parties, shall thereupon enter an order fixing a day for a hearing, which shall not be less than twenty-five days from the date of the order and shall, also, enter an order directing notice by publication to be given by the clerk to all persons interested in said district either as the owners of land or interests in land in said district or as creditors of said district, or otherwise, requiring them to be and appear on the day fixed for the hearing and show cause, if any they have, why the district named in the complaint as defendant, should not be dissolved. The notice shall be published in some newspaper of general circulation published in each county in which any of the lands contained in said district are located, for a period of not less than twenty days. On the day fixed for a hearing, or some later date to which the cause may be continued, the court may proceed with the hearing, due proof having been first made of the service of the notice by publication for the length of time required by the order. Any person interested in the district that is defendant, shall, upon showing his interest, be allowed to file an answer or objections to the dissolution of the defendant and shall from the filing of said answer or objections become a party defendant, and be entitled to all the rights of a defendant in any civil action. If upon the trial of any such action it be determined by the court: that the district is not in debt, or if in debt, that all claims are barred by the statute of limitations and that in addition thereto said district, or the board of directors thereof, are not proceeding to place the lands of the district under irrigation and are not exercising the powers of the corporation and have not been so doing for a period of one year prior thereto, the court shall then enter a decree dissolving the corporation, or make such further order as may be deemed necessary to protect the rights of all parties interested.

Section 33. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act and each of said parts thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 34. This Act does not change, modify, add to or repeal any other Act or law of this state.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

RE-REFERENCE OF BILL.

On motion of Mr. Chandler, Assembly Bill No. 1250 was re-referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 991 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green,

Griffin, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i*, and 4225*j*, all relating to county boards of health and sanitary inspectors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 235 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Palmer, Polsley, Roberts, Ryan, Schmitt, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1858 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Murray, Palmer, Roberts, Ryan, Schmitt, Shartel, Slater, Smith, Strine, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 234—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 234 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley,

McCarthy, Moorhouse, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Slater, Smith, Strine, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—51.

NOES—Mr. Ferguson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as Section 1202*a*, relating to indeterminate sentences.

During third reading of the bill, Mr. Killingsworth moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, after the word "murder", insert the words "arson, rape".

On motion of Mr. Shannon, the question was divided.

AMENDMENT No. 1.

On page 1, line 7, after the word "murder", insert the word "rape".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7, after the word "murder", insert the word "arson".

Amendment lost.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1518, with instructions, do now report that the instructions of the Assembly have been carried out.

KILLINGSWORTH, Select Committee.

Report of select committee and amendment No. 1 adopted.

Mr. Weisel moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, strike out the words "twelve months", and insert in lieu thereof the words "four years".

Also: On page 1, line 9, strike out the words "twelve months", and insert in lieu thereof the words "four years".

Also: On page 1, line 14, strike out the words "twelve months", and insert in lieu thereof the words "four years".

Also: On page 2, line 5, strike out the words "twelve months", and insert in lieu thereof the words "four years".

Motion lost.

Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 4, after the word "who", insert the words "has been or".

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until Thursday, April 17, 1913.

RE-REFERENCE OF BILL.

On motion of Mr. Johnstone, Assembly Bill No. 643 was re-referred to Committee on Ways and Means.

TIME FOR RECESS EXTENDED.

On motion of Mr. Schmitt, the hour of recess was extended until the business before the Assembly be disposed of, and committee reports read.

SPECIAL ORDER RESET.

On motion of Mr. Brown, the consideration of report of Committee on Rules was reset for this day at one o'clock and thirty minutes p.m.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1410—An Act to create a board of harbor commissioners for the port of San Jose, on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees, and to appropriate money to carry this Act into effect.

Also: Assembly Bill No. 1411—An Act to appropriate money for the dredging of Guadalupe slough or river and the portion of San Francisco Bay lying contiguous to the mouth thereof, and for the erection of harbor docks and seawalls along the shores thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Ways and Means.

INMAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 717—An Act to add a new section to the Penal Code, to be known as Section 402f, regulating the packing, preparing and shipping for sale within the State of California of any fruit or vegetables infected with insect pests or disease injurious to trees, shrubs, plants, fruits or vegetables; and providing a penalty for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

JUDSON, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1128—An Act to amend Section 4260 of the Political Code of the State of California, providing for the appointment of assistants, deputies, clerks, stenographers, copyists and employees of the county officers of counties of the thirty-first class and for the compensation of county officers, their assistants, deputies, clerks, stenographers, copyists and employees of such counties.

Also: Assembly Bill No. 1091—An Act to amend section numbered 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the

State of California, relating to the protection of salmon—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Tulloch:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Referred to Committee on Introduction of Bills.

By Mr. Richardson:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to enlarge the powers of the Board of State Harbor Commissioners and to authorize said board to locate, construct, maintain, operate and extend public dry-docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Referred to Committee on Introduction of Bills.

By Mr. Nolan:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money to pay the claim of Cora A. Thorpe against the State of California.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF JOINT RESOLUTIONS.

The following Assembly joint resolutions were introduced, and referred as indicated:

By Committee on Agriculture: Assembly Joint Resolution No. 30—Relative to the postal laws of the United States.

Read, and referred to Committee on Federal Relations.

By Mr. Killingsworth: Assembly Joint Resolution No. 31—Relative to tariff revision.

Read, and referred to Committee on Federal Relations.

RECESS.

At twelve o'clock and five minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

SPECIAL ORDER.

The hour of one o'clock and thirty minutes p.m. having arrived, the special order heretofore reset for this hour was taken up for consideration.

The question being on the adoption of the report of the Committee on Rules:

SPECIAL RULE NO. 1.

Every member, when he speaks, shall stand in his place and address "Mr. Speaker," and when he has finished he shall sit down. No member shall be allowed to speak more than once during the consideration of any question at any one stage of the proceedings, except by the leave of the Assembly; *provided*, that the author of a bill or resolution or the mover of a question shall be allowed to close the debate. No member shall be allowed to speak more than five minutes upon any question, except by the leave of the house; *provided*, that the author of a bill or resolution or the mover of a question shall be allowed five minutes to open and five minutes to close.

"Leave of the House," as used in this rule, shall be expressed only by unanimous consent or by a two-thirds vote of the members present; *provided*, that such vote shall at all times be determined without a roll call.

No member shall be interrupted by a question until he has concluded.

SPECIAL RULE NO. 2.

On and after the sixty-seventh day, evening sessions shall be held at 7.45 p.m., unless otherwise ordered by a majority vote.

During the evening sessions only Assembly bills shall be considered, unless otherwise ordered by a majority vote of the members present. The file numbers of all bills entitled to be taken up at such evening sessions shall be posted on the black-board before five o'clock of each day.

Any member, who during the evening has notified the Speaker of his presence in the building in attendance at a committee meeting, shall be deemed to be excused; and no bill to the consideration of which a member so excused has filed an objection with the Speaker shall be considered without notice given in the committee room of the committee on which he is serving.

During the consideration of Special Rule No. 1, the following amendment was submitted by Mr. Schmitt:

Amend Special Rule No. 1, by striking out of second paragraph the following: "*provided*, that such vote shall at all times be determined without a roll call."

Amendment lost.

The question being on the adoption of the above special rules.

The roll was called, and rules adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, Mouser, Nelson, Pears, Ryan, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—54.

NOES—Messrs. McDonald, Polsley, Richardson, and Scott—4.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

During third reading of the bill, Mr. Bagby moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 33, after "San Luis Obispo", insert "Santa Barbara".
Also: On page 3, line 2, strike out "Santa Barbara".

Motion carried.

The Speaker appointed Mr. Bagby as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 862, with instructions, do now report that the instructions of the Assembly have been carried out.

BAGBY, Select Committee.

Report of select committee and amendments adopted.

Mr. Guill moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2 of the title, strike out the word "six", and insert in lieu thereof the word "seven".

Motion carried.

The Speaker appointed Mr. Guill as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 862, with instructions, do now report that the instructions of the Assembly have been carried out.

GUILL, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1194—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out commencing with the word "the" in line 8, of page 3, and ending with the word "thereof", in line 25, of page 3.

Also: Strike out commencing with the word "an" in line 35, of page 3, and ending with the word "thereafter" in line 37, of page 3, and in lieu thereof insert the following: "An election of three trustees shall be held in said district on the fourth Tuesday in October, 1915, and on the fourth Tuesday in October every two years thereafter."

Also: Strike out commencing with the word "the" in line 8, page 4, and ending with the word "enacted" in line 2, of page 5.

Also: Strike out all of Section 3.

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1194, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendments adopted.

Mr. Murray moved that the Speaker appoint a select committee of one to amend the bill as follows:

In Section 3, line 31, after the word "district", insert the following: "such work to be done under the jurisdiction of the state board of drainage commissioners".

Motion carried.

The Speaker appointed Mr. Murray as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1194, with instructions, do now report that the instructions of the Assembly have been carried out.

MURRAY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

THIRD READING OF SENATE BILLS.

Senate Bill No. 413—An Act to amend "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses," approved March 15, 1899, and to extend the operation of said Act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States,' approved March 23, 1901, by extending the operation of said Act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by amending Section 4 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 413 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Mouser, Murray, Peairs, Polsley, Richardson, Ryan, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be numbered 2697 and 2698, relating to the abandonment of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 394 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

During third reading of the bill, Mr. Bradford moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section 4235 of the Political Code of the State of California is hereby amended to read as follows:

4235. In counties of the sixth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The county clerk, three thousand six hundred dollars per annum, and also such compensation as are now or may hereafter be allowed by law; *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk, the following deputies, clerks and assistants, to be appointed by said county clerk, which positions are hereby created, and the salaries of which are hereby fixed as follows: One chief deputy county clerk, twenty-one hundred dollars per annum; two additional deputies, fifteen hundred dollars each per annum; two deputies to act as index clerks, twelve hundred dollars each per annum; two deputies to act as stenographers, twelve hundred dollars each per annum; three deputies to act as copyists, twelve hundred dollars each per annum; three court room clerks, one thousand five hundred dollars each per annum; one deputy, who shall be the registrar of voters, two thousand four hundred dollars per annum; one deputy who shall be the assistant registrar of voters, fifteen hundred dollars per annum; and a deputy or deputies not to exceed five, for the purpose of registering electors, to be paid not to exceed four dollars per diem each; *provided*, that said deputies so employed for registering electors shall not be employed except during a year when a general election is to be held throughout the state, and then only between the first day of February and the fifteenth day of November of said year; and such deputies as may be needed for the purpose of registering electors in precincts outside of the corporate limits of municipalities containing twenty-five thousand or more inhabitants, who shall be paid fifteen cents per name for each person legally registered by such deputy; *provided*, further, that whenever a municipal, special state, or special county election, is held, the county clerk, in counties of this class, shall be, and he is hereby allowed the following additional help: five clerks, for a period of, and not exceeding, sixty days, preceding such elections, whose salaries shall not exceed four dollars per diem each. The salaries and compensations of each of said deputies, clerks and assistants to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officials are paid.

2. The sheriff shall receive three thousand six hundred dollars per annum salary; the sheriff shall also receive for his own use the fees for mileage which are now, or which may hereafter, be allowed by law, and the fees and commissions for the service of all papers whatsoever issued by any court of the state outside of said county, and shall also receive his necessary expenses in all criminal cases. The sheriff shall also be paid twelve and one half cents per meal each for all meals furnished prisoners confined in the county jail. That in counties of this class there shall be and there is hereby allowed to the sheriff the following deputies, jailers and bailiffs, to be appointed by the said sheriff, which positions are hereby created and the salaries of which are hereby fixed as follows:

One deputy, who shall act as under sheriff, at a salary of twenty-one hundred dollars per annum; three deputies, who shall act as jailers, at a salary of thirteen hundred and twenty dollars per annum each; three deputies, who shall act as criminal deputies, at a salary of fifteen hundred dollars per annum each, and three deputies, who shall act as bailiffs, at a salary of thirteen hundred and twenty dollars per annum each. One matron, to attend female prisoners at a salary of ninety dollars (\$90.00) per month; one engineer or fireman, to attend to the heating apparatus of the county jail, at a salary of ninety dollars (\$90.00) per month. All deputies herein mentioned shall be paid at the same time and manner that their principal is paid.

3. The recorder, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the recorder, which said positions are hereby created, the following deputies, clerks and copyists, who shall be appointed by such recorder, and shall be paid salaries and compensations as follows: One chief deputy, at a salary of two thousand one hundred dollars per annum; one comparing clerk, at a salary of fifteen hundred dollars per annum; one mortgage clerk, at a salary of twelve hundred dollars per annum; one index clerk, at a salary of fifteen hundred dollars per annum. Said recorder may also appoint such copyists, not to exceed four, as may be required for the recording of all papers, notices or documents in his office, who shall receive as compensation for their services the sum of twelve hundred dollars each per annum; said recorder may

also appoint two filing clerks, at a salary of twelve hundred dollars each per annum. The salaries and compensations of all deputies, clerks and copyists herein provided for, each of whom shall be a deputy county recorder, shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid.

4. The auditor, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be, and there is hereby, allowed to the auditor, which said positions are hereby created, the following deputies, who shall be appointed by the auditor of such county, and shall be paid salaries and compensation as follows: One chief deputy, at a salary of twenty-one hundred dollars per annum; one redemption and index deputy, at a salary of eighteen hundred dollars per annum; one warrant deputy, at a salary of eighteen hundred dollars per annum, and such additional assistants as the auditor may require and whose compensation shall not exceed nine hundred dollars per annum in the aggregate for all assistance so rendered; *provided*, that a verified statement showing in detail the amounts paid and the persons to whom and the purpose for which such compensation has been paid for such additional assistants, as aforesaid, shall be filed with the county clerk, and the auditor shall certify thereon to the correctness of said claim. The salaries herein provided for shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the auditor is paid.

5. The treasurer, thirty-six hundred per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the following deputies, to be appointed by said treasurer, which positions are hereby created: One deputy, who shall be the assistant treasurer, who shall receive a salary of twenty-one hundred dollars per annum; one deputy, to act as warrant clerk, at a salary of eighteen hundred dollars per annum. The salaries of each said assistant and clerk to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officials. It is hereby further provided that in counties of this class the treasurer shall receive the commission heretofore or hereafter allowed by law.

6. The tax collector, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the tax collector, the following deputies, bookkeepers and assistants to be appointed by said tax collector, which positions are hereby created: one chief deputy at a salary of eighteen hundred dollars per annum; one office deputy at a salary of fifteen hundred dollars per annum; and one bookkeeper at a salary of fifteen hundred dollars per annum; and one deputy which office is hereby created who shall be correspondence and mail clerk at a salary of twelve hundred dollars per annum; *provided*, further, that the tax collector shall have two additional deputy tax collectors to serve as such for a period of six months in each year and who shall receive a salary of one hundred dollars per month, also three additional deputy tax collectors to serve as such for a period of three months in each year and who shall receive a salary of one hundred dollars each per month, also one additional deputy tax collector to serve as cashier for two months in each year and who shall receive a salary of one hundred dollars each per month all of which shall be paid by the county. The salaries of all deputies, assistants and bookkeepers herein provided for shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as the tax collector is paid.

7. The license collector, one thousand eight hundred dollars per annum. Said license collector shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties and he shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

8. The assessor, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the assessor the following deputies, clerks and assistants, to be appointed by said assessor, which positions are hereby created, and the salaries of which are hereby fixed as follows: One assistant county assessor at twenty-one hundred dollars per annum; one chief deputy assessor, eighteen hundred dollars per annum; one office deputy assessor, fifteen hundred dollars per annum; one city real estate valuation deputy, fifteen hundred dollars per annum; one country real estate valuation deputy, for not exceeding eight months in any one year, at a salary of one hundred and twenty-five dollars per month; one mortgage and transfer assistant assessor, twelve hundred dollars per annum; one field deputy assessor, for not exceeding six months in any one year, at a salary of one hundred and twenty-five dollars per month; one head country field deputy, for not exceeding four months in any one year, at a salary of one hundred and fifty dollars per month; one head city field deputy, for not exceeding four months in any one year at a salary of one hundred and twenty-five dollars per month; six field deputy assessors, for not exceeding four months in any one year, at a salary of one hundred and twenty-five dollars each per month; ten field deputy assessors, for not exceeding four months in any one year, at a salary of one hundred dollars per month each; two clerks, for not exceeding two months in any one year, at a salary of one hundred dollars each per month. The salaries

of the assistant county assessor, chief deputy assessor, office deputy assessor, city real estate valuation deputy, country real estate valuation deputy, head country field deputy, head city field deputy, clerks, mortgage and transfer assistant assessor, and field deputy assessors herein provided for shall be paid by the said county in monthly installments at the same time, manner and out of the same fund as the county assessor is paid; *it is hereby further provided*, that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall such assessor receive any compensation or commission for the collection of poll taxes or road poll taxes.

9. The district attorney, five thousand dollars per annum; *provided*, that in counties of this class there shall be, and there is hereby created and allowed to the district attorney, the following assistant, deputies and employees, who shall be appointed by the district attorney of said county, and who shall be paid salaries as follows: One assistant district attorney, whose salary is hereby fixed at the sum of thirty-six hundred dollars per annum; one chief deputy district attorney, whose salary is hereby fixed at the sum of twenty-seven hundred dollars per annum; one deputy district attorney, whose salary is hereby fixed at the sum of twenty-one hundred dollars per annum; one deputy district attorney, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum, whose duty it shall be, in addition to performing services as deputy district attorney, to attend preliminary examinations held in all police and justice courts in the county and conduct on behalf of the people all prosecutions for felonies at such preliminary examinations, and, also, to attend and appear before the juvenile court of said county and prosecute proceedings therein; one clerk, who shall be a stenographer, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one county detective, who shall perform such duties as may be required of him by the district attorney or by the ordinances of the board of supervisors of the county, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; *provided, further*, that in addition to the salary herein fixed for said county detective he shall be allowed and paid the actual and necessary expenses incurred by him in the performance of his official duties; *provided, further*, that the said county detective shall file with the board of supervisors, a verified statement and claim showing in detail the amount paid, and the persons to whom and the purpose for which such payments were made; *and provided, further*, that in counties of this class the district attorney, in addition to the salary herein fixed, shall be allowed his traveling and other personal expenses incurred in criminal cases arising in the county and in civil actions and proceedings in which the county is interested, and all other expenses necessarily incurred by him in the investigation and detection of crime and the prosecution of criminal cases and in civil actions and proceedings, and all other matters in which the county is interested, all of which said charges and expenses so incurred by him shall be a legal charge against the county.

10. The coroner, such fees as are now or may be hereafter allowed by law; *provided*, the coroner, or other officer holding an inquest upon the body of a deceased person may subpoena a chemist to make an analysis of the contents of the stomach or tissues of the body, or a physician or surgeon to inspect the body, or hold a post mortem examination of the deceased, and give a professional opinion as to the cause of death; and shall cause the testimony of all the witnesses at such inquest to be reduced to writing under his directions. The coroner in counties of this class shall be and he is hereby allowed the following assistants, namely, one deputy and one stenographer, which offices are hereby created; said deputy shall have the power and it shall be his duty when directed by the coroner to hold inquests, and all such power conferred by law upon the coroner may be exercised by said deputy, who shall receive a salary of twelve hundred dollars per annum; the salary of said stenographer shall be fifteen hundred dollars per annum, which salary shall be in full for all services rendered by him as such stenographer. Said stenographer shall take down in shorthand the testimony of witnesses at inquests and shall transcribe the same into longhand and file a verified copy thereof with the county clerk. The salaries of said deputy and stenographer shall be paid by the county in the same manner, at the same time and out of the same fund as other county officers are paid. The said deputy coroner and the said stenographer shall each be appointed by the coroner.

11. The public administrator, such fees as are now or may be hereafter allowed by law.

12. The superintendent of schools, three thousand dollars per annum, and actual traveling expenses when visiting schools of the county, not exceeding five hundred dollars per annum; and the said superintendent of schools may appoint one assistant superintendent of schools, which office of assistant superintendent of schools is hereby created, who shall receive as compensation the sum of two thousand one hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers are paid. Each member of the board of education of the county shall receive five dollars per day as compensation for his services when in actual attendance upon said board, and mileage at the rate of twenty cents per mile, one way only, from his residence to the place of meeting of said board. The secretary of said board of education of said county shall receive five dollars per

day for his services for the actual time that the board may be in session. Said compensation of the members of the said board and of said secretary shall be paid out of the same fund as the salary of the superintendent of schools. Claims of such service and mileage shall be presented to the board of supervisors and shall be allowed, at the rate above named, and in the same manner as other claims against the county are allowed. The compensation of members of the county board of education of this county hereby provided is not in addition to that provided in section seventeen hundred and seventy of this code.

13. The surveyor, two thousand four hundred dollars per annum and in addition thereto all necessary expenses for work performed in the office and all necessary expenses and transportation for work performed in the field; *provided*, that in counties of this class whenever the board of supervisors shall order or the assessor may require assessor's map or block books, then the surveyor shall receive, in addition to the salary above noted, the sum of fifteen hundred dollars additional expenses required for the preparation and completion of said maps or block books.

14. In counties of this class justices of the peace shall be compensated as follows, and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz.:

(1) In townships having a population of 25,000 or more, justices of the peace shall each receive a salary of three hundred (\$300) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(2) In townships having a population of 5,000 and less than 25,000, justices of the peace shall receive the sum of one hundred and forty (\$140) dollars per month as full compensation for all services rendered by them in both criminal cases and civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(3) In townships having a population of 3,000 and less than 5,000, justices of the peace shall each receive the sum of one hundred and twenty-five (\$125) dollars as full compensation for all services rendered by them in both criminal cases and civil cases and in all cases wherein the justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(4) In townships having a population of 2,000 and less than 3,000, justices of the peace shall each receive the sum of one hundred (\$100) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(5) In townships having a population of 900 and less than 2,000, justices of the peace shall each receive the sum of seventy-five dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

(6) In townships having a population of less than 900, justices of the peace shall each receive the sum of fifty (\$50) dollars per month as full compensation for all services rendered by them in both criminal cases and in civil cases and in all cases wherein justices of the peace perform the duties of coroner. All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

Provided, however, that justices of the peace in townships contiguous to municipalities containing 25,000 or more inhabitants or in which a penal institution is located shall be allowed a salary of one hundred and forty (\$140) dollars a month each as full compensation for all services rendered by them in both criminal and civil cases and in all cases wherein the justices of the peace perform the duties of coroner, and all fees chargeable and collectible by said justices of the peace in criminal cases and in civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury.

The population referred to in classifying the townships for the purpose of regulating the compensation of justices of the peace shall be the population found and determined by the federal census taken in the year 1910; *provided*, that if the township census be taken after the taking of the federal census under the provision of Section 4055, then said census shall be known and shall become the official

census of the township in which the same is taken, and the population therein determined shall be and become the official population of such township.

15. Constables, in townships having a population of between nine hundred and one thousand, and between twenty-two hundred and twenty-four hundred inhabitants, as found and determined by the last preceding federal census, shall be allowed a salary of seventy-five dollars per month each and fifteen cents per mile actually traveled in taking prisoners to the county jail, in lieu of all fees in criminal cases. In all other townships, constables, such fees as are now or may be hereafter allowed by law, except that the constables in townships containing twenty thousand or more inhabitants shall be allowed a salary of one hundred and twenty-five dollars per month each, in lieu of all fees in criminal cases; *provided, further*, that constables in townships contiguous to municipalities containing twenty-five thousand or more inhabitants, or in which a state penal institution is located, shall be allowed a salary of one hundred dollars per month each, and fifteen cents per mile for every mile actually traveled in taking prisoners to the county jail, in lieu of all fees in criminal cases; *provided, further*, that constables, in townships not contiguous to municipalities containing twenty-five thousand or more inhabitants, and constables in townships in which a state penal institution is not located, shall receive in addition to the fees now provided by law three dollars per diem for each day in actual attendance on the court in criminal cases, and fifteen cents per mile for each mile actually traveled in taking prisoners to the county jail. The salary of the constables as above provided to be paid at the same time and in the same manner as county officers are paid.

16. Each supervisor, one hundred and twenty-five dollars per month, and ten cents per mile for traveling to and from the county seat; *provided*, mileage shall not be allowed oftener than once in each month.

17. The offices of recorder and auditor shall be separate and shall not be consolidated by the board of supervisors.

18. For attending as a juror in the superior court, for each day's attendance, per diem three dollars. For each mile actually traveled in attending court as juror, in going only, per mile, twenty-five cents.

19. In counties of this class there may be a county analyst, to be appointed by the board of supervisors, who shall receive a salary of not less than fifty dollars per month, to be paid at the same time and in the same manner as other county officers are paid. He shall furnish his own laboratory. He shall perform such service as may be required by the district attorney, coroner, or by ordinances of the board of supervisors. He shall have been a resident of the county for at least two years and shall be a graduate of a recognized university or technical school and shall have had at least three years experience in forensic and analytical chemistry.

20. In townships containing twenty thousand or more inhabitants the board of supervisors shall furnish the justice of the peace and the constables of such townships an office, to be occupied by such justice and constables jointly.

SEC. 2. All Acts and parts of Acts in conflict with the provisions of this Act, are hereby repealed.

Motion carried.

The Speaker appointed Mr. Bradford as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 15, with instructions, do now report that the instructions of the Assembly have been carried out.

BRADFORD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 867—An Act declaring that all tide lands and submerged lands within the boundaries of the city of Los Angeles are required, and require such lands, for public purpose of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for the purpose of quieting title to, and for the recovery of the possession of said lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 867 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dover, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, McDonald, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1262—An Act to amend Section 1755 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to making additions thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1262 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Ford, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 436—An Act to create a reclamation district to be called "Reclamation District No. 991," and providing for the control and management thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 436 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dover, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 201—An Act to amend Section 791 of the Political Code, relating to notaries public.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 201 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dover, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson,

Kingsley, McCarthy, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Strine, Tulloch, Walsh, Weisel, White, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 756—An Act to provide for the keeping of medical and surgical appliances in factories.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 756 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gates, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, White, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 392—An Act to amend Section 280b of the Code of Civil Procedure, relating to licenses to practice law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 392 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Ryan, Scott, Shannon, Simpson, Slater, Strine, Tulloch, Walsh, Weisel, White, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 296—An Act to amend Section 2981 of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 296 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Farwell, Ferguson, Ford, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Shannon, Shartel, Simpson, Slater, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1523—An Act to amend Section 756 of the Political Code of the State of California, relating to the maintenance of high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1523 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bolnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Griffin, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Shartel, Simpson, Slater, Strine, Walsh, Weisel, White, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, strike out all of sections two (2) and three (3), and insert in lieu thereof the following:

"SEC. 2. Said board shall have power to pay, or cause to be paid, to said inmates out of the moneys available for the support of the institution such wages as may be authorized and prescribed by said rules and regulations."

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1211, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 215—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

During third reading of the bill, the following amendment was submitted by Mr. Clark, and ordered printed in the Journal:

Add four new sections, to be numbered and read as follows:

"SEC. 4. Whenever in the judgment of the state board of health the reports upon any occupational disease require special investigation of all the conditions and circumstances of any occupation or occupations in relation to the disease, a preliminary investigation shall be made and a report prepared. If the state board of health shall decide that this report warrants a thorough investigation, it shall confer with the commissioner of labor and the governor, and with their approval shall place the said occupation or occupations upon a provisional list of dangerous trades, and shall proceed with a thorough investigation and preparation of a final report to the legislature upon the protection of employees or other persons affected

by these occupations. For the purpose of this Act the state board of health shall have the power to hold hearings, take testimony, administer oaths and subpoena witnesses.

SEC. 5. Within ninety days after any occupation or occupations have been placed upon the provisional list of dangerous trades, any person, firm, or corporation desiring to engage in, or to continue to engage in, operate or conduct any business requiring the employment of men, women, or children in such occupation or occupations shall file with the state board of health a petition for permission so to do, together with a complete and detailed plan, description and history of the existing or proposed works, system or plant, showing geographical location, with relation of climatological and sanitary factors to site, and all available data upon the influence of the occupation or occupations upon the health of the employees and other persons. Thereupon, a thorough investigation of the existing or proposed works, system or plant, and all circumstances and conditions deemed to be material, shall be made under the direction of the state board of health. As a part of such investigation, and after ten days' notice by mail to the petitioner, a hearing or hearings may be had before said board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn by the person conducting the hearing, and evidence oral and documentary, may be received, a record of which shall be made and filed with said board. All of the expense of such investigation, including hearings, excepting the compensation of state officers participating therein, shall be borne and paid as they accrue by the petitioner.

Upon the completion of such investigation said board, if it shall determine as a fact that any or all the employees or other persons are or may be, under all the circumstances and conditions, subjected to influences which will endanger their lives, or be prejudicial to their health, shall, upon the approval of the commissioner of labor and the governor (a) deny the prayer of such petition, if it be for a business not yet established, until the final report provided in section four of this Act has been duly considered by the legislature; or, (b) if such petition be for continuing a business already established, said board shall grant to petitioner a temporary and revocable permit authorizing the continuance of the business under such restrictions as in said permit may be specified, as urgently necessary for the protection of the employees or other persons from the occupational disease under investigation, until the final report provided in section four of this Act has been duly considered by the legislature.

SEC. 6. Any person violating any of the provisions of this Act, whether acting for himself or as the agent or servant of another person, or of a firm, company or corporation, or as an officer, agent, employee, or representative of any municipal corporation, or of the state, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment for a term of not more than ninety days, or by both such fine and imprisonment. Each day that anything in violation of any provision of this Act shall continue; each day that anything forbidden by the provisions hereof to be erected, constructed, maintained, operated or permitted, shall continue to exist, or be maintained, operated or permitted; each day that anything required to be constructed, erected, maintained, operated, or instituted shall be delayed; and each day that any person shall neglect to perform any act or to take any precautions required by rules and regulations that may be specified under the provisions of this Act, shall constitute a separate offense.

SEC. 7. For the purposes of this Act the sum of two thousand dollars is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, for the purposes of this Act, and the state controller is hereby directed to draw his warrant in favor of the state board of health for sums aggregating that amount, these claims having been audited by the state board of control, and the state treasurer is directed to pay the same.

SECOND READING OF SENATE BILLS.

Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 626q, relating to sea otter.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 524—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation,

with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library, and the various county free libraries of California, for the purpose of carrying on a practical system of university extension.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 991—An Act to amend Section 319 of the Penal Code of California, relating to lotteries.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 992—An Act to amend Section 320 of the Penal Code of California, relating to lotteries.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered 327, relating to lotteries and providing a penalty for the violation thereof.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read :

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act appropriating money to pay the claim of Cora A. Thorpe against the State of California.

An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by addition thereto of a new section, to be known and designated as Section 54a.

An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital at Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the costs and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electrical current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for

the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding.

An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Pears, Polsley, Richardson, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Nolan: Assembly Bill No. 2081—An Act appropriating money to pay the claim of Cora A. Thorpe against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Tullock (by request): Assembly Bill No. 2082—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by addition thereto of a new section to be known and designated as "Section 54a."

Bill read first time, and referred to Committee on Irrigation.

By Mr. Wall: Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital at Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the costs and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electrical current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Richardson: Assembly Bill No. 2084—An Act to enlarge the powers of the Board of State Harbor Commissioners and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motions to reconsider Senate Bills Nos. 1104 and 933 was postponed until the next legislative day.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Gates moved that the vote whereby Assembly Bill No. 600 was refused passage be reconsidered.

POINT OF ORDER.

Mr. Simpson rose to the following point of order: That Mr. Gates had not voted with the majority.

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

DECISION OF CHAIR APPEALED FROM.

Mr. Simpson appealed from the decision of the chair.

The question being put: Shall the decision of the chair be the decision of the Assembly?

A *viva voce* vote was taken, and the decision of the chair declared to be the decision of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Brown, Cram, Emmons, Gabbert, Gates, Hinkle, Johnstone, W. A., Moorhouse, Mouser, Peairs, Polsley, Roberts, Schmitt, Scott, Shartel, Smith, Strine, and Woodley—18.

NOES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Clarke, Geo. A., Dower, Ferguson, Finnegan, Ford, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Killingsworth, Libby, McDonald, Murray, Nelson, Nolan, Richardson, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, and Mr. Speaker—40.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Finnegan, Masters George and Francis Finnegan were granted the privilege of the floor of the Assembly for this day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns; said section to be numbered 1281a.

Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California; fixing, defining and establishing the boundaries thereof; providing for its management and control, subject to the provisions of the Political Code of the State of California and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½, Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof

And report that the same have been correctly re-engrossed.

Assembly Bill No. 2—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Assembly Bill No. 66—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of examination of cities and cities and counties.

Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Assembly Bill No. 156—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-fifth class.

Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Assembly Bill No. 192—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Assembly Bill No. 193—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489a, relating to reclamation and swamp land districts.

Assembly Bill No. 880—An Act to amend Sections 412, 413 and 414 of the Penal Code of the State of California, and to add two new sections to said code, to be designated as Sections 412a and 413a, relating to prize fights, prohibiting the same, defining the duties of certain officers in connection therewith, and fixing the penalties for engaging in such fights, and for aiding or abetting the same.

Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

Assembly Bill No. 1022—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the

same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911.

Assembly Bill No. 1099—An Act to amend Section 1599 of the Political Code of California, relating to the election of school trustees.

Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools.

Assembly Bill No. 1345—An Act to amend Section 1 of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions.

Assembly Bill No. 1431—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 629½, relating to the protection and preservation of fish.

Assembly Bill No. 2033—An Act concerning fish and game and prohibiting the hunting or taking of the same upon private property under certain circumstances.

Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ADJOURNMENT.

At four o'clock and five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, April 15, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names.

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Iman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—77.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Emmons, Mr. Kuck was granted leave of absence for the day.

At the suggestion of the Speaker, Messrs. Wyllie and Hinkle were granted leaves of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Smith, the further reading was dispensed with.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Also: Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

Also: Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Also: Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the court.

Also: Senate Bill No. 1204—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 742—An Act to amend Sections 2, 3, 10, 12 and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and adding a new section to said Act to be known as Section 124, relating to reassessments.

Also: Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of dealers and providing for the proper distribution of such books.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1522 read first time, and referred to Committee on Judiciary.

Senate Bill No. 565 read first time, and referred to Committee on Manufactures.

Senate Bill No. 7 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1512 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1204 read first time, and referred to Committee on Fish and Game.

Committee Substitute for Senate Bill No. 742 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1011 read first time, and referred to Committee on Education.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Palmer:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate name of each.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF CONCURRENT RESOLUTIONS.

The following concurrent resolutions were introduced, and referred as indicated:

By Mr. Alexander:

ASSEMBLY CONCURRENT RESOLUTION No. 27.

Relative to the cancellation of contracts of the farmers of Salinas Valley, Monterey County, with the Board of State Prison Directors for San Quentin bags and return of the ten per cent deposited with said contract.

WHEREAS, The crops in Salinas Valley, California, are almost a total failure owing to lack of rain; and

WHEREAS, The farmers of said valley have heretofore entered into contracts with the Board of Prison Directors of the State of California for the purchase of grain sacks, and have paid a deposit thereon of ten per cent; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California most earnestly request that said board, upon application of said farmers or any of them, cancel said contract or contracts and refund said deposit or deposits heretofore paid by said farmer or farmers.

Resolution read.

Mr. Alexander moved that the resolution be taken up for immediate consideration.

Motion carried.

A *viva voce* vote was taken, and Assembly Concurrent Resolution No. 27 adopted and ordered transmitted to the Senate.

By Mr. Green:

ASSEMBLY CONCURRENT RESOLUTION No. 28.

WHEREAS, The farmers of the Seventeenth Senatorial District, who in their farming operation needed grain bags in anticipation of the average grain crop, entered into the contracts with the Board of State Prison Directors for the purchase of grain bags, and in accordance with a rule of said board paid a deposit thereon of ten per cent of the amount of such contracts; and

WHEREAS, Since the making of such contracts by said farmers the dry season has caused a failure of the grain crops in said senatorial district, and such failure avoids the necessity for the purchase of the number of grain bags that they had originally contracted for as aforesaid; and

WHEREAS, Owing to said crop failures, it is the judgment of the members of the Legislature that an exception should be made under the circumstances in favor of the farmers of said senatorial district, as well as others in the State similarly situated who may desire to be so relieved; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Legislature respectfully requests the Board of State Prison Directors to consider and grant the requests of farmers of said senatorial district and such other farmers of the State who may ask for such relief for a return of said deposit and cancellation of the contracts entered into under the conditions aforesaid; and be it further

Resolved, That a certified copy of these resolutions be transmitted to the Board of State Prison Directors by the Secretary of the Senate.

Resolution read.

Mr. Green moved that the resolution be taken up for immediate consideration.

Motion carried.

A *viva voce* vote was taken, and Assembly Concurrent Resolution No. 28 adopted and ordered transmitted to the Senate.

MOTION.

Mr. Polsley moved that an invitation be extended to the Hon. Winston Churchill to address the Assembly at a time convenient to himself.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns; said section to be numbered 1281a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 914 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Chandler, Clark, Wm. C., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, White, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½ of Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 60 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Pears, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Slater, Strine, Stuckenbruck, Wall, Weisel, White, Woodley, and Mr. Speaker—55.

NOES—None.

Assembly Constitutional Amendment No. 60 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 60.

A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending Section 7½ of Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

The Legislature of the State of California at its fortieth regular session commencing on the sixth day of January, 1913, two thirds of all the members elected to each of the two houses of said Legislature voting therefor hereby proposes to the people of the State of California that section seven and one half of Article XI of the Constitution of the State be amended so as to read as follows:

Section 7½. Any county may frame a charter for its own government consistent with and subject to the constitution (or, having framed such a charter, may frame a new one,) and relating to matters authorized by provisions of the constitution, by causing a board of fifteen freeholders, who have been for at least five years qualified electors thereof, to be elected by the qualified electors of said county, at a general or special election. Said board of freeholders may be so elected in pursuance of an ordinance adopted by the vote of three fifths of all the members of the board of supervisors of such county, declaring that the public interest requires the election of such board for the purpose of preparing and proposing a charter for said county, or in pursuance of a petition of qualified electors of said county as hereinafter provided. Such petition, signed by fifteen per centum of the qualified electors of said county, computed upon the total number of votes cast therein for all candidates for governor at the last preceding general election at which a governor was elected, praying for the election of a board of fifteen freeholders to prepare and propose a charter for said county, may be filed in the office of the county clerk. It shall be the duty of said county clerk, within twenty days after the filing of said petition, to examine the same, and to ascertain from the record of the registration of electors of the county, whether said petition is signed by the requisite number of qualified electors. If required by said clerk, the board of supervisors shall authorize him to employ persons specially to assist him in the work of examining such petition, and shall provide for their compensation. Upon the completion of such examination, said clerk shall forthwith attach to said petition his certificate, properly dated, showing the result thereof, and if, by said certificate, it shall appear that said petition is signed by the requisite number of qualified electors, said clerk shall immediately present said petition to the board of supervisors, if it be in session, other-

wise at its next regular meeting after the date of such certificate. Upon the adoption of such ordinance, or the presentation of such petition, said board of supervisors shall order the holding of a special election for the purpose of electing such board of freeholders, which said special election shall be held not less than twenty days nor more than sixty days after the adoption of the ordinance aforesaid or the presentation of said petition to said board of supervisors: *provided*, that if a general election shall occur in said county not less than twenty days nor more than sixty days after the adoption of the ordinance aforesaid, or such presentation of said petition to said board of supervisors, said board of freeholders may be elected at such general election. Candidates for election as members of said board of freeholders shall be nominated by petition, substantially in the same manner as may be provided by general law for the nomination, by petition of electors, of candidates for county offices, to be voted for at general elections. It shall be the duty of said board of freeholders, within one hundred and twenty days after the result of such election shall have been declared by said board of supervisors, to prepare and propose a charter for said county, which shall be signed in duplicate by the members of said board of freeholders, or a majority of them, and be filed, one copy in the office of the county clerk of said county, and the other in the office of the county recorder thereof. Said board of supervisors shall thereupon cause said proposed charter to be published for at least ten times in a daily newspaper of general circulation, printed, published and circulated in said county: *provided*, that in any county where no such daily newspaper is printed, published and circulated, such proposed charter shall be published for at least three times in at least one weekly newspaper, of general circulation, printed, published and circulated in such county; and *provided*, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed charter shall be posted by the county clerk in three public places in said county, and on or near the entrance to at least one public schoolhouse in each school district in said county, and the first publication or the posting of such proposed charter shall be made within fifteen days after the filing of a copy thereof, as aforesaid, in the office of the county clerk. Said proposed charter shall be submitted by said board of supervisors to the qualified electors of said county at a special election held not less than thirty days nor more than sixty days after the completion of such publication, or after such posting; *provided*, that if a general election shall occur in said county not less than thirty days nor more than sixty days after the completion of such publication, or after such posting, then such proposed charter may be so submitted at such general election. If a majority of said qualified electors, voting thereon at such general or special election, shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be forthwith submitted to the legislature, if it be in regular session, otherwise at its next regular session, or it may be submitted to the legislature in extraordinary session, for its approval or rejection as a whole without power of alteration or amendment. Such approval may be made by concurrent resolution, and if approved by a majority vote of the members elected to each house, such charter shall become the charter of such county and shall become the organic law thereof relative to the matters therein provided, and supersede any existing charter framed under the provisions of this section, and all amendments thereof, and shall supersede all laws inconsistent with such charter relative to the matters provided in such charter. A copy of such charter, certified and authenticated by the chairman and clerk of the board of supervisors under the seal of said board and attested by the county clerk of said county, setting forth the submission of such charter to the electors of said county, and its ratification by them, shall, after the approval of such charter by the legislature, be made in duplicate, and filed, one in the office of the secretary of state and the other, after being recorded in the office of the recorder of said county, shall be filed in the office of the county clerk thereof, and thereafter all courts shall take judicial notice of said charter.

The charter, so ratified, may be amended by proposals therefor submitted by the board of supervisors of the county to the qualified electors thereof at a general or special election held not less than thirty days nor more than sixty days after the publication of such proposals for ten times in a daily newspaper of general circulation, printed, published and circulated in said county: *provided*, that in any county where no such daily newspaper is printed, published and circulated, such proposed charter shall be published for at least three times in at least one weekly newspaper of general circulation, printed, published and circulated in such county: *provided*, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed charter shall be posted by the county clerk in three public places in said county, and on or near the entrance to at least one public schoolhouse in each school district in said county. If a majority of such qualified electors voting thereon, at such general or special election, shall vote in favor of any such proposed amendment or amendments, or any amendment or amendments proposed by petition as hereinafter provided, such amendment or amendments shall be deemed to be ratified, and shall be forthwith submitted to the legislature, if it be in regular session, otherwise at its next regular session, or may be submitted to the legislature in extraordinary session, for approval or rejection as a whole without power of alteration or amendment, and if approved by the legislature,

as herein provided for the approval of the charter, such charter shall be amended accordingly. A copy of such amendment or amendments shall, after the approval thereof by the legislature, be made in duplicate, and shall be authenticated, certified, recorded and filed as herein provided for the charter, and with like force and effect. Whenever a petition signed by ten per centum of the qualified electors of any county, computed upon the total number of votes cast in said county for all candidates for governor at the last general election, at which a governor was elected, is filed in the office of the county clerk of said county, petitioning the board of supervisors thereof to submit any proposed amendment or amendments to the charter of such county, which amendment or amendments shall be set forth in full in such petition, to the qualified electors thereof, such petition shall forthwith be examined and certified by the county clerk, and if signed by the requisite number of qualified electors of such county, shall be presented to the said board of supervisors, by the said county clerk, as hereinbefore provided for petitions for the election of boards of freeholders. Upon the presentation of said petition to said board of supervisors, said board must submit the amendment or amendments set forth therein to the qualified electors of said county at a general or special election held not less than thirty days nor more than sixty days after the publication or posting of such proposed amendment or amendments in the same manner as hereinbefore provided in the case of the submission of any proposed amendment or amendments to such charter, proposed and submitted by the board of supervisors. In submitting any such charter, or amendments thereto, any alternative article or proposition may be presented for the choice of the electors, and may be voted on separately without prejudice to others.

Every special election held under the provisions of this section, for the election of boards of freeholders or for the submission of proposed charters, or any amendment or amendments thereto, shall be called by the board of supervisors, by ordinance, which shall specify the purpose and time of such election and shall establish the election precincts and designate the polling places therein, and the names of the election officers for each such precinct. Such ordinance, prior to such election, shall be published five times in a daily newspaper, or twice in a weekly newspaper, if there be no such daily newspaper, printed, published and circulated in said county; *provided*, that if no such daily or weekly newspaper be printed or published in such county, then a copy of such ordinance shall be posted by the county clerk in three public places in such county and in or near the entrance to at least one public schoolhouse in each school district therein. In all other respects, every such election shall be held and conducted, the returns thereof canvassed and the result thereof declared by the board of supervisors in the same manner as provided by law for general elections. Whenever boards of freeholders shall be elected, or any such proposed charter or amendment or amendments thereto, submitted, at a general election, the general laws applicable to the election of county officers and the submission of propositions to the vote of electors shall be followed in so far as the same may be applicable thereto.

It shall be competent, in all charters, framed under the authority given by this section to provide, in addition to any other provisions allowable by this constitution, and the same shall provide, for the following matters:

1. For boards of supervisors and for the constitution, regulation and government thereof, for the times at which and the terms for which the members of said board shall be elected, for the number of members, not less than three, that shall constitute such boards, for their compensation and for their election, either by the electors of the counties at large or by districts; *provided*, that in any event said board shall consist of one member for each district, who must be a qualified elector thereof; and

2. For sheriffs, county clerks, treasurers, recorders, license collectors, tax collectors, public administrators, coroners, surveyors, district attorneys, auditors, assessors and superintendents of schools, for the election or appointment of said officers, or any of them, for the times at which and the terms for which, said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and, if appointed, for the manner of their appointment; and

3. For the number of justices of the peace and constables for each township, or for the number of such judges and other officers of such inferior courts as may be provided by the constitution or general law, for the election or appointment of said officers, for the times at which and the terms for which said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and if appointed, for the manner of their appointment; and

4. For the powers and duties of boards of supervisors and all other county officers, for their removal and for the consolidation and segregation of county offices, and for the manner of filling all vacancies occurring therein; and

44. For the assumption and discharge by county officers of certain of the municipal functions of the cities and towns within the county, whenever, in the case of cities and towns incorporated under general laws, the discharge by county officers of such municipal functions is authorized by general law, or whenever, in the case of cities and towns organized under section eight of this article, the discharge by county officers of such municipal functions is authorized by provisions of the charters, or by amendments thereto, of such cities or towns.

5. For the fixing and regulation by boards of supervisors, by ordinance, of the appointment and number of assistants, deputies, clerks, attachés and other persons to be employed, from time to time, in the several offices of the county, and for the prescribing and regulating by such boards of the powers, duties, qualifications and compensation of such persons, the times at which, and terms for which they shall be appointed, and the manner of their appointment and removal; and

6. For the compensation of such fish and game wardens, probation and other officers as may be provided by general law, or for the fixing of such compensation by boards of supervisors.

All elective officers of counties, and of townships, of road districts and of highway construction divisions therein shall be nominated and elected in the manner provided by general laws for the nomination and election of such officers.

The legislature may by general laws confer and impose on boards of supervisors and all other county officers powers and duties in addition to those provided by charters under this section.

All charters framed under the authority given by this section, in addition to the matters herein above specified, may provide as follows:

For offices other than those required by the constitution and laws of the state, or for the creation of any or all of such offices by boards of supervisors, for the election or appointment of persons to fill such offices, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For offices hereafter created by this constitution or by general law, for the election or appointment of persons to fill such offices, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For the formation, in such counties, of road districts for the care, maintenance, repair, inspection and supervision only of roads, highways and bridges; and for the formation, in such counties, of highway construction divisions for the construction only of roads, highways and bridges; for the inclusion in any such district or division, of the whole or any part of any incorporated city or town, upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town, or portion thereof, proposed to be so included, at an election held for that purpose: for the organization, government, powers and jurisdiction of such districts and divisions, and for raising revenue therein, for such purposes, by taxation, upon the assent of a majority of the qualified electors of such districts or divisions, voting at an election to be held for that purpose; for the incurring of indebtedness therefor by such counties, districts or divisions for such purposes respectively, by the issuance and sale, by the counties, of bonds of such counties, districts or divisions, and the expenditure of the proceeds of the sale of such bonds, and for levying and collecting taxes against the property of the counties, districts or divisions, as the case may be, for the payment of the principal and interest of such indebtedness at maturity: *provided*, that any such indebtedness shall not be incurred without the assent of two thirds of the qualified electors of the county, district or division, as the case may be, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same, and the procedure for voting, issuing and selling such bonds shall, except in so far as the same shall be prescribed in such charters, conform to general laws for the authorizing and incurring by counties of bonded indebtedness, so far as applicable; *provided, further*, that provisions in such charters for the construction, care, maintenance, repair, inspection and supervision of roads, highways and bridges for which aid from the state is granted, shall be subject to such regulations and conditions as may be imposed by the legislature.

Whenever any county has framed and adopted a charter, and the same shall have been approved by the legislature, as herein provided, the general laws adopted by the legislature in pursuance of sections four and five of this article, shall, as to such county, be superseded by said charter as to matters for which, under this section it is competent to make provision in such charter, and for which provision is made therein, except as herein otherwise expressly provided.

The charter of any county, adopted under the authority of this section, may be surrendered and annulled with the assent of two thirds of the qualified electors of such county, voting at a special election, held for that purpose, and to be ordered and called by the board of supervisors of the county upon receiving a written petition, signed and certified as hereinabove provided for the purposes of the adoption of charters, requesting said board to submit the question of the surrender and annulment of such charter to the qualified electors of such county, and, in the event of the surrender and annulment of any such charter, such county shall thereafter be governed under general laws in force for the government of counties.

The provisions of this section shall not be applicable to any county that is consolidated with any city.

Assembly Bill No. 2—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 112 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 171 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 192—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 192 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Collins, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Weldon, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 193—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 193 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weldon, White, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1022—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

During third reading of the bill, Mr. Guill moved that the Speaker appoint a select committee of one to amend the bill as follows:

Add a new section, to be known as Section 2.

"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Motion carried.

The Speaker appointed Mr. Guill as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1022, with instructions, do now report that the instructions of the Assembly have been carried out.

GUILL, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 266 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Cary, Chandler, Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Peairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 292 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 158 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Cary, Chandler, Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Schmitt, Simpson, Slater, Strine, Stuckenbruck, Wall, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 159 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Simpson, Slater, Strine, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 157 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Pairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 156—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

During third reading of the bill, Mr. Green moved that the Speaker appoint a select committee of one to amend the bill as follows:

Add the following new section:

"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Motion carried.

The Speaker appointed Mr. Green as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 156, with instructions, do now report that the instructions of the Assembly have been carried out.

GUILLY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 21 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Shannon, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1023—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

During third reading of the bill, Mr. Guill moved that the Speaker appoint a select committee of one to amend the bill as follows:

Add a new section to be known as Section 2:

"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state shall, under the provisions of Section 1, of Article IV of the Constitution of the State of California, take effect immediately."

Motion carried.

The Speaker appointed Mr. Guill as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1023, with instructions, do now report that the instructions of the Assembly have been carried out.

GUILI, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

During third reading of the bill, Mr. Guill moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, after the period following "California," add "the money so appropriated shall be available to pay any expense which has been incurred for said purposes subsequent to the first day of March, 1913."

Also: Add a new section, to be numbered Section 2, as follows:

"SEC. 2. This Act, inasmuch as it provides an appropriation for the usual current expenses of the state shall, under the provisions of Section 1, Article IV of the Constitution of the State of California, take effect immediately."

Motion carried.

The Speaker appointed Mr. Guill as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1024, with instructions, do now report that the instructions of the Assembly have been carried out.

GUILI, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1548—An Act to amend an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of or acquisition, and also for the payment of such bonds," approved April 14, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1548 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Schmitt, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1709 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Schmitt, Scott, Shannon, Slater, Stuckenbruck, Tulloch, Wall, Weisel, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 653e, relating to blacklisting.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1118 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

During third reading of the bill, Mr. Finnegan moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 14, strike out lines 24 to 36, inclusive; also, on page 14, line 3, strike out figures "27", and insert in lieu thereof the figures "26", and renumber all the remaining sections accordingly.

Motion carried.

The Speaker appointed Mr. Finnegan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2000, with instructions, do now report that the instructions of the Assembly have been carried out.

FINNEGAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1896—An Act to amend Section 374½ of the Penal Code of the State of California, relating to the pollution of streams.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1896 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Knigsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Scott, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, White, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 795—An Act to amend Section 270 of the Penal Code and creating a new section, to be known as Section 196a of the Civil Code, relating to the duty of a parent to support his child, whether legitimate or illegitimate, and providing for the enforcement of such obligation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 795 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Scott, Shannon, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—48.

NOES—Mr. Canepa—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 655—An Act to amend Section 157 of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 655 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Guill, Hayes, Johnston, T. D., Johnstone, W. A.,

Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Stuckenbruck, Tulloch, Wall, Weisel, and Mr. Speaker—45.

NOES—Mr. White—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 483 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Tulloch, Wall, Walsh, Weldon, and Mr. Speaker—58.

NOES—Messrs. Ford, Richardson, and White—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1895—An Act to prevent the pollution of streams by sawmill or factory refuse.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1895 refused passage by the following vote:

AYES—Messrs. Alexander, Bloodgood, Bowman, Brown, Cram, Finnegan, Fish, Guill, Inman, Johnson, Geo. H., Judson, Kingsley, Mouser, Peairs, Polsley, Roberts, Scott, Shartel, Weisel, and Mr. Speaker—20.

NOES—Messrs. Beck, Bradford, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gelder, Guiberson, Hayes, Johnston, T. D., Libby, McCarthy, Nelson, Nolan, Palmer, Richardson, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Wall, Walsh, and White—31.

SPECIAL ORDER RESET.

On motion of Mr. Bradford, the consideration of Assembly Bill No. 2064 was continued until one o'clock and thirty minutes p.m., of this day.

Assembly Bill No. 79—An Act to amend Section 607*e* of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

During third reading of the bill, Mr. Bradford moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"607*e*. All fines, penalties and forfeitures imposed and collected in any city or county, or city and county, of this state under the provisions of any law of this state, now or hereafter enacted, relating to or affecting children or animals, in every case where the prosecution was instituted, aided, or conducted by any corporation or society now or hereafter existing, incorporated or organized for the prevention of cruelty to animals or children must, except where otherwise provided, inure to such corporation or society in aid of the purposes for which it was incorporated or organized; *provided, however*, that no such corporation or society, except those designated each year by the board of supervisors or other governing bodies of the city or city and county or county where such society exists, shall receive such

fines, penalties or forfeitures. In addition to said fines, penalties and forfeiture, every such society incorporated and organized for the prevention of cruelty to animals, or for the prevention of cruelty to children, may, in each city, or city and county or county where such society exists, while actively engaged in enforcing the provisions of the laws of this state, now or hereafter enacted, for the prevention of cruelty to animals or children, or arresting or prosecuting offenders thereunder, or preventing cruelty to animals or children be paid, as compensation therefor, from the city or county or city and county general fund by the board of supervisors, or other governing bodies, a sum not exceeding \$500.00 per month in the same manner as other claims against said city or county or city and county are paid."

Further action postponed until next legislative day.

TIME FOR RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until the business before the Assembly be disposed of and committee reports read.

Mr. Brown moved that the bill be made a special order for one o'clock and thirty minutes p.m. of this day.

Mr. Bradford moved, as an amendment, that the time be eleven o'clock and thirty minutes a.m. of Wednesday, April 15, 1913.

Amendment adopted.

Motion, as amended, adopted.

RE-REFERENCE OF BILL.

On motion of Mr. Smith, Assembly Bill No. 2054 was re-referred to Committee on Medical and Dental Laws.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Civil Service, to whom was referred Assembly Bill No. 716—An Act to establish a state school to train persons for practical service in governmental work of city, county and state and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

BLOODGOOD, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this state, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

Also: Assembly Bill No. 1790—An Act dissolving Reclamation District No. 742, and providing for its liquidation and the payment of all outstanding indebtedness.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

MORGENSTERN, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1029—An Act to repeal an Act entitled "An Act to create a reclamation district to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 939—An Act to create a drainage district to be called "Knight's Landing Ridge Drainage District;" to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds.

Also: Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500; providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district, any land lying within the boundaries of said Reclamation District No. 1500.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MORGENSTERN, Chairman.

The above reported bills ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER—Your Committee on Elections, to whom was referred Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code of the State of California, by striking out 1194 and putting in place thereof 1210.

Also: Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

Also: Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Also: Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also creating a board whose duty it shall be to determine the order and manner of placing all questions, propositions and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board.

Also: Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California, relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and creating a board for the purpose of preparing statement as to the effect and purpose of such questions, propositions and constitutional amendments.

Also: Assembly Bill No. 1940—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Also: Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Also: Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BOHNETT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

Also: Assembly Bill No. 1920—An Act to amend Sections 1094, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

Also: Assembly Bill No. 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

Also: Assembly Bill No. 1666—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

Also: Assembly Bill No. 1934—An Act to amend Section 1104 of the Political Code, relating to the registration of voters.

Also: Assembly Bill No. 1935—An Act to amend Section 1105 of the Political Code, relating to the cancellation of registrations.

Also: Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards.

Also: Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

Also: Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "Preferential System of Voting," in municipal elections.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BOHNETT, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1764—An Act authorizing any municipal corporation using the word "city" in its corporate name, to change such word to "town," and providing for the procedure therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 2058—An Act to repeal Section 4 of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 246—An Act to amend Section 627 of the Penal Code of the State of California, relating to the protection and preservation of game.

Also: Assembly Bill No. 813—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration."

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GUILL, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney

General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Also: Senate Bill No. 863—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subperna.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 4—An Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also: Assembly Bill No. 55—An Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also: Assembly Bill No. 352—An Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Have had the same under consideration, and respectfully report the same back, with a committee substitute therefor, and recommend that the substitute be adopted.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 23—Relative to the mailing of copies of all Acts passed and approved relating to courts, judicial officers and amendments to codes to each judge of Superior Court, district attorneys and county clerks of the counties and cities and counties of this State—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BENEDICT, Chairman.

The above reported resolution ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 349—An Act to amend Section 3106 of the Political Code of the State of California, relating to cemeteries and defining what constitutes a public cemetery.

Also: Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Also: Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Also: Assembly Bill No. 1710—An Act to amend Sections 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Also: Assembly Bill No. 1768—An Act to amend Section 978a of the Code of Civil Procedure, relating to the filing of undertaking on appeal, and exception to and justification of sureties.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1574—An Act to provide for a trial by jury in certain cases of contempt of court—have had the same under consideration, and respectfully report the same back, with amendments, and without recommendation.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of

weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

Also: Assembly Bill No. 1187—An Act to amend Section 472 of the Political Code of the State of California, relating to the duties and salaries of the assistants to the Attorney General, and providing for additional deputies.

Also: Assembly Bill No. 1192—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 892, 974 and 1135 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 849a, 850b, 858b and 872a thereof, relating to proceedings in justices' courts.

Also: Assembly Bill No. 1903—An Act to amend Section 4300e of the Political Code, relating to justices of the peace fees.

Also: Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1172—An Act to amend Section 148 of the Penal Code, relating to the prosecution and punishment of the offense of resisting and obstructing a public officer in the discharge of his duty—which was re-referred to us from the Committee on Revision of Criminal Procedure—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

BENEDICT, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison—which was re-referred to us from the Committee on Prisons and Reformatories—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Also: Assembly Bill No. 146—An Act appropriating money for the construction of six additional cottage units and living and dining room at the Napa State Hospital.

Also: Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Also: Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Also: Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Assembly Bill No. 142—An Act appropriating money for remodeling north bay cottage at Napa State Hospital.

Which were re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 147—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital—which was re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Assembly Bill No. 181—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Also: Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also: Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Also: Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Assembly Bill No. 174—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Which were re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also: Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

Also: Assembly Bill No. 116—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Assembly Bill No. 62—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Which were re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Assembly Bill No. 525—An Act appropriating money for the construction of a laundry building and the equipment of the same at the state prison at Folsom.

Also: Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at the state prison at Folsom.

Also: Assembly Bill No. 528—An Act appropriating money for the construction and equipment of shop buildings at the state prison at Folsom.

Which were re-referred to us from the Committee on Prisons and Reformatories, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 522—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 520—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 518—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 517—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 407—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Assembly Bill No. 406—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the State of California during the sixty-fourth fiscal year.

Also: Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Also: Assembly Bill No. 1009—An Act making an appropriation to defray the expenses of legislative printing for the fortieth session of the Legislature of the State of California.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 301—An act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Also: Assembly Bill No. 299—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Also: Assembly Bill No. 139—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Also: Assembly Bill No. 138—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Also: Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Also: Assembly Bill No. 134—An Act appropriating money for the construction amusement, assembly and library building at the Veterans' Home of California.

Also: Assembly Bill No. 133—An Act appropriating money for painting buildings at the Veterans' Home of California.

Also: Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Also: Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 307—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Also: Senate Bill No. 311—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Also: Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural

Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of the plans and specifications therefor and for the acceptance and maintenance thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 51—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Senate Bill No. 247—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 248—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 226—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Also: Assembly Bill No. 225—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Also: Assembly Bill No. 190—An Act appropriating money for installing and connecting a heating system for the male department, at the Stockton State Hospital.

Also: Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Which was re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 186—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital—which was re-referred to us from the Committee on Live Stock and Dairies, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 663—An Act to regulate the practice of steam engineering, the registering and licensing of persons to carry on such practice and insure the better education and promote competency and skill among steam engineers in the State of California—which was re-referred to us from the Committee on Judiciary, have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor—which was referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 568—An Act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WHITE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 608—An Act regulating the hours of employment in underground mines or any underground workings, whether for the purpose of tunneling, making excavation or to accomplish any other purpose or design, or in smelting and reduction works—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WHITE, Chairman.

The above reported bill ordered on file for second reading.

WITHDRAWAL OF BILL.

Mr. Woodley asked for and was granted unanimous consent to withdraw Assembly Bill No. 917.

Bill withdrawn, and ordered stricken from the file.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 717—An Act to add a new section to the Penal Code, to be known as Section 402f, regulating the packing, preparing and shipping for sale within the State of California of any fruit or vegetables infected with insect pests or disease injurious to trees, shrubs, plants, fruits or vegetables; and providing a penalty for the violation thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2074—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of the Act," approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

Bill read second time, and ordered to engrossment and third reading.

RECESS.

At twelve o'clock and forty minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

SPECIAL ORDER.

The hour of one o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 2064—An Act defining and limiting the right of aliens to acquire title to and own or lease real property in the State of California, and providing a method for divesting title to lands held by such aliens.

During third reading of the bill, Mr. Cary moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, strike out all of Section 8.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Cary, Fish, Gates, Guiberson, Johnstone, W. A., Kuck, Schmitt, and Sutherland—8.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—64.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 34, after the word "by", insert the following: "or the majority of the members of which are".

Motion lost.

Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 1, after the word "alien", insert the following: "ineligible to become a citizen under the naturalization laws of the United States".

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bagby, Benedict, Bowman, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Fish, Gabbert, Gates, Guiberson, Johnstone, W. A., Kuck, Nelson, Roberts, Slater, Strine, and Woodley—20.

NOES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bradford, Brown, Bush, Chandler, Clark, Wm. C., Collins, Dower, Farwell, Ferguson, Finnegan, Ford, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt,

Scott, Shannon, Shartel, Shearer, Simpson, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—56.

Mr. Finnegan moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, strike out the comma, and insert in lieu thereof the word "or". Also: After the word "descent", strike out the words "or purchase".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2064 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, and Mr. Speaker—60.

NOES—Messrs. Benedict, Bowman, Cary, Ellis, Emmons, Fish, Gates, Guiberson, Johnstone, W. A., Kuck, Nelson, Roberts, Schmitt, Strine, and Woodley—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of being addressed by the Hon. Winston Churchill of New Hampshire.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

The Hon. Winston Churchill addressed the Assembly.

Mr. Bohnett moved that the committee do now rise and report progress and ask leave to sit again.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

GENTLEMEN: The Committee of the Whole have sat, and do now report progress and ask leave to sit again.

YOUNG, Chairman.

MOTION.

Mr. Brown moved that a vote of thanks be extended to the Hon. Winston Churchill for his admirable address.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith returns the same with the recommendation that the

author be permitted to introduce it. The title of said bill is as follows: An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate name of each.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Palmer: Assembly Bill No. 2085—An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate name of each.

Bill read first time, and referred to Committee on Hospitals and Asylums.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

During third reading of the bill, Mr. Cram moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, strike out lines 10, 11, 12 and 13 down to the word provided.

Also: On page 5, line 4, strike out the word "April", and insert in lieu thereof the word "May".

Motion carried.

The Speaker appointed Mr. Cram as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1433, with instructions, do now report that the instructions of the Assembly have been carried out.

CRAM, Select Committee.

Report of select committee and amendments adopted.

Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, lines 9 and 10, strike out the words "taken above tide water".

Also: On page 4, line 13, strike out the words "taken above tide water".

Also: On page 4, line 25, strike out the word "one" after the word "and", and insert in lieu thereof the word "two".

Also: On page 4, line 25, strike out the word "one" after the word "or", and insert in lieu thereof the word "three".

Also: On page 4, line 26, strike out all after the semicolon beginning with the word "provided", down to and including the word "years", on line 33.

Also: On page 5, line 2, strike out the semicolon after the word "following", and insert in lieu thereof the following: "and provided, further, that it shall be lawful to take, catch, kill and have in possession any steelhead trout taken above tide water in Eel River below East Ferry to the ocean with gill nets, the meshes of which are, when drawn closely together, and measured inside the knots, six and one half inches or more in length, between the fifteenth day of November and the first day of February of the year following; and provided, further, that it shall be lawful

to take, catch or kill steelhead trout with gill nets, the meshes of which are, when drawn closely together and measured inside the knot, six and one half inches or more in length, from the mouth of Mad River to Carson's bridge in Humboldt County, between the fifteenth day of November and the first day of February of the year following; *and provided, further*, that it shall be lawful to take, catch or kill steelhead trout in the waters of Eel River and Mad River with spear or hook and line between April first and February first of year following;".

Also: On page 5, after line 33, add a new paragraph as follows:

"The provisions of this section shall not prohibit the possession, purchase, sale, or offer or exposure for sale or shipment of any steelhead trout lawfully taken in the waters of this state when the same shall be accompanied by an invoice in duplicate showing the name and address of consignor and consignee and bearing, after inspection, such evidence of having been so caught or taken as shall be required by the fish and game commission; and the cost of such inspection and marking must be paid by the person or persons submitting such steelhead trout for inspection and marking."

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1433, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

EXPLANATION OF VOTE.

The following explanation of vote was presented, and ordered printed in the Journal:

MR. SPEAKER: My reasons for voting against Assembly Bill No. 2064 are as follows: The bill is too sweeping in its provisions and should have excepted European races. Had the bill been amended so as to apply only to Asiatics, I would have voted for it. I am opposed to the ownership of land by peoples which the laws of this country exclude from citizenship.

W. A. JOHNSTONE.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motions to reconsider Senate Bills Nos. 1104 and 933 was postponed until the next legislative day.

GUESTS ADMITTED TO THE FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Bradford, the senior class of Elk Grove High School, Elk Grove—Miss Florence Morgan, Miss Pearl Walters, Miss Ethel Daniels, Arthur Rowland, Harry Markofer, Edward McAnan, Thomas Wait, Elmer Gibson, Arthur Meese—were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Ellis, Mr. Karl S. Carlton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. Ben P. Tabor was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Canepa, Mr. Neil T. Duffy was granted the privilege of the floor of the Assembly for this day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 6—An Act to add a new section to the Penal Code of the State of California, to be numbered 631*d* providing for the breeding and sale of American elk, mule, deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, bob white quail, California Valley and mountain quail and all varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports; for the fencing of the preserves and for the revocation of licenses.

Assembly Bill No. 38—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

Assembly Bill No. 73—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Assembly Bill No. 198—An Act providing for the support, maintenance and equipment of the Department of Agriculture of the University of California, including the station at Berkeley, and the various sub-stations throughout the State, and making an appropriation therefor.

Assembly Bill No. 286—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Assembly Bill No. 1084—An Act to give the reclamation board of the State of California the right of action for the State in cases involving the diversion of streams and the impairment of natural reservoirs for flood waters.

Assembly Bill No. 1334—An Act to amend Sections 339 and 340 of the Code of Civil Procedure of the State of California, relating to time of commencing actions other than for the recovery of real property.

Assembly Bill No. 1340—An Act to amend Sections 226 and 227 of the Code of Civil Procedure of the State of California, relating to the drawing and summoning of jurors.

Assembly Bill No. 1549—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized.

Assembly Bill No. 1633—An Act appropriating money for the purchase of additional land for the San Diego State Normal School.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 287—An Act to divide the State of California into fish and game districts, to regulate and license the hunting of wild birds and animals, to provide revenue therefrom and for game and fish preservation and restoration.

Assembly Bill No. 412—An Act to amend Section 2322*a* of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, prescribing his duties and powers.

Assembly Bill No. 429—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California to be known as Section 375*b*, relating to the receptacles for gasoline and kerosene.

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Assembly Bill No. 1602—An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds.

Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Also: Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section to be known as Section 26, relating to the rights of men.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 224—An Act to amend Section 737 of the Political Code, relating to the salary of superior judges.

Assembly Bill No. 642—An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for five consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor and providing penalties therefor; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this Act; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared unconstitutional.

Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903, and as amended by an Act approved March 24, 1911.

Assembly Bill No. 1204—An Act to amend Title V of Part III of the Political Code by adding and enacting new chapters to be designated Chapters 1, 1a, 1b, 1c, 1d and 1e, relating to and creating a state board of administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for

the appointment and duties of an advisory board to be known as the state board of charities and corrections; providing for the government and management by said board of administration of the state hospitals for the insane and other incompetent persons, the state schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions, and to amend said Title V of Part III of the Political Code by renumbering Chapter 1c thereof relating to the Woman's Relief Corps Home of California and designating said chapter as Chapter 1f, and to repeal Chapter I of Title V of Part III of the Political Code, relating to the State Commission in Lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and Chapter 1b of Title V of Part III of the Political Code relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the state," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911, in so far as the provisions of said Act conflict with this Act; and to repeal all Acts and parts of Acts in conflict with this Act.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 56—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title to said Act and by amending Sections 1, 15, 17 and 18 thereof to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes, and to add a new section, to be known as Section 110½.

Assembly Bill No. 82—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

Assembly Bill No. 95—An Act defining and relating to wage-brokers; regulating assignments of wages and salaries as securities for loans; and fixing a maximum rate of interest for loans upon wages and salaries, and providing penalties for the violation thereof.

Assembly Bill No. 98—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Assembly Bill No. 410—An Act to amend Section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 2, 3, 30, 31, 32, 41, 43 and 61 thereof, and to add two new sections to said Act, to be numbered 32½ and 54½, said new sections relating respectively to increasing the rate of interest on bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him.

Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section, to be designated as 731a, relating to the abatement of public nuisances, and by whom actions may be instituted for such purpose.

Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

Assembly Bill No. 2032—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

Also: Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At four o'clock and twenty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Young in the chair.

RULE SUSPENDED.

Mr. Slater moved that Rule 69 be suspended.

Motion unanimously carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 702 passed by the following vote:

AYES—Messrs. Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Collins, Cram, Farwell, Finnegan, Ford, Gabbert, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Schmitt, Scott, Shannon, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 804—An Act to add a new section to the Code of Civil Procedure, the said section to be designated 1170a, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 13, after the word "continuance", insert the words "for more than ten days".

Motion carried.

The Speaker appointed Mr. Schmitt as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 804, with instructions, do now report that the instructions of the Assembly have been carried out.

SCHMITT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 380—An Act providing for the sanitation and disinfection of public buildings, railway coaches and sleeping cars.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 380 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bush, Canepa, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out the words "each of".

Also: Page 1, line 3, strike out the word "parties", and insert in lieu thereof the words "male party".

Also: Page 1, line 5, strike out the word "he", and insert in lieu thereof the words "said physician".

Also: Page 1, line 8, strike out the word "each", and insert in lieu thereof the word "such".

Also: Page 1, line 11, strike out the word "or".

Also: Page 1, line 12, strike out the word "her".

Also: Page 2, line 9, strike out the words "each of the contracting party".

Also: Page 2, line 31, strike out all after the word "if", down to and including line 37.

Also: Strike out, on page 3, all of lines 1 to 6, including the word "license".

Also: Page 3, line 6, strike out the words "either or both parties", and insert in lieu thereof the words "the male party".

Also: Page 3, line 17, strike out all of Section 5 down to the word "an", including the period on line 27.

Also: Line 28, page 3, strike out the figure "6", and insert in lieu thereof the figure "5".

Also: Page 4, line 3, strike out the figure "7", and insert in lieu thereof the figure "6".

Also: On page 4, line 12, strike out the figure "8", and insert in lieu thereof the figure "7".

Also: Page 4, line 21, strike out the figure "9", and insert in lieu thereof the figure "8".

Also: Page 4, line 7, strike out the word "two", and insert in lieu thereof the letter "a".

Also: Page 4, end of line 7, and beginning of line 8, strike out the word "physicians", and insert in lieu thereof the word "physician".

Also: Page 4, strike out all of lines 8 and 9, including the period and the words "these physicians", in line 10, page 4, and insert in lieu thereof a comma, followed by the word "who".

Also: Page 4, line 11, strike out the word "persons", and insert in lieu thereof the word "person".

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1226, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, strike out Section 10, and insert in lieu thereof the following:

"10. For the purpose of sprinkling the roads in any part of the county with oil or water, the board of supervisors may erect and maintain waterworks and oil tanks and reservoirs, and for such purposes may purchase or lease real or personal property. The costs of such waterworks, oil tanks and reservoirs and the sprinkling of said roads with oil or water may be charged to the general county fund, the general road fund, or the supervisorial district fund of the district or districts benefited.

Whenever it is determined by a four-fifths vote of the board of supervisors of any county that the public convenience and necessity demands the acquisition, construction, or maintenance of a road the cost of which will be too great to pay out of any of the road funds of the county, the board of supervisors may by a resolution passed by a four-fifths vote of said board of supervisors determine to acquire or construct or maintain such road and may thereafter proceed to acquire or construct or maintain such road and such cost may be charged to the general county fund, the general road fund, or the supervisorial district fund of the district or districts benefited."

Also:

On page 3, line 16, strike out "such", and insert the following after the word "work": "to be done within the fiscal year".

Also:

On page 5, lines 18 and 19, strike out "not exceed two hundred and fifty dollars a month", and insert in lieu thereof the following: "be fixed by the board of supervisors".

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 22, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1634—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1634 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide for maintenance of county highways improved under bond issues in the counties of the State, and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 701 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Collins, Cram, Ellis, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1795—An Act making an appropriation to purchase a site on which to erect a state printing office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1795 refused passage by the following vote:

AYES—Messrs. Bradford, Brown, Bush, Collins, Griffin, Hayes, Inman, Judson, Killingsworth, Libby, McCarthy, McDonald, Morgenstern, Murray, Nolan, Schmitt, Scott, Shannon, Simpson, Tulloch, and White—21.

NOES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Fish, Gates, Green, Guiberson, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, Moorhouse, Mouser, Nelson, Roberts, Slater, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—32.

SPEAKER PRO TEM. IN THE CHAIR.

At nine o'clock p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 514—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 514 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Woodley—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. Weldon, the consideration of Assembly Bill No. 1108 was made a special order for Wednesday, April 16, 1913, at one o'clock and thirty minutes p.m.

WITHDRAWAL OF BILL.

Mr. Tulloch asked for and was granted unanimous consent to withdraw Assembly Bill No. 1161.

Bill withdrawn, and ordered stricken from the file.

Assembly Bill No. 599—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 599 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guiberson, Hayes, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Woodley—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 420—An Act defining and regulating the carrying for sale, endeavoring to sell, or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stables or tent tops, and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, strike out "29 inches", and insert in lieu thereof the following: "36 inches in width or 9".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 420, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1198—An Act to amend Section 14 of an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1198 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Inman, Johnson, G. H., Johnstone, W. A., Judson, Killingsworth, McCarthy, Mouser, Murray, Nolan, Polsley, Roberts, Ryan, Schmitt, Scott, Shaanon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Woodley—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Nelson moved a call of the House.

Motion carried.

Time, nine o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Finne-

gan, Fish, Ford, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Woodley—57.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Messrs. Gabbert, Morgenstern, Peairs, Guill, Chandler, Strine, and Bagby were brought before the bar of the Assembly, and on motion excused.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Stuckenbruck.

The roll of absentees was called, and Assembly Bill No. 1072 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Scott, Shearer, Simpson, Strine, Stuckenbruck, Sutherland, Wall, Weisel, White, and Woodley—45.

NOES—Messrs. Bradford, Canepa, Cary, Chandler, Collins, Finnegan, Fish, Ford, Griffin, Inman, Kingsley, Moorhouse, Polsley, Shartel, Slater, Tulloch, and Weldon—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1074 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Scott, Shearer, Strine, Stuckenbruck, Sutherland, Wall, Weisel, and Woodley—44.

NOES—Messrs. Cary, Chandler, Collins, Finnegan, Fish, Ford, Griffin, Inman, Moorhouse, Shartel, Slater, Tulloch, Weldon, and White—14.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO BECONSIDER.

Mr. Polsley gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1074 was this day passed.

SPEAKER IN THE CHAIR.

At ten o'clock and twenty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3804a, relating to the approval or rejection of claims for refund of taxes, penalties and costs by boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 516 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1875—An Act to provide for the performance by county officers of certain duties of officers of cities governed under charters framed under the authority given by Section 8 of Article XI of the Constitution, with respect to the assessment of property in such cities for the taxes thereof and to the collection of such taxes, and providing for the compensation to be allowed to counties for the services so performed by the officers thereof, for such cities under this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1875 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts amendatory thereof or supplementary thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said Acts, has forfeited either its charter or right to do business in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1682 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 573—An Act to amend an Act entitled “An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor,” which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending Sections 2, 3, 4, 5, 6, and 7½ thereof, by adding a new section thereto, to be known and numbered as Section 6½, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 573 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Fish, Ford, Gabbert, Green, Guiberson, Hayes, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Stuckenbruck, Tulloch, Wiesel, Woodley, and Mr. Speaker—44.

NOES—Messrs. Libby, Murray, Polsley, Richardson, Slater, and Weldon—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the state register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1112 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Ford, Gates, Gelder, Green, Guiberson, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser,

Murray, Nelson, Nolan, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

During third reading of the bill, the following amendments were submitted by the committee:

Section 1, page 2, of the printed bill, strike out of lines 1 and 2 the following: "and excepting state highway work as hereinafter provided,".

Also: Section 1, page 2, of the printed bill, strike out of lines 5, 6, 7, 8 and 9 the following: "The provision of this Act shall not apply to contracts for the maintenance, construction or improvement of any state road or highway under the jurisdiction of the department of engineering or the California highway commission."

Also: Section 1, page 2, of the printed bill, strike out of line 12 the following: "except as herein provided,".

Also: Section 2, page 2, of the printed bill, strike out of lines 26, 27 and 28 the following: "All bids shall be sealed and shall be accompanied by cash or a certified check payable to the governor of the State of California", and insert in lieu thereof the following: "All bids shall be presented under sealed cover and shall be accompanied by cash, a bidder's bond, or a certified check made payable to the state engineer."

Also: Section 2, page 2, of the printed bill, insert in line 30, after the word "cash", a comma and the word "bond".

Also: Section 2, page 2, of the printed bill, insert in line 32, after the word "cash", a comma and the word "bond".

Also: Section 2, page 2, of the printed bill, insert in line 34, after the word "cash", a comma and the word "bonds".

Also: Section 2, page 3, of the printed bill, insert, after the word "engineering" and the period in line 19 the following: "Upon the approval of the advisory board, the state engineer may, when proceeding upon the basis of days' labor, let any subdivision of said work by contract upon informal bids; *provided*, no such contract shall be entered into for a sum in excess of the lowest responsible bid received and rejected for such portion of said work."

Amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

ADJOURNMENT.

At ten o'clock and forty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned until Wednesday, April 16, 1913, at nine o'clock and fifteen minutes a.m.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, April 16, 1913.

At nine o'clock and fifteen minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

MESSRS. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C.,

Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgestern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—78.

Quorum present.

LEAVE OF ABSENCE.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journal of Monday, April 7; Tuesday, April 8; Wednesday, April 9; Thursday, April 10; Friday, April 11, and Saturday, April 12, 1913, were approved as corrected by the Minute Clerk.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

To the Legislature of the State of California.

GENTLEMEN: We respectfully present this petition, asking that you give your approval and adoption to Senate Bills Nos. 1610 and 1611, and also Assembly Bills Nos. 1928 and 1929, relating to Alameda County exposition lands and grounds, and making an appropriation to pay for same.

We respectfully represent that this plan would be beneficial to all counties of the State, as they would be permitted to make exhibits of their products without cost.

Respectfully submitted.

BERKELEY CHAMBER OF COMMERCE.

WELLS DRURY, Secretary.

Also:

VALLEJO, CALIFORNIA, April 11, 1913.

To the Members of the Assembly.

GENTLEMEN: We, the undersigned, residents of Vallejo, California, respectfully petition you to do all in your power to favorably pass the bill known as the Wiley bill, which puts a restriction on liquor sold in the vicinity of army posts, arsenals, government plants, etc.

BERTHA E. SHIPPE (and others).

224 Carolina street.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1554—An Act for the relief of purchasers of school lands

Also: Senate Bill No. 859—An Act to amend Sections 860 and 861 of the Penal Code, relating to the time of setting and hearing preliminary examinations and the delay of such examinations.

Also: Senate Bill No. 48—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings, and

providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Also: Senate Bill No. 548—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Also: Senate Bill No. 964—An Act to amend Section 538 of the Political Code.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and register to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

Also: Senate Bill No. 540—An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code, to be numbered 3612.

Also: Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

Also: Senate Bill No. 1172—An Act to amend Section 2 of an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, as amended by Act approved May 1, 1911.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1308—An Act to amend Sections 1, 3, 8, 20 and 21 of an Act approved March 23, 1901, and entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California,' approved March 12, 1885;" to repeal Sections 13 and 24 of said Act; also, to amend Sections 10, 12, 14 and 19 of said Act as amended by an Act approved March 20, 1903; also, to amend Section 21½ of said Act as added thereto by said Act approved March 20, 1903; and also to amend Section 15 of said Act of March 23, 1901, as amended by an Act approved March 6, 1907; all relating to the Board of Dental Examiners of California and the regulation of the practice of dentistry in the State of California, approved April 6, 1909.

Also: Senate Bill No. 1309—An Act to amend Section 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes for treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Also: Senate Bill No. 695—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1072—An Act to amend Section 1734 of the Political Code of the State of California, relating to the annexation of school districts to high school districts, and to the exclusion of school districts from union or joint union high school districts.

Also: Senate Bill No. 1214—An Act to repeal an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

Also: Senate Bill No. 1695—An Act to amend Section 1779 of the Political Code of the State of California, relating to the establishment of post graduate grammar school course for certain schools.

Also: Senate Bill No. 534—An Act to amend Section 70 of the Civil Code of California, relating to marriages.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 965—An Act to amend Section 535 of the Political Code.

Also: Senate Bill No. 1357—An Act to amend Section 1664 of the Code of Civil Procedure, relating to proceedings for the establishment of heirship.

Also: Senate Bill No. 633—An Act to amend the Code of Civil Procedure by adding thereto Title Va, Part III, relating to the support of bastards, and proceedings therefor.

Also: Senate Bill No. 617—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Also: Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1282—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation, approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also, repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the chief engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California, relating to the regulation of loading and unloading of vessels, to be known as and numbered 368a of said Code.

Also: Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

Also: Senate Bill No. 1307—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members, who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the pro-

visions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a new section, to be numbered 13, relating to the collection of fees.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1554 read first time, and referred to Committee on Judiciary.

Senate Bill No. 859 read first time, and referred to Committee on Judiciary.

Senate Bill No. 48 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 548 read first time, and referred to Committee on Judiciary.

Senate Bill No. 964 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1413 read first time, and referred to Committee on Judiciary.

Senate Bill No. 540 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 982 read first time, and referred to Committee on Corporations.

Senate Bill No. 1172 read first time, and referred to Committee on Public Charities and Corrections.

Senate Bill No. 1308 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 1309 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 695 read first time, and referred to Committee on Education.

Senate Bill No. 1072 read first time, and referred to Committee on Education.

Senate Bill No. 1214 read first time, and referred to Committee on County Government.

Senate Bill No. 1695 read first time, and referred to Committee on Education.

Senate Bill No. 534 read first time, and referred to Committee on Judiciary.

Senate Bill No. 965 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1357 read first time, and referred to Committee on Judiciary.

Senate Bill No. 633 read first time, and referred to Committee on Judiciary.

Senate Bill No. 617 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 737 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1282 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 133 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 1035 read first time, and referred to Committee on Manufactures.

Senate Bill No. 1307 read first time, and referred to Committee on Live Stock and Dairies.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1109—An Act to amend Sections 1 and 7 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and to add a new section thereto, to be designated as Section 3a, relating to the duties and powers of the commissioner and his appointees.

Also: Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Also: Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Also: Assembly Bill No. 1514—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634½, relating to the protection of fish.

Also: Assembly Bill No. 754—An Act to amend Section 14 of an Act entitled "An Act to create a fireman's relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 20, 1905.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1628—An Act to amend Section 1665 of the Political Code of the State of California, relating to including California history in the course of study.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Fish:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: "An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien."

Referred to Committee on Introduction of Bills.

By Mr. Benedict:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: "An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of 'water district bonds' and the payment thereof."

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining-room equipment at Napa State Hospital.

Bill read second time.

Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Bill read second time.

Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Bill read second time.

Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Bill read second time.

Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Bill read second time.

Assembly Bill No. 146—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

Bill read second time.

Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Bill read second time.

Assembly Bill No. 174—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Bill read second time.

Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Bill read second time.

Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Bill read second time.

Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Bill read second time.

Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Bill read second time.

Assembly Bill No. 190—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Bill read second time.

Assembly Bill No. 225—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Bill read second time.

Assembly Bill No. 525—An Act appropriating money for the construction of a laundry building and equipment of the same at the state prison at Folsom.

Bill read second time.

Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1, of printed bill, strike out the word "ninety", and insert in lieu thereof the words "thirty-five".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2, of printed bill, strike out the numerals "(\$190,000.00)", and insert in lieu thereof "(\$135,000.00)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at the state prison at Folsom.

Bill read second time.

Assembly Bill No. 528—An Act appropriating money for the construction and equipment of shop buildings at the state prison at Folsom.

Bill read second time.

Assembly Bill No. 138—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Bill read second time.

Assembly Bill No. 139—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Bill read second time.

Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Bill read second time.

Assembly Bill No. 181—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Bill read second time.

Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 147—An Act appropriating money to reconstruct and add to the steam heating system at Napa State Hospital.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1, of printed bill, between the words "twenty" and "thousand", insert the word "five".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2, of printed bill, strike out the numerals "(\$20,000.00)", and insert in lieu thereof the numerals "(\$25,000.00)".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and on file for third reading.

Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also creating a board whose duty it shall be to determine the order and manner of placing all questions, propositions and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California, relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and creating a board for the purpose of preparing statement as to the effect and purpose of such questions, propositions and constitutional amendments.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1940—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1756—An Act to amend Section 1285 of the Polit-

ical Code of the State of California, relating to making election returns from a district.

During second reading of the bill, the following amendment was submitted by the committee:

In line 3, page 1, strike out the word "section".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1920—An Act to amend Sections 1094, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 35, strike out the word "fifteen", and insert in lieu thereof the words "not less than five".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 1, strike out the word "two", all of line 2 and all of line 3 except the word "ten".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "section".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, strike out the figure "8", and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, strike out the figure "8", and insert in lieu thereof the figure "7".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1666—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "section".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, strike out the roman numeral "XI", and insert in lieu thereof the word "eleven".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1934—An Act to amend Section 1104 of the Political Code, relating to the registration of voters.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "section".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, strike out the words "together with a fee of twenty-five cents".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1935—An Act to amend Section 1105 of the Political Code, relating to the cancellation of registrations.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "section".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word "section".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 4, strike out the words "ballot clerk", and insert in lieu thereof the words "election officer".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting" in municipal elections.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 4, line 27, after the word "elections", insert the following: "under the provisions of this Act".

Amendment adopted.

AMENDMENT No. 2.

On page 4, strike out the semicolon following the word "provisions" in line 33 and all thereafter down to and including the word "act" in line 3, page 5.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 142—An Act appropriating money for remodeling north pay cottage at Napa State Hospital.

Bill read second time.

Assembly Bill No. 116—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Bill read second time.

Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Bill read second time.

Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Bill read second time.

Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Bill read second time.

Assembly Bill No. 522—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Bill read second time.

Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Bill read second time.

Assembly Bill No. 520—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Bill read second time.

Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Bill read second time.

Assembly Bill No. 518—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Bill read second time.

Assembly Bill No. 517—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Bill read second time.

Assembly Bill No. 407—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read second time.

Assembly Bill No. 406—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read second time.

Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Bill read second time.

Assembly Bill No. 1009—An Act making an appropriation to defray the expense of legislative printing for the fortieth session of the Legislature of the State of California.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 7, of printed bill, between the words "the" and "current" insert the word "usual".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 8, of printed bill between the words "the" and "current" insert the word usual.

Amendment adopted.

Bill read second time.

Assembly Bill No. 301—An Act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Bill read second time.

Assembly Bill No. 299—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Bill read second time.

Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Bill read second time.

Assembly Bill No. 134—An Act appropriating money for the construction of lavatories for Companies G and E at the Veterans' Home of California.

Bill read second time.

Assembly Bill No. 133—An Act appropriating money for painting buildings at the Veterans' Home of California.

Bill read second time.

Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Bill read second time.

Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Bill read second time.

Assembly Bill No. 62—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Bill read second time.

Assembly Bill No. 186—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Bill read second time.

Assembly Bill No. 1172—An Act to amend Section 148 of the Penal Code, relating to the prosecution and punishment of the offense of resisting and obstructing a public officer in the discharge of his duty.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 7, strike out "or the state prison,".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 226—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Bill read second time.

Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. Section 634 of the Penal Code of the State of California is hereby amended to read as follows:

634. Every person who, between the twentieth day of September and the fifteenth day of November of each year, except with spear or hook and line, said hook and line to be used in the manner known as angling, takes, catches or kills, any salmon, shad or striped bass; every person who, between the twentieth day of September and the fifteenth day of November of each year, takes, catches or kills or has in his possession more than three fresh salmon or more than ten striped bass or shad in any one calendar day; every person who buys, sells, offers or exposes for sale any fresh salmon, shad or striped bass between the twentieth day of September and the fifteenth day of November of each year; every person who buys, sells or offers for sale any quinnat salmon of less than five pounds in weight; every person who shall cast, extend or draw, or assist in casting, extending or drawing any net or seine for the purpose of taking or catching salmon, shad or striped bass in any of the waters in this state, at any time between sunrise of each Saturday and sunset of the following Sunday; every person who takes, catches or kills salmon, shad or striped bass in any of the waters of this state with any seine or net, dragnet or paranzella any of the meshes of which are, when drawn closely together and measured inside the knots less than six and one half inches or more than nine and one quarter inches in length; *provided*, that, until July first, 1914, it shall be lawful to take, catch, kill, or destroy striped bass or shad with nets the meshes of which are when drawn closely together and measured inside the knots five and one half inches or more in length, subject to the seasons herein set forth; every person who takes, catches or kills any salmon, shad or striped bass with any seine or net, the cork line of which shall be submerged below the surface of the water; every person who shall cast, extend or draw, or assist in casting, extending or drawing any net, seine, dragnet or paranzella, for the purpose of taking or catching salmon in the waters of Eel River above East's Ferry in Humboldt County; every person who shall take, catch or kill any salmon except with hook and line within two miles of where a state or United States hatchery or egg collecting station is located; every person who shall cast, extend or draw, or assist in casting, extending or drawing, any net, seine, dragnet or paranzella for the purpose of taking salmon in the waters of Mad River above Carson's Bridge in Humboldt County, or who shall take, catch or kill any salmon in the waters of Mad River at any time except with spear, hook and line or gill net, the meshes of which gill net are, when drawn closely together and measured inside the knots, six and one half inches or more in length, said gill nets to be used only as hereinafter provided for, is guilty of a misdemeanor; *provided*, that it shall be lawful to take, catch, or kill, in the waters of the Klamath River between the fifteenth day of June and the fifth day of September of each year, with spear, hook and line or gill net, the meshes of which gill net are, when drawn closely together and measured inside the knots, six and one half inches or more in length, and it shall be lawful to take, catch or kill salmon in the waters of the Klamath River between the twentieth

day of September and the first day of November of each year with spear, hook and line or gill net, the meshes of which gill net are, when drawn closely together and measured inside the knots, six inches or more in length; and every person who takes, catches or kills salmon in said Klamath River except with hook and line or spear, between the first day of November and the fifteenth day of June, and the fifth day of September and the twentieth day of September, is guilty of a misdemeanor: *provided, further*, that it shall be lawful to take, catch or kill salmon in Eel River in tide water between the twenty-third day of October and the first day of February of the following year, and to take, catch or kill salmon in the waters of Eel River from East's Ferry down to its mouth in the ocean with gill nets, the meshes of which are, when drawn closely together and measured inside the knots, six and one half inches or more in length, between the fifteenth day of November and the first day of February of the year following; and every person who takes, catches or kills any salmon in tide water in Eel River except with spear or hook and line between the first day of February and the twenty-third day of October, and every person who at any time takes, catches or kills any salmon above tide water in Eel River except with spear or hook and line, or gill nets as herein provided for, is guilty of a misdemeanor; *and provided, further*, that it shall be lawful to take, catch or kill salmon in Mad River from its mouth in the ocean to Carson's Bridge with gill nets, the meshes thereof which are, when drawn close up together and measured inside the knots, six and one half inches or more in length, between the twenty-third day of October and the first day of February of the year following; *and provided, further*, that every person who takes, catches, or kills any salmon at any time in any stream, river, creek or lagoon in fish and game districts number five or six, excluding the San Joaquin River, except with hook and line in the manner known as angling is guilty of a misdemeanor.

The provisions of this section shall not prohibit the possession, purchase, sale, or offer or exposure for sale or shipment of any salmon lawfully taken in the waters of this state when the same shall be accompanied by an invoice in duplicate showing the name and address of consignor and consignee and bearing, after inspection, such evidence of having been so caught or taken as shall be required by the fish and game commission; and the cost of such inspection and marking must be paid by the person or persons submitting such salmon for inspection and marking.

In the construction of this section, limits of tide water in Eel River in Humboldt County shall be deemed to extend from its mouth to the county concrete bridge below Fortuna; and in the Klamath River to a point on the river north of the residence of James McGarvey; and in Smith River in Del Norte County from its mouth to Higgins Ferry.

Nothing in this section shall prevent the United States bureau of fisheries or the fish and game commission of this state from taking at all times such fish as they deem necessary for the purpose of artificial hatching.

Any violation of any of the provisions of this section shall be punishable by a fine of not less than two hundred dollars or by imprisonment in the county jail in the county in which the conviction shall be had of not less than one hundred days or by both such fine and imprisonment, and all fines and forfeitures imposed and collected for any violation of the provisions of this section shall be paid into the fish and game preservation fund.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 4, strike out the word "an".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 5, strike out the words "amount of".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 11, strike out the word "proposed".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 21, strike out the word "proposed".

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 2, strike out the word "proposed".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 34, after the word "year", insert the following: "*Provided, however*, that if a petition, protesting against such assessment, is filed with the board, signed by a majority of property owners in said district, which said property in the aggregate, amounts to more than one half of the total amount of the last preceding assessment in said district, then and in that event, said protest must be sustained by said board and no assessment shall be levied within one year thereafter."

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 37, strike out the words "benefits to be assessed", and insert in lieu thereof the words "assessment to be levied."

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 7, strike out the words "not to exceed two dollars per day, nor"; also, strike out all of line 8, page 4, and the following words in line 9; "exclusive of expenses as heretofore provided", and insert in lieu thereof the following: "said expenses not to exceed two dollars per day, nor in any event shall said compensation exceed the sum of two hundred and twenty-five dollars, exclusive of expenses as hereinbefore provided."

Amendment adopted.

AMENDMENT No. 9.

On page 4, line 37, after the word "assessments", strike out the word "made", and insert in lieu thereof "for the purpose of raising state and county taxes."

Amendment adopted.

AMENDMENT No. 10.

On page 5, line 12, after the word "portion", strike out the word "of", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT No. 11.

On page 5, line 23, after the word "said", strike out the word "proposed".

Amendment adopted.

AMENDMENT No. 12.

On page 6, line 24, after the word "thereon", strike out the word "is", and insert in lieu thereof the word "are".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1790—An Act dissolving Reclamation District No. 742, and providing for its liquidation and the payment of all outstanding indebtedness.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title to read as follows:

"An Act consolidating Reclamation District No. 742 and Reclamation District No. 900, and providing for their liquidation and payment of all outstanding indebtedness.

The people of the State of California do enact as follows:"

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert in lieu thereof the following:
"SECTION 1. Reclamation District No. 742 and Reclamation District No. 900 are hereby consolidated under the designation of Reclamation District No. 900; *provided, however,* that the trustees of the respective districts shall have the power and are directed to proceed to liquidate the affairs of each of said districts and to collect upon the assessments now existing against lands of said districts a sufficient amount to pay and discharge all outstanding indebtedness of said districts thereon. All existing laws are continued in force for the purpose of consummating said liquidation and collection of assessments therefor and the payment of outstanding indebtedness. Each of said districts shall respectively pay all of its existing indebtedness including any bonds that may have been heretofore issued."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1029—An Act to repeal an Act entitled "An Act to create a reclamation district to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code of the State of California by striking out 1194 and putting in place thereof 1210.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1764—An Act authorizing any municipal corporation, using the word "city" in its corporate name, to change such word to "town" and providing the procedure therefor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2058—An Act to repeal Section 4 of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 813—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, of the printed bill, strike out everything after the words "An Act", and insert in lieu thereof the following:

To regulate and license the taking and catching of game fishes and to define game fish, and to provide revenue therefrom, for fish preservation and restoration.

The people of the State of California do enact as follows:

SECTION 1. Every person who, in the State of California, takes, catches, or kills any game fish, for any purpose other than for profit, without first procuring a license therefor, as provided in this Act is guilty of a misdemeanor.

SEC. 2. Licenses granting the privilege to take, catch or kill game fishes for purposes other than for profit, shall be issued and delivered, upon application, by

the county clerk of any of the counties of this state, or by the state board of fish and game commissioners, which board shall prepare suitable licenses of convenient form and size and have printed or stamped thereon the words: "Sporting Fishing License No. _____, State of California, expires December 31, 19____," with the registration number and appropriate year printed or stamped thereon, which said license shall be prepared and furnished to the county clerks for their own disposition by the state board of fish and game commissioners, which board shall take receipt therefor by number and quantity, from the several county clerks and the county clerks shall be responsible therefor, and shall account for the same to the controller of the state every three months beginning with the first day of January of each year. For each license, sold, registered and accounted for by any person, excepting by a fish and game commissioner, he shall be allowed as compensation, for his own use, out of the fish and game preservation fund, ten per cent of the amount accounted for.

SEC. 3. Licenses as herein provided for shall be issued as follows:

First—To any citizen of the United States, over the age of fifteen years, who is a bona fide resident of the State of California, upon the payment of one dollar.

Second—To any person under the age of fifteen years upon the payment of twenty-five cents.

Third—To any citizen of the United States, over the age of fifteen years, not a bona fide resident of the State of California, upon the payment of three dollars.

Fourth—To any person, not a citizen of the United States and over the age of fifteen years, upon the payment of ten dollars.

SEC. 4. Every person applying for and procuring a license as herein provided, shall furnish to the county clerk and the state board of fish and game commissioners his name and residence address, which information shall be by the clerk or board entered in a book kept for that purpose and provided by the state board of fish and game commissioners, together with a statement of the date of issuance and the number of the license issued to such person. Such applicant shall also furnish to the county clerk or fish and game commissioners a written description of himself, by age, height, nationality, and color of eyes and hair.

SEC. 5. All licenses issued as herein provided shall be valid, and shall authorize the person to whom issued to take, catch and kill game fishes in accordance with law, on and from the first day of January of the year in which such license is issued, until the date of expiration written or stamped thereon, but no license shall continue in force for a period longer than one year, nor shall such license be issued to any person unless the holder thereof shall agree to exhibit any game fish in his possession to any regularly appointed deputy fish and game commissioner upon demand, said agreement to be contained in said license.

SEC. 6. Not more than one license shall be issued to any one person for the same license year, except upon an affidavit by the applicant that the one previously issued has been lost or destroyed, and no license issued as herein provided shall be transferable or used by any other person than the one to whom it was issued.

SEC. 7. Every person having a license as provided herein must exhibit such license, or any game fish that may be in his possession, upon demand of any officer authorized to enforce the fish and game laws of this state, or any peace officer of the state.

SEC. 8. For the purposes of this act the following only shall be considered game fishes: Tuna, yellow-tail, jew-fish or black sea bass, albicore, barracuda, bonita, rock-bass, California whiting, also known as corbina and surf-fish, yellow-fin croaker, spot-fin croaker, salmon, steelhead and other trout, charr, white-fish, striped bass and black bass.

SEC. 9. Every person who makes any false statement as to any of the facts required by this Act, for the purpose of obtaining a license, and every person violating any of the provisions of this Act shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not less than twenty-five, nor more than one hundred dollars or by imprisonment in the county jail for a term of not less than ten days nor more than one hundred days or by both such fine and imprisonment and shall forfeit such license as may have been obtained, and no new license shall be issued to such person for the remainder of the license year.

SEC. 10. All moneys collected from the sale of licenses as provided in this Act and all fines and forfeitures imposed and collected for the violation of any of the provisions thereof, shall be paid into the state treasury to the credit of the fish and game preservation fund.

SEC. 11. Nothing in this Act shall apply to any deputy or employee of the California fish and game commission while employed in taking fish for scientific purposes or for the purposes of propagation under the direction of said commission.

SEC. 12. This Act shall take effect January 1, 1914."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 349—An Act to amend Section 3106 of the Political Code of the State of California, relating to cemeteries, and defining what constitutes a public cemetery.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1710—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1768—An Act to amend Section 978a of the Code of Civil Procedure, relating to the filing of undertaking on appeal, and exception to and justification of sureties.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out everything after the words "An Act", and in lieu thereof insert the following:

To provide for the regulation of the use and inspection of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

The people of the State of California do enact as follows:

SECTION 1. There is hereby created the office of state inspector of weighing and measuring instruments and the person holding such office is hereinafter designated "inspector." The inspector shall be appointed by the governor and the first appointment shall be made within thirty days after this Act becomes effective. The inspector shall always be removable at the pleasure of the governor, and shall be the same person as holds the office of labor commissioner. He shall draw no salary as inspector.

SEC. 2. Before entering upon his duties, the inspector shall execute a bond to the state in the sum of five thousand (5,000) dollars conditional upon the faithful performance of his duties.

SEC. 3. The inspector may appoint such deputies as he may deem advisable, not to exceed six in number, who shall be competent to perform the duties of inspectors of weighing and measuring instruments. Such deputies shall give bond in the sum of twenty-five hundred (2,500) dollars and shall have a salary of fifteen hundred (1,500) dollars per annum, to be paid in the same manner and at the same time as the salaries of state officers. They shall at all times be subject to removal at the pleasure of the inspector or the governor.

SEC. 4. The inspector and his deputies shall be allowed their actual traveling expenses, to be approved by the state board of control in the same manner as other claims against the state. The inspector shall also be allowed necessary office expenses to be approved by the state board of control in the same manner as other claims against the state.

SEC. 5. The standard weights and measures received from the United States under a resolution of congress approved June 14, 1836, and such new weights and measures as shall be received from the United States as standard weights

and measures in addition thereto or renewal thereof, and such as shall be procured by the state in conformity therewith and certified by the national bureau of standards, shall be the state standards for all the purposes of this Act.

SEC. 6. The standards referred to in the preceding section shall be kept by the inspector in a safe and suitable place in his office from which they shall not be removed except for repairs, certification and use. He shall maintain such standards in good order and shall submit them at least once in ten years to the national bureau of standards for certification. Upon demand the secretary of state shall deliver to the inspector all standards now in the possession or under the control of the secretary of state. The inspector shall thereupon submit such standards received from the secretary of state to the national bureau of standards for certification, and the inspector shall replace such standards as are defective or incorrect and purchase such additional standards as shall be necessary to make up a suitably complete set of standard weights and measures for the purposes of this Act. Additional copies shall be purchased for the use of said deputies and boards of supervisors, as hereinafter provided, which copies may be made of cheaper material than the standards of the state, kept in the inspector's office.

SEC. 7. The inspector shall place a copy of the state standards of weights and measures in the custody of the board of supervisors of every county, and city and county in the state, but said copies shall remain the property of the state, and the inspector or one of his deputies shall compare the same with the state standards at least once in five years.

SEC. 8. It shall be the duty of boards of supervisors to receive the copies referred to in the preceding section, and keep them in a safe and suitable place from which they shall not be removed except for repairs, certification, or use, and to perform such other duties as are required of them to be performed in this Act. When requested in writing by any person, firm or corporation to make examinations of any weighing or measuring instrument they shall send some competent person to make such examination and the person making the request shall pay all expenses including a per diem of five dollars and actual traveling expenses of the person making the examination.

SEC. 9. Any person who, by himself, or his employee or agent, or the employee or agent of another, shall use in the dealing with any merchandise, manufactured articles or commodities, any false weight or measure or weighing or measuring instrument, or use any weight or measure or weighing or measuring instrument calculated to falsify any weight or measure as tested by such standards, or who shall prepare or offer for sale, or sell, or deliver any merchandise or commodity, previously measured or weighed and placed by himself, or his employee or agent, or as the employee or agent of another, in wrappers, bags, cartons or other containers, that shall fall short of the represented or purported weight or measure of said merchandise or commodity (reasonable allowance being made for natural shrinkage, according to the lapsed time since said merchandise or commodity was weighed or measured); or who shall, in weighing or measuring merchandise or commodities, either in buying, or receiving for purposes of storage, or for shipping, or as a common weigher or measurer, make or give out to the party in interest any false statement as to the weight or quantity thereof, shall be guilty of a misdemeanor.

SEC. 10. Any person may have any weighing or measuring instrument tested by making a request in writing to the board of supervisors of the county, or city and county, in which he resides or by applying to the inspector and paying the expenses of making such test.

SEC. 11. There shall be allowed a tolerance or variation from the state standards of one fourth of one per cent, and no more, for the purposes of this Act.

SEC. 12. It shall be the duty of the inspector and his deputies to inspect weighing and measuring instruments used in this state for dealing in merchandise, manufactured articles and commodities, and they shall from time to time weigh or measure packages or amounts of commodities or merchandise, of whatsoever kind, previously weighed or measured and placed in wrappers, bags, cartons or other containers, and kept for the purpose of sale, or sold, or in process of delivery, in order to determine whether the same contain the quantity or amount represented and whether they are being offered for sale or sold in accordance with law, and in the general performance of such duties and without formal warrant, may at any reasonable time and place make such inspection.

SEC. 13. The inspector and his deputies shall keep a record in detail of the places visited, parties concerned, and of the weighing and measuring instruments tested by them and the inspector shall annually on or before the first day of January each year, and at such other times as the governor may require, make report to the governor, with any recommendations or suggestions necessary or advisable for the better working of his office and the efficient enforcement of this Act and the carrying out of its purposes.

SEC. 14. The inspector and his deputies in the performance of their official duties, shall have the same powers as are possessed by peace officers of this state, and are authorized and empowered to arrest without formal warrant for any violation of this Act.

SEC. 15. If the inspector or any of his deputies, in the performance of their duties under the provisions of this Act, shall find any weighing or measuring instrument of any kind in use for dealing with any merchandise, manufactured articles or commodities that does not correspond with the state standards of weights and measures, he may immediately take possession of said instrument and shall notify the owner or person in charge of said weighing or measuring instrument that it does not correspond with the state standards, and the owner of said weighing or measuring instrument may within fifteen days thereafter bring an action against the inspector in the superior court of the county wherein such possession was so taken, for the purpose of recovering said instrument and of proving that said instrument at the time such possession was so taken corresponded with the state standards or that neither said owner nor person in charge knew or could with reasonable care have known that said instrument did not correspond with said standards. If such action is not brought within fifteen days, or in the event such action is brought and is decided in favor of the inspector, the inspector or his deputy shall file with the recorder of the county, or city and county, where the possession of said instrument was so taken, a notice stating that said instrument was examined and found different from the state standards of weights and measures and in what respects and giving the name and location of the place where used and the name, if known, of the owner. The recorder of such county, or city and county, shall file such notice and index same in a book kept by him for such purpose, entitled "Records of false weights and measures." All such notices shall remain on file and indexed for a period of not less than ten nor more than twelve months, at the expiration of which time the recorder shall remove and destroy said notice and efface said index. For such filing and destruction of notices, no fee shall be charged. If such suit is brought, the district attorney of said county shall defend the same and take and keep possession of said instrument for use as evidence in such suit. If judgment is rendered in favor of the inspector, or in event owner does not bring suit within said fifteen days, said measuring and weighing instrument shall be forfeited to the State of California.

SEC. 16. Any person who shall hinder or obstruct in any way the inspector or any of his deputies in the performance of their official duties, or shall refuse or wilfully neglect to exhibit any weighing or measuring instrument of any kind, or appliance or accessory connected therewith which is in his possession or under his control, to the inspector or such deputy, for the purpose of allowing the same to be inspected as in this Act provided, is guilty of a misdemeanor.

SEC. 17. Any inspector making any false report or failing to perform his duties as herein set forth is guilty of a misdemeanor.

SEC. 18. Nothing in this Act shall prevent any person, firm or corporation from procuring at his own expense and keeping copies of state or other standards of weights and measures.

SEC. 19. Immediately after the appointment of inspector and upon his qualifying for his official duties, he shall cause the complete text of this Act to be published once a week for four consecutive weeks in a newspaper of general circulation in each of the several counties, or cities and counties, in the state having such publication.

SEC. 20. Chapter 211 of the Statutes of the State of California for 1911, being an Act to establish a standard of weights and measures in the State of California, etc., approved March 18, 1911, also all Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 21. There is hereby appropriated out of the general fund not otherwise appropriated the sum of twenty-five thousand dollars for the purchase of standards of weights and measures and for carrying into effect the provisions of this Act.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1187—An Act to amend Section 472 of the Political Code of the State of California, relating to the duties and salaries of the assistants to the Attorney General, and providing for additional deputies.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all of line 3, page 1, and all of the remainder of the bill, and insert in lieu thereof the following:

472. The attorney general may appoint one assistant, one chief deputy and eight additional deputies, who shall be civil executive officers. The annual salary of the assistant shall be four thousand dollars; the annual salary of the chief deputy shall be four thousand dollars; the annual salary of two of such additional deputies shall be three thousand three hundred dollars each; and the annual salary of six of such additional deputies shall be three thousand dollars each. Said salaries shall be paid

at the same time and in the same manner as the salaries of other state officers. The attorney general shall not employ special counsel in any case except those provided in Section 474 of the Political Code. The attorney general shall have charge, as attorney, of all legal matters in which the state is in any wise interested, except the business of the state banking department and of the state railroad commission, and no board, officer or officers, or employee of the state except said banking department and said railroad commission, unless expressly authorized so to do by law hereafter enacted, shall employ any attorney other than the attorney general, or one of his assistants or deputies, in any matter in which the state is interested; nor shall any money be drawn out of the treasury, or out of any moneys appropriated out of the treasury, or out of any special or contingent fund under the control of any board, officer or officers, or employee for the pay of any legal services rendered after the passage of this Act, the provisions of any existing statute to the contrary notwithstanding, except as above provided; *provided*, that whenever a district attorney in any county of this state shall, for any reason, become disqualified from conducting any criminal prosecution within said county, the attorney general shall conduct such prosecution. Neither the attorney general nor any assistant or deputy attorney general shall engage in the practice of law, except in the performance of official duty.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1192—An Act to amend an Act entitled “An Act to establish a Code of Civil Procedure,” approved March 11, 1872, by amending Sections 892, 974 and 1135 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 849*a*, 850*b*, 858*b* and 872*a* thereof, relating to proceedings in justices’ courts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 18, strike out the words “heretofore or”.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 20, strike out the word “heretofore”.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 21, strike out the word “or”.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1903—An Act to amend Section 4300*e* of the Political Code, relating to justices of the peace fees.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the word “Section”.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 17, strike out the word “or” after the word “furnishings”, and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 18, after the word "fittings", insert a comma and the following: "necessities or conveniences".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 19, strike out the word "or" after the word "furnishings", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 19, after the word "fittings", insert the following: "necessities or conveniences".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1574—An Act to provide for a trial by jury in certain cases of contempt of court.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out all of the title after the words "An Act", and insert in lieu thereof a new title reading as follows: "To amend the Civil Code of Procedure of the State of California by adding thereto a new section to be numbered Section 1218a, providing for a jury trial in certain cases of contempt."

Amendment adopted.

AMENDMENT No. 2.

After the enacting clause, insert the following:

"SECTION 1. The Code of Civil Procedure of the State of California is hereby amended by adding thereto a new section to be numbered Section 1218a, and to read as follows:"

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 1, strike out the word and numeral "Section 1.", and insert in lieu thereof the following: "1218a."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 663—An Act to regulate the practice of steam engineering, the registering and licensing of persons to carry on such practice and insure the better education and promote competency and skill among steam engineers in the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out all of the title after the word "An Act", and insert in lieu thereof the following:

"To regulate the practice or occupation of steam engineering in the State of California; providing for the registration and licensing of persons to carry on such practice or occupation; providing for a board of examiners and a clerk thereof, to be under the supervision and management of the commissioner of the bureau of labor statistics; fixing the terms, compensation, powers and duties of the clerk and the members of the said board of examiners; fixing the fees to be paid by persons authorized to practice under the provisions of this Act; and creating a fund to be kept by the state treasurer for the purposes of this Act."

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out all of Section 1, consisting of lines 1 to 8 inclusive, and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful for any person to engage in or follow the practice or occupation of a steam engineer in this state, unless the said person holds a certificate of registration as hereinafter provided; *provided, however,* that this Act shall not apply to steam engineers upon locomotives, automobiles or other steam-propelled vehicles, or to the persons operating boilers under the jurisdiction of the government of the United States, or boilers of less than four (4) horse power in towns, cities, or cities and counties, or boilers used in logging camps, or boilers used in dairies and all agricultural pursuits, or boilers used in pumping or boring wells for oil or water, where such boilers are in charge of a foreman having the requisite skill and knowledge of apparatus used therein."

Amendment adopted.

AMENDMENT No. 3.

In Section 2, of the printed bill, strike out the word "governor" wherever said word occurs, and insert in lieu thereof the words "commissioner of the bureau of labor statistics", to wit: on page 1, in lines 13, 18 and 21, and on page 2, in line 2.

Amendment adopted.

AMENDMENT No. 4.

On page 2, strike out Section 3, composed of lines 7, 8 and 9, and insert in lieu thereof a new section reading as follows:

"SEC. 3. The members of the board of examiners hereinafter designated 'examiners' shall, in addition to the duties imposed upon them by this Act, perform such other duties as may be imposed upon them by the labor commissioner. The clerk shall, in addition to his duties prescribed in this Act, perform such other duties as may be imposed upon him by the examiners, subject to the approval of the labor commissioner. The said clerk shall keep an account of all moneys collected and expended under the provisions of this Act, and shall pay to the state treasurer all moneys collected by him and the members of the board of examiners. The state treasurer shall deposit and keep all such moneys in a special fund, which is hereby created and shall be designated as 'the steam engineers' license fund.' All salaries and other expenses incurred in the carrying out of the provisions of this Act, shall be paid out of the aforesaid fund upon claims therefor approved by the chief examiner, the labor commissioner, and the board of control; and the controller shall draw his warrants against said fund from time to time in favor of the persons designated in such claims, and the treasurer is hereby authorized and directed to pay the same."

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 20, strike out the word "duty", and insert in lieu thereof the word "duties".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 21, strike out the word "governor", and insert in lieu thereof the words "labor commissioner".

Amendment adopted.

AMENDMENT No. 7.

On page 2, strike out lines 24 and 25, and insert in lieu thereof the following: "the bureau of labor statistics in the city and county of San Francisco and a sub-office in the same bureau in the city of Los Angeles; they".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 30, strike out the period, and insert in lieu thereof a comma, and add thereafter the following: "subject to the approval of the labor commissioner."

Amendment adopted.

AMENDMENT No. 9.

On page 2, strike out lines 31 to 34, inclusive, and insert in lieu thereof the following:

"SEC. 6. The board of examiners shall render a report to the labor commissioner monthly, or at such times as he may require, concerning the work, receipts and expenditures under the provisions of this Act; and the said commissioner shall combine such reports and embody them in his biennial report to the legislature."

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 4, strike out the words "The clerk shall notify the", and all of line 5, and insert in lieu thereof the following: "It shall be the duty of the clerk to mail to each person filing with him an application for a license under this Act, a notice of the time and place when such examination will be held nearest to the place where such applicant resides."

Amendment adopted.

AMENDMENT No. 11.

On page 3, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following: "Sec. 8. Each examiner shall have power to grant licenses and certificates of registration to persons duly qualified and competent to practice steam engineering under the provisions of this Act, but each such grant shall be approved by the chief examiner; and it shall be the duty of the clerk to issue to persons thus licensed, certificates of registration under the seal of the board of examiners. Each examiner shall have authority and is empowered to visit or enter all engine or boiler rooms throughout the state at reasonable hours."

Amendment adopted.

AMENDMENT No. 12.

On page 3, line 9, after the word "represents", insert the word "himself".

Amendment adopted.

AMENDMENT No. 13.

On page 3, strike out lines 11 to 18, inclusive, and insert in lieu thereof the following: "who knowingly employs any person to operate as a steam engineer who is not qualified to operate as such under the provisions of this Act, is guilty of a misdemeanor; *provided, however*, that in localities distant from centers of population where licensed engineers can be procured, owners or operators of steam plants, coming under the provisions of this Act, shall be permitted to operate said plants for a period of thirty days without a licensed engineer, upon giving due notice in writing of such fact to an examiner or to the clerk."

Amendment adopted.

AMENDMENT No. 14.

On page 3, strike out all of lines 19 to 26, inclusive, and insert in lieu thereof the following:

"Sec. 10. Any license or certificate of registration obtained or issued under the provisions of this Act may, subject to an appeal to the chief examiner, be revoked by any one of the said examiners for any of the following causes, to wit: Drunkenness while on duty, incompetency, wilful neglect of duty; *provided, however*, that it shall not be held to be wilful neglect of duty to quit the employment if dissatisfied with the terms or conditions thereof."

Amendment adopted.

AMENDMENT No. 15.

Strike out Section 11, of the printed bill, or lines 27 to 37, inclusive, on page 3, and lines 1 to 19, inclusive, on page 4, and insert in lieu thereof a new section, reading as follows:

"Sec. 11. Each person filing an application for examination shall deposit the sum of five dollars as examination fee; in case applicant fails in the said examination, he may take another examination within the period of six months without paying an additional fee, but in no case shall any such fee be returned; *provided, however*, that nothing herein contained shall prevent any person from filing an application or taking an examination after such period of six months upon depositing the fee therefor. When holding such examination for a license or certificate of registration, the examiner shall satisfy himself that the applicant is a citizen of the United States, is over the age of twenty-one years and is possessed of the requisite skill and knowledge to perform the duties of a steam engineer, and thereupon he shall order the clerk to enter the name of the person passing such examination in the register to be kept for that purpose, and to issue a certificate of registration authorizing said person to practice the occupation of a steam engineer in this state. Said certificate of registration shall be signed by a chief examiner and the assistant examiner conducting the examination, and shall be authenticated by the signature of the clerk and the seal of the board of examiners. It shall be the duty of the holder of such certificate to have the same conspicuously displayed in his place of employment. Said certificate shall be in force and effect for one year after the date of issue, and shall be renewable annually, without examination, upon the payment of the sum of two dollars. It shall be the duty of the clerk to notify the holder of any such

certificate by registered letter not less than thirty days before the expiration of such certificate, and upon the receipt of the said sum of two dollars, a new certificate, signed by all the examiners and duly authenticated, shall be issued, to be in force and effect from the date of the expiration of the previous certificate."

Amendment adopted.

AMENDMENT No. 16.

On page 4, lines 24 to 34, inclusive, strike out all of said lines and insert in lieu thereof the following:

"SEC. 13. Every person engaged in the practice or occupation of a steam engineer in this state at the time of the taking effect of this Act shall, within ninety days thereafter, file with the clerk of the board of examiners an affidavit setting forth his name, residence, length of time of employment, and the place where last or at that time employed, that he is a citizen of the United States, or has declared his intention to become such, and that he desires to obtain a certificate of registration under this Act. Said affidavit shall be accompanied with a fee of five dollars, and upon receipt thereof, the clerk shall, without examination, issue a certificate of registration signed by all members of said board and authenticated in the same manner as hereinbefore provided. Said certificate of registration shall entitle the holder thereof to practice the occupation of steam engineering under the provisions of this Act."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity state highway, in Trinity County, and to provide for the construction of bridges along said highway, to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, of printed bill, strike out the words and figures "forty thousand (\$40,000)" and insert in lieu thereof the following: "twenty-five thousand (\$25,000)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 8, of printed bill, between the words "the" and "current" insert the word "usual".

Amendment adopted.

Bill read second time.

Assembly Bill No. 608—An Act regulating the hours of employment in underground mines or any underground workings, whether for the purpose of tunneling, making excavation or to accomplish any other purpose or design, or in smelting and reduction works.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 140, 141, 143, 144, 145, 146, 172, 174, 178, 180, 182, 188, 190, 225, 525, 527, 528, 138, 139, 179, 181, 147, 142, 116, 91, 24, 523, 522, 521, 520, 519, 518, 517, 407, 406, 303, 301, 299, 135, 134, 133, 132, 131, 62, 186, 226, and 608.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 140, 141, 143, 144, 145, 146, 172, 174, 178, 180, 182, 188, 190, 225, 525, 527, 528, 138, 139, 179, 181, 147, 142, 116, 91, 24, 523, 522, 521, 520, 519, 518, 517, 407, 406, 303, 301, 299, 135, 134, 133, 132, 131, 62, 186, 226, and 608 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 140, 141, 143, 144, 145, 146, 172, 174, 178, 180, 182, 188, 190, 225, 525, 527, 528, 138, 139, 179, 181, 147, 142, 116, 91, 24, 523, 522, 521, 520, 519, 518, 517, 407, 406, 303, 301, 299, 135, 134, 133, 132, 131, 62, 186, 226, and 608, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 526, 1009, 1011, 1124, and 1010.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 526, 1009, 1011, 1124, and 1010 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 526, 1009, 1011, 1124, and 1010, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 663.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 663 considered.

Mr. Bohnett moved that the committee do now rise and report the bill back without recommendation.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Bill No. 663, and do now report the same back without recommendation.

YOUNG, Chairman.

Bill ordered to reprint, engrossment and third reading.

Assembly Bill No. 4—An Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also:

Assembly Bill No. 55—An Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also:

Assembly Bill No. 352—An Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

During second reading of the bills, the following substitute was submitted by the committee:

Assembly Bill No. 2086 (committee substitute for Assembly Bills Nos. 4, 55 and 352)—An Act to define investment companies, investment brokers, contractors and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation hereof; and making an appropriation therefor.

The roll was called, and substitute adopted by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Green, Guiberson, Guill, Hayes, Johnstone, W. A. Kingsley, McDonald, Moorehouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Shannon, Simpson, Weisel, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Assembly Bills Nos. 4, 55, and 352 withdrawn, and ordered stricken from the file.

Assembly Bill No. 2086 read first time, and referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 73—An Act providing for the construction and equipment of two dormitories at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 73 passed by the following vote:

AYES—Messrs. Bagby, Bloodgood, Bohnett, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Judson, Kingsley, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Shannon, Shartel, Shearer, Sutherland, Weisel, Weldon, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 198—An Act providing for the support, maintenance and equipment of the department of agriculture of the University of California, including the station at Berkeley, and the various substations throughout the State, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 198 passed by the following vote:

AYES—Messrs. Alexander, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gelder, Guiberson, Guill, Hayes, Johnson, Geo. H., Judson, Kingsley, Libby, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Smith, Sutherland, Weisel, Weldon, White, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

Assembly Bill No. 81—An Act to amend Section 396 of the Penal Code of the State of California, relating to the propelling of vehicles propelled by motor power or by animal power.

During third reading of the bill, Mr. Shartel moved that the Speaker appoint a select committee of one to amend the bill as follows:

Commencing on line 6, after the word "animals," strike out the comma and the words "and every person who propels or causes to be propelled by means of motor, mechanical apparatus, or other device."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 81 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beek, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Collins, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Ryan, Scott, Shearer, Slater, Sutherland, Tulloch, Weisel, White, and Mr. Speaker—51.

NOES—Messrs. Shannon and Shartel—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1297 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Burns, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Stuckenbruck, Tulloch, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1698—An Act to amend an Act entitled “An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays,” approved March 23, 1901.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1698 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Emmons, Farwell, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Mouser, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, White, Woodley, and Mr. Speaker—53.

NOES—Messrs. Clarke, Geo. A., Ferguson, Murray, and Tulloch—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1236—An Act to amend Section 330 of the Penal Code of the State of California, relating to gambling.

During third reading of the bill, Mr. Guill moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, strike out the words “or any banking or percentage game”.

Also: On page 1, line 9, after the word “value”, insert the words “and every person who deals, plays, or carries on, opens, or causes to be opened, or who conducts, either as owner or employee, whether for hire or not, any banking or percentage game, played with cards, dice, or any mechanical device for money, checks, credit or other representative of value”.

On motion of Mr. Inman, consideration of above motion was postponed, and the amendments ordered printed in the Journal.

Assembly Bill No. 930—An Act to amend an Act entitled “An Act to create for the State of California a department of engineering, to provide for the appointment of officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, and making certain

acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, and to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also, repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a débris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof, and by adding three new sections, to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering, and making certain acts a misdemeanor, and repealing Section 1½ of said Act.

During third reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On line 35, page 4, insert the word "civil" between the words "be" and "executive".

Amendment adopted.

AMENDMENT No. 2.

On line 11, page 5, strike out all of line 11 after the word "state", and all of line 12, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 3.

On line 28, page 9, strike out the words "seven thousand five hundred", and insert in lieu thereof the words "ten thousand".

Amendment adopted.

AMENDMENT No. 4.

On line 28, page 9, strike out the figures "7,500", and insert in lieu thereof the figures "10,000".

Amendment adopted.

AMENDMENT No. 5.

On line 5, page 10, strike out the word "twenty-one", and insert in lieu thereof the word "twenty-four".

Amendment adopted.

AMENDMENT No. 6.

On line 6, page 10, strike out the figure "1", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT No. 7.

On line 10, page 10, strike out the words "twenty-four hundred", and insert in lieu thereof the words "three thousand".

Amendment adopted.

AMENDMENT No. 8.

On line 11, page 10, strike out the figures "2,400", and insert in lieu thereof the figures "3,000".

Amendment adopted.

AMENDMENT No. 9.

On page 9, line 35, after the word "annum", strike out all of lines 35 and 36 to and inclusive of the word "sums" on line 36.

Amendment adopted.

Bill ordered to reprint, re-engrossment and third reading.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

The question being the reconsideration of the vote whereby Assembly Bill No. 1228 was refused passage.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Clark, Wm. C., Collins, Dower, Emmons, Farvell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Libby, McCarthy, Morgenstern, Nolan, Richardson, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—42.

NOES—Messrs. Ambrose, Brown, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Fish, Gates, Griffin, Guiberson, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Shartel, and Woodley—27.

Bill passed to unfinished business.

SPECIAL ORDER RE-SET.

On motion of Mr. Bohnett, the consideration of Assembly Bill No. 79 was postponed until three o'clock and thirty minutes p.m. of this day.

Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 36, strike out the word "unmixed", and insert in lieu thereof the following: "or mixed", and add a comma after the word "manure".

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1181, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriations of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

SPECIAL ORDER SET.

On motion of Mr. Johnstone, the consideration of Assembly Bill No. 642 was made a special order for Thursday, April 17, 1913, at eleven o'clock and thirty minutes a.m.

TIME OF RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until the business before the Assembly be disposed of and committee reports read.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motions to reconsider Senate Bills Nos. 1104 and 933 was postponed until the next legislative day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 1025—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disbursements from said fund; and making an appropriation to carry out the purposes of this Act—have had the same under consideration, and respectfully report the same back, without recommendation.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 238—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to valuation of stocks and bonds held by insurance companies.

Also: Senate Bill No. 1036—An Act to amend Section 852 of the Code of Civil Procedure of California, relating to pleadings in justices' courts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KUCK, Chairman.

The above reported bills ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 7, Article I, of the Constitution of the State of California.

Also: Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII, relating to revenue and taxation.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendments ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XII thereof, to be numbered Section 23a, in relation to the power of the Railroad Commission to fix the just compensation to be paid for the taking of any property of any public utilities in eminent domain proceedings—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells, and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries by adding a provision thereto relating to employers and employees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 2084—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1750, 1749, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Also: Assembly Bill No. 446—An Act to amend Section 1566 of the Political Code of the State of California, relating to trustees' meetings.

Also: Assembly Bill No. 57—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Also: Assembly Bill No. 438—An Act to amend Section 1615 of the Political Code of the State of California, relating to school trustees in newly formed school districts.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STRINE, Acting Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 436—An Act to amend Section 1665 of the Political Code of the State of California, relating to the list of subjects to be taught in the elementary day and evening schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STRINE, Acting Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 21—An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

Also: Senate Bill No. 521—An Act to amend Section 1575 of the Political Code of the State of California, relating to cities constituting separate districts and to the annexation of additional territory thereto.

Also: Senate Bill No. 691—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

Also: Senate Bill No. 692—An Act confirming and validating the organization of school districts.

Also: Senate Bill No. 693—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers and providing for the proper distribution of such books.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STRINE, Acting Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 2073—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and

lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Also: Assembly Bill No. 2067—An Act providing how workingmen may pay fines imposed for delinquencies at the rate of not less than two dollars a week.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ELLIS, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 2076—An Act relating to the use and furnishing stamps, coupons, tickets, certificates, cards or other similar devices for or with the sale of goods, wares and merchandise, and providing the penalty for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1456—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 488—An Act to amend Section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

Also: Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1364—An Act to amend Section 4251 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Also: Assembly Bill No. 346—An Act to amend Section 4255 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Also: Assembly Bill No. 576—An Act to amend Section 4240 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the eleventh class.

Also: Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Also: Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Also: Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Also: Assembly Bill No. 136—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1477—An Act to amend Sections 655, 678, 683 and 686 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof—which was re-referred to us from the Committee on Civil Service, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof—which was re-referred to us from the Committee on Labor and Capital, have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Also: Assembly Bill No. 524—An Act appropriating money for the purchase of live stock at the state prison at Folsom.

Which were re-referred to us from the Committee on Prisons and Reformatories, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs.

M. Foley against the State of California—which was re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1113—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911—which was re-referred to us from the Committee on Military Affairs, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewerage from the State Fair grounds in the city of Sacramento.

Also: Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns at the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1886—An Act making an appropriation for expenses connected with and incidental to the sale outside of the state of certain bonds of the state; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Also: Assembly Bill No. 1885—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Also: Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol Building.

Also: Assembly Bill No. 1322—An Act to appropriate twelve thousand dollars to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol Building at Sacramento.

Also: Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid to such employees.

Also: Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Also: Assembly Bill No. 388—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Have had the same under consideration and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act—have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school, at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 954—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 593—An Act to amend Sections 3456, 3457, 3465 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Also: Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer of such company.

Also: Senate Bill No. 1109—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provisions for fire drills in certain schools.

Also: Senate Bill No. 234—An Act adding a new section to the Civil Code, to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school system of the State of California, of the twenty-fourth of January, the date of the discovery of gold in California, by James W. Marshall.

Also: Committee Substitute for Senate Bill No. 619—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Senate Bill No. 866—An Act to amend Sections 368, 699, and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Also: Senate Bill No. 1190—An Act to amend Section 626a of the Penal Code of the State of California, relating to the preservation and protection of wild game.

Also: Committee Substitute for Senate Bill No. 1299—An Act relating to real estate brokers in the State of California, creating a board to be known as the state advertising board; providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a state advertising fund; and providing for its collection and expenditure.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 350 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 120 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 85 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 953 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 954 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 955 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 118 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 349 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 593 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 241 read first time, and referred to Committee on Insurance.

Senate Bill No. 1109 read first time, and referred to Committee on Education.

Senate Bill No. 234 read first time, and referred to Committee on Insurance.

Senate Bill No. 746 read first time, and referred to Committee on Education.

Committee Substitute for Senate Bill No. 619 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 866 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 1190 read first time, and referred to Committee on Fish and Game.

Committee Substitute for Senate Bill No. 1299 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 867—An Act declaring that all tide lands and submerged lands within the boundaries of the city of Los Angeles are required, and require such lands, for public purposes of commerce, navigation and fishing, and ratifying, approving and confirming the acts of the Attorney General in bringing and prosecuting certain suits in the name of the people of the State of California, for the purpose of quieting title to, and for the recovery of the possession of said lands.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1384—An Act to amend an Act entitled "An Act

to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 1384 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 13—A joint resolution asking the Congress of the United States to enact the Hamill bill (H. R. 9242), known as "the straight pension bill," for the pensioning of civil service employees of the United States Post Office Department.

Also: Assembly Joint Resolution No. 24—Relative to banking and currency reform.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly joint resolutions ordered to enrollment.

RECESS.

At twelve o'clock and twenty minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

SPECIAL ORDER.

The hour of one o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1108—An Act to amend Section 2283, 2285, 2286, 2287, and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

During third reading of the bill, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 32, after the word "hundred", strike out the word "and".

Also: On page 3, line 33, strike out the words "seventy-five".

Also: On page 3, line 35, after the word "Officers", strike out all of lines 35, 36 and 37, and line 1, and "dren" on line 2, of page 4.

Also: On page 5, strike out all of Section 4.

Mr. Ambrose moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 15, strike out the semicolon, and insert in lieu thereof a period, and strike out the remainder of the section.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all after the enacting clause, and insert the following:

SECTION 1. For the partial support of children of women whose husbands are dead, or become permanently disabled for work by reasons of physical or mental infirmity, or whose husbands are prisoners, when such women are poor, and are the mothers of children under the age of fourteen years, and such mothers and children have a legal residence in any county of the state, the juvenile court shall make an allowance to each of such women as follows: Not to exceed fifteen dollars a month, when she has but one child under the age of fourteen years, and if she has more than one child under the age of fourteen years, it shall not exceed fifteen dollars a month for the first child and seven dollars a month for each of the other children

under the age of fourteen years. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period, said court may from time to time, extend such allowance for a period of six months, or less, provided the home of such woman has first been visited by a probation officer or other competent person.

SEC. 2. Such allowance shall be made by the juvenile court, only upon the following conditions: *First*, the child or children for whose benefit the allowance is made, must be living with the mother of such child or children. *Second*, the allowance shall be made only when in the absence of such allowance, the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children, except that she may be absent not more than one day a week for work. *Third*, the mother, must in the judgment of the juvenile court, be a proper person, morally, physically and mentally, for the bringing up of her children. *Fourth*, such allowance shall in the judgment of the court be necessary to save the child or children from neglect and to avoid the breaking up of the home of such woman. *Fifth*, it must appear to be for the benefit of the child to remain with such mother. *Sixth*, a careful preliminary examination of the home of such mother must first have been made by the probation officer, an associated charities organization, humane society, or such other competent person or agency as the court may direct, and a written report of such examination filed.

SEC. 3. Whenever any child shall reach the age of fourteen years, any allowance made to the mother of such child for the benefit of such child shall cease. The juvenile court may, in its discretion, at any time before such child reaches the age of fourteen years, discontinue or modify the allowance to any mother and for any child.

SEC. 4. Should the fund at the disposal of the court for this purpose be sufficient to permit an allowance to only a part of the persons coming within the provisions of this Act, the juvenile court shall select those cases in most urgent need of such allowance.

SEC. 5. The provisions of this Act shall not apply to any woman who, while her husband is imprisoned, receives sufficient of his wages to support the child or children.

SEC. 6. Any person or persons attempting to obtain any allowance for a person not entitled thereto, shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine of not less than five nor more than fifty dollars, or imprisonment in the county jail, for a period of not less than two months, or both.

SEC. 7. In each case where an allowance is made to any woman under the provisions of this Act, a record shall be kept of the proceedings and any citizen of the county may, at any time, file a motion to set aside, or vacate or modify such judgment and on such motion said juvenile court shall hear evidence, and make a new order sustaining the former allowance, modify or vacate the same, and from such order, error may be prosecuted, or an appeal may be taken as in civil actions. If the judgment be not appealed from, or error prosecuted, or if appealed or error prosecuted, and the judgment of the juvenile court be sustained or affirmed, the person filing such motion shall pay all the costs incident to the hearing of such motion.

SEC. 8. Upon the production of a certified copy of the order of allowance under this Act made by the juvenile court, and after due audit and approval by the state board of control, the controller shall draw his warrant for such amount payable to the party named in said order, upon the fund hereinafter provided for, and the state treasurer shall pay same from said fund.

SEC. 9. The expense of keeping and maintaining a permanent fund for the purpose of this Act, is hereby declared to be one of the items to be included in the tax levy to support the state government. The said fund hereby created shall be known as the "indigent fund for support of dependent children," and the legislature shall provide in the manner now provided by law for raising fund for the support of the state government, the sum of one hundred thousand dollars annually and the same shall be apportioned to said above named fund and the same or so much thereof as shall be necessary shall be used for the purposes of this Act.

SEC. 10. The sum of one hundred thousand dollars, or so much thereof, as may be necessary is hereby appropriated out of any money in the state treasury not otherwise appropriated and is hereby directed to be transferred to the said "indigent fund for support of dependent children," to be used until the incoming of the annual tax herein above provided for.

SEC. 11. The words "juvenile court," and "probation officer," herein used, shall be construed as having the same meaning as that provided for in "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance, until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the

dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent acts," approved March 8, 1909," approved April 5, 1911. And the juvenile court and probation officer therein provided for, shall perform all the duties and functions provided for in this Act.

SEC. 12. This Act shall be construed as supplementary to any law now in force, providing for the support of orphans or half-orphans and shall not be construed as repealing any such statutes.

SPECIAL ORDER SET.

On motion of Mr. Bohnett, the consideration of above amendments was made a special order for Thursday, April 17, 1913, at one o'clock and thirty minutes p.m.

THIRD READING OF SENATE BILLS.

Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 9, strike out the word "affixed", and insert in lieu thereof the words "a fixed".

Also: On page 4, line 5, after the word "expense", add a new paragraph, to read as follows:

"(f) Corporations specified in this title, issuing guaranteed stock, may provide in their by-laws that a majority of the board of directors shall be selected from the holders of such stock".

Motion carried.

The Speaker appointed Mr. Shannon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 987, with instructions, do now report that the instructions of the Assembly have been carried out.

SHANNON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 694—An Act to amend Section 1597 of the Political Code, relating to the time that polls shall be open at elections in school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 694 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 281—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 626g, relating to sea otter.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 281 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Green, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 873—An Act to provide for co-operation between the University of California, the California State Library, and the various county free libraries of California, for the purpose of carrying on a practical system of University extension.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 873 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Hayes, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Morgenstern, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1719—An Act to amend Section 10 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds, and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and amended March 6, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1719 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Green, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 991—An Act to amend Section 319 of the Penal Code of California, relating to lotteries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 991 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Collins, Dower, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Green, Hayes, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Slater, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 992—An Act to amend Section 320 of the Penal Code of California, relating to lotteries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 992 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Collins, Dower, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Green, Hayes, Inman, Johnstone, W. A., Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Slater, Tulloch, Wall, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 993—An Act to add a new section to the Penal Code of California, to be numbered 327, relating to lotteries and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 993 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Hayes, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Morgenstern, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1128—An Act to amend Section 4260 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis and making an appropriation therefor.

Bill read second time.

Senate Bill No. 307—An Act providing for the purchase for the use of the Department of Agriculture of the University of California, of

land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Bill read second time.

Senate Bill No. 311—An Act appropriating the sum of \$62,000 for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Bill read second time.

Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of the plans and specifications therefor and for the acceptance and maintenance thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 51—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 247—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 248—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 939—An Act to create a drainage district to be called "Knight's Landing Ridge Drainage District"; to promote drainage therein by the making of a cut through Knight's Landing ridge and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage

district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 863—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpoena.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 568—An Act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works.

Bill read second time, and ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 250, 307, 311, 25, 51, 247, 248 and 249.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 250, 307, 311, 25, 51, 247, 248 and 249 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 250, 307, 311, 25, 51, 247, 248, and 249, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to authorize municipal corporations to make water rates and charges a lien on property, and to provide for the enforcement of such lien.

An Act to establish a state censorship board to censor vaudeville shows or acts, and to regulate the performance, showing or otherwise exhibiting such vaudeville shows or acts within the State of California, and to punish persons violating the provisions of this Act.

An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Fish: Assembly Bill No. 2087—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Woodley: Assembly Bill No. 2088—An Act to establish a state censorship board to censor vaudeville shows or acts, and to regulate the performance, showing or otherwise exhibiting such vaudeville shows or acts within the State of California, and to punish persons violating the provisions of this Act.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Benedict: Assembly Bill No. 2089—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

Bill read first time, and referred to Committee on Judiciary.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Polsley moved that the vote whereby Assembly Bill No. 1074 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Chandler, Finnegan, Inman, Polsley, Shartel, and Tulloch—6.
 NOES—Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Ryan, Scott, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Wall, Weisel, Weldon, and Mr. Speaker—47.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The Senate File having been considered, the special order heretofore set for this time was taken up for consideration.

Assembly Bill No. 79—An Act to amend Section 607*e* of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

The question being on the following pending amendment by Mr. Bradford:

On page 1, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"607*e*. All fines, penalties and forfeitures imposed and collected in any city or county, or city and county, of this state under the provisions of any law of this state, now or hereafter enacted, relating to or affecting children or animals, in every case where the prosecution was instituted, aided, or conducted by any corporation or society now or hereafter existing, incorporated or organized for the prevention of cruelty to animals or children must, except where otherwise provided, inure to such corporation or society in aid of the purpose for which it was incorporated or organized; *provided, however*, that no such corporation or society, except those designated each year by the board of supervisors or other governing bodies of the city or city and county or county where such society exists, shall receive such fines, penalties or forfeitures. In addition to said fines, penalties and forfeiture, every such society incorporated and organized for the prevention of cruelty to animals, or for the prevention of cruelty to children, may, in each city, or city and county or county where such society exists, while actively engaged in enforcing the provisions of the laws of this state, now or hereafter enacted, for the prevention of cruelty to animals or children, or arresting or prosecuting offenders thereunder, or preventing cruelty to animals or children be paid, as compensation therefor, from the city or county or city and county general fund by the board of supervisors, or other governing bodies, a sum not exceeding five hundred dollars per month in the same manner as other claims against said city or county or city and county are paid."

On request of Mr. Bradford, the above amendment was withdrawn.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, at the end of the bill, add a new section, to read as follows:

"SEC. 2. This Act is hereby declared to be an urgency measure within the meaning of Section 1, of Article IV, of the Constitution, and is deemed necessary for the immediate preservation of the public peace and safety. The following is a statement of facts constituting such necessity: Section 607*e* of the Civil Code permits societies organized for the prevention of cruelty to animals to make arrests, carry on prosecutions and collect fines and under the provisions of this section numerous societies have been organized and are being operated in such a manner as to be a menace to the public peace and safety. Arrests are being made and property seized without prosecution of the charges made, citizens are being forced to pay tribute to outlaw societies to escape persecution, and peace officers are urging the immediate withdrawal of the right of these societies to collect fines because of their greatly increased activity in these practices, pending the time when this bill may become law."

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 79, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER SET.

On motion of Mr. Johnstone, the consideration of Assembly Bill No. 79 was made a special order for Saturday, April 19, 1913, at eleven o'clock and thirty minutes a.m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 882—An Act to add a new section to the Penal Code, to be designated as Section 378a, relating to the transportation of offal, swill, garbage, the carcasses of dead animals, and other refuse from one county or city and county into another county, and providing regulations governing the same.

Bill read third time.

MOTION.

Mr. McDonald moved that consideration of the above Assembly bill be postponed until Thursday, April 17, 1913.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 882 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark Wm. C., Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fitzgerald, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—55.

NOES—Mr. Canepa—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 357—An Act to protect any child or person enrolled or employed in, around or about or in attendance upon any public or private school or other educational institution within the State of California from indiscriminate vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations of certain sections a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a gen-

eral vaccination in the State of California," approved February 20, 1889," approved March 7, 1911.

Bill read third time.

The question being on the passage of the bill.

TIME OF DEBATE EXTENDED.

Mr. Inman moved that Mr. Gelder be granted fifteen minutes additional time in which to conclude his debate.

FURTHER TIME EXTENDED.

On motion of Mr. Ryan, Mr. Gelder was given further time in which to close his debate.

The roll was called, and Assembly Bill No. 357 refused passage by the following vote:

AYES—Messrs. Canepa, Collins, Ferguson, Gelder, Hayes, Kingsley, Nolan, Palmer, Polsley, Richardson, Ryan, Scott, Smith, Weldon, and Woodley—15.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clarke, Geo. A. Cram, Ellis, Finnegan, Fitzgerald, Gabbert, Gates, Guill, Hinkle, Inman, Johnson, Geo. H. Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Sutherland, Tulloch, Weisel, White, and Mr. Speaker—41.

Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

During third reading of the bill, Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 11, strike out "ten (10)", and on the same page, line 13, strike out "twenty (20)", and insert in lieu thereof, in line 11, "two and one half (2½)", and, in line 13, "ten (10)".

Motion lost.

Mr. Ambrose moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 12, strike out "but eligible to become such".

Also: On line 13, strike out the semicolon, and insert in lieu thereof a period, and strike out the remainder of line 13.

Also: On page 2, strike out all of line 1, and line 2 to and including the period.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 101 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Collins, Ferguson, Ford, Gabbert, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Tulloch, Wall, Weisel, and White—41.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Dower, Emmons, Gates, Gelder, Hinkle, Kingsley, Kuck, Richardson, Schmitt, Stuckenbruck, and Mr. Speaker—15.

Title read and approved.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS.

On motion of Mr. Chandler, Assembly Bill No. 774 was re-referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 437—An Act to amend Section 1583 of the Political Code of the State of California, relating to the apportionment of school funds to joint school districts.

Assembly Bill No. 445—An Act to amend Section 1551 of the Political Code of the State of California, relating to the report of the superintendent of schools of each county.

Assembly Bill No. 601—An Act to repeal Section 1624 of the Political Code of the State of California, requiring the appointment of school census marshals.

Assembly Bill No. 625—An Act to amend Section 2692 of the Political Code of the State of California, relating to private roads and private ways for canals.

Assembly Bill No. 692—An Act to repeal Section 398 of the Penal Code of California, relating to the sale of firearms and ammunition to Indians.

Assembly Bill No. 1061—An Act to add a new section to an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, to be known as Section 79a, defining a certain portion of said Act.

Assembly Bill No. 1558—An Act to amend Sections 1198 and 1199 of the Political Code, relating to books and records of ballots and number of ballots to be provided by the county clerk or registrar and the destruction of unused ballots.

Assembly Bill No. 1547—An Act to amend Section 634 of the Code of Civil Procedure of the State of California, relating to findings.

Assembly Bill No. 1848—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments.

And were presented to the Governor April 12, 1913, at one o'clock p.m.

AMBROSE, Vice-Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1009—An Act making an appropriation to defray the expense of legislative printing for the fortieth session of the Legislature of the State of California.

Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the State of California during the sixty-fourth fiscal year.

And report that the same have been correctly engrossed.

AMBROSE, Vice-Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 199—An Act to amend Section 197 of the Civil Code of the State of California, relating to the custody, services, and earnings of legitimate unmarried minor children.

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be

grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county foresters; and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909.

Assembly Bill No. 442—An Act to amend Section 1593 of the Political Code of the State of California, relating to the date of the election of school trustees.

Assembly Bill No. 722—An Act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California.

Assembly Bill No. 883—An Act to amend Section 20 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911.

Assembly Bill No. 964—An Act to add a new section to the Political Code of the State of California, to be designated as Section 3084, relating to the issuance of burial permits.

Assembly Bill No. 979—An Act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this Act a misdemeanor.

Assembly Bill No. 1040—An Act to amend Section 1493 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Assembly Bill No. 1050—An Act to amend Section 3571 of the Political Code of the State of California, relating to the securing of certificates from the Register of State Land Office by owners of certificates of purchase or patents from the State for the purpose of securing restitution of moneys for lands sold by the State but not owned by it, and said section as amended also providing for the waiver by the State of any statute of limitation as to issuance of said certificate and also as to the issuance of warrants by county auditors and the State Controller as provided in Section 3572 of said Political Code.

Assembly Bill No. 1094—An Act to amend Sections 129 and 130 of the Code of Civil Procedure, relating to rules of court.

Assembly Bill No. 1141—An Act to amend Section 409 of the Political Code, relative to fees to be collected by the Secretary of State.

Assembly Bill No. 2031—An Act to add a new section to the Code of Civil Procedure, to be numbered 570, providing for the disposition of unclaimed funds in the hands of a receiver.

And were presented to the Governor April 15, 1913, at nine o'clock p.m.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 42—An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Assembly Bill No. 154—An Act to amend Section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justices courts in cities or towns of the second and one half and third classes, and appointments, salaries and duties of same.

Assembly Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.

Assembly Bill No. 417—An Act to authorize the exchange of certain real estate belonging to the State of California, situated in the city and county of San Francisco,

for other lands belonging to the city and county of San Francisco, and to authorize the Governor to execute and to receive the necessary deeds of conveyance thereof.

Assembly Bill No. 441—An Act to amend Section 1649 of the Political Code of the State of California, relating to the organization of boards of school trustees and the election of district clerk.

Assembly Bill No. 443—An Act to amend Section 1577 of the Political Code of the State of California, relating to the formation of new school districts and the change of boundaries of school districts.

Assembly Bill No. 444—An Act to amend Section 1576a of the Political Code of the State of California, relating to the employment of clerk in certain school districts.

Assembly Bill No. 512—An Act to provide for the licensing, inspecting and regulating of maternity hospitals or lying-in asylums, and institutions, boarding houses and homes for the reception and care of children, by the State Board of Charities and Corrections, and providing a penalty for the violation of the provisions of this Act.

Assembly Bill No. 538—An Act to regulate the production of certified milk, cream, ice cream, butter and cheese; and repealing an Act entitled "An Act to regulate the production of certified milk," approved March 18, 1909, and all Acts and parts of Acts inconsistent with this Act.

Assembly Bill No. 596—An Act amending the Penal Code by adding a new section thereto, to be numbered 532a.

Assembly Bill No. 950—An Act to amend Section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, 1913.

Assembly Bill No. 1268—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 422, relating to threats against life and providing a punishment therefor.

Assembly Bill No. 1317—An Act authorizing owners of land or their grantees or assigns, or their successors in interest, or any person, firm or corporation who has been damaged, to sue the State of California for damages done to real property by reason of the construction and maintenance or the construction or maintenance, by the State, of jetties or other works of construction in any river in this State, and repealing an Act entitled "An Act authorizing owners of land or their grantees or assigns to sue the State of California for damages done to real property by reason of the construction and maintenance of jetties in the Sacramento River known as 'Newtown jetties,'" and repealing an Act entitled "An Act to authorize the Lauritzen Company of San Francisco, a corporation, to sue the State of California, approved March 23, 1907," approved March 20, 1911.

Assembly Bill No. 1503—An Act to provide for the employment of an expert in agriculture and matters relating thereto by the governing boards of irrigation, reclamation and drainage districts.

Assembly Bill No. 1534—An Act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town.

Assembly Bill No. 1732—An Act to repeal Section 1242 of the Political Code, relating to the disposal of ballot when a challenge to a person offering to vote is sustained.

Assembly Bill No. 1967—An Act to amend Section 892 of the Code of Civil Procedure, relating to the entry of judgment.

And were presented to the Governor, April 15, 1913, at three o'clock p.m.

AMBROSE, Vice-Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Assembly Bill No. 62—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Assembly Bill No. 116—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Assembly Bill No. 133—An Act appropriating money for painting buildings at the Veterans' Home of California.

Assembly Bill No. 134—An Act appropriating money for the construction of lavatories for Companies G and E at the Veterans' Home of California.

Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Assembly Bill No. 138—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Assembly Bill No. 139—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Assembly Bill No. 142—An Act appropriating money for remodeling north pay cottage at Napa State Hospital.

Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Assembly Bill No. 146—An Act appropriating money for the construction of six additional cottage units and living and dining room at Napa State Hospital.

Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Assembly Bill No. 174—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Assembly Bill No. 181—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Assembly Bill No. 186—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Assembly Bill No. 190—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Assembly Bill No. 225—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Assembly Bill No. 226—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Assembly Bill No. 299—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Assembly Bill No. 301—An Act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Assembly Bill No. 349—An Act to amend Section 3106 of the Political Code of the State of California, relating to cemeteries, and defining what constitutes a public cemetery.

Assembly Bill No. 406—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Assembly Bill No. 407—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and creating a board for the purpose of preparing statement as to the effect and purpose of such questions, propositions and constitutional amendments.

Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also creating a board whose duty it shall be to determine the order and manner of placing all questions, propositions and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board.

Assembly Bill No. 517—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Assembly No. 518—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and Blind.

Assembly Bill No. 520—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Assembly Bill No. 522—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Assembly Bill No. 525—An Act appropriating money for the construction of a laundry building and the equipment of the same at the state prison at Folsom.

Assembly Bill No. 527—An Act appropriating money for general repairs and improvement at the state prison at Folsom.

Assembly Bill No. 528—An Act appropriating money for the construction and equipment of shop buildings at the state prison at Folsom.

Assembly Bill No. 608—An Act regulating the hours of employment in underground mines or any underground workings, whether for the purpose of tunneling, making excavation or to accomplish any other purpose or design, or in smelting and reduction works.

Assembly Bill No. 1029—An Act to repeal an Act entitled "An Act to create a reclamation district to be called 'Reclamation District Number 831,' and providing for the control and management thereof," approved April 8, 1911.

Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over 400,000 inhabitants.

Assembly Bill No. 1710—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code of the State of California by striking out 1194 and putting in place thereof 1210.

Assembly Bill No. 1764—An Act authorizing any municipal corporation, using the word "city" in its corporate name, to change such word to "town" and providing the procedure therefor.

Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Assembly Bill No. 1768—An Act to amend Section 978a of the Code of Civil Procedure, relating to the filing of undertaking on appeal, and exception to and justification of sureties.

Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Assembly Bill No. 1940—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Assembly Bill No. 2058—An Act to repeal Section 4 of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

And report that the same have been correctly engrossed.

AMBROSE, Acting Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Finnegan, Mr. Chas. E. Grosjean was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clark, Mr. E. Goodwin was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Smith, Mr. Geo. H. Mason was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Smith, Mr. Harold Gove Mason was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Dr. J. McManus was granted the privilege of the floor of the Assembly for this day.

RECESS.

At five o'clock p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until seven o'clock and forty-five minutes of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

RULE SUSPENDED.

Mr. Ryan moved that Rule 69 be suspended.

Motion carried.

LEAVE OF ABSENCE.

Mr. Schmitt asked for and was granted leave of absence for the evening session of this day and for Thursday, April 17, 1913.

RE-REFERENCE OF BILL.

On motion of Mr. Simpson, Senate Bill No. 1554 was recalled from the Committee on Judiciary and referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1850.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1442 passed by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants, and prescribing their powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1456 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bowman, Bush, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Roberts, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—42.

NOES—Messrs. Gelder and Polsley—2.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At eight o'clock and twenty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control, subject to the provisions of the Political Code of the State of California and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1705 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Nolan, Polsley, Roberts, Scott, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 897—An Act to amend Section 1408 of the Political Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 897 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Scott, Shartel, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—47.

NOES—None.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Sutherland:

In line 2, strike out the word "Political", and insert in lieu thereof "Penal".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 6—An Act to add a new section to the Penal Code of the State of California, to be numbered 631*d*, providing for the breeding and sale of American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, bobwhite quail, California valley and mountain quail, and all varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports; for the fencing of the preserves and for the revocation of licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 6 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Killingsworth, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Scott, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking authentication and filing of transcript of testimony and recognizances in coroners' inquests, and providing for the appointment of a shorthand reporter for such purpose, and for fees in payment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 315 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Scott, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Wall, and Mr. Speaker—44.

NOES—Mr. Tulloch—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1963—An Act to amend Section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1963 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bohnett, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Ryan, Scott, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. Ryan, consideration of Assembly Bill No. 1954 was made a special order for Friday, April 18, 1913, at eleven o'clock a.m.

Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 64 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bohnett, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwall, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Richardson, Roberts, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1726—An Act to amend Section 4178 of the Political Code of the State of California, relating to the duties of county clerks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1726 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bohnett, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Kingsley, McCarthy, Moorhouse, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 693—An Act to amend an Act entitled "An Act to provide for the organization of and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof, relating to the period of redemption and to certain proceedings respecting the validity of deeds to purchasers upon delinquent sales.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 693 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Nolan, Richardson, Roberts, Ryan, Scott, Shartel, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—46.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing cream in creameries of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1298 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bowman, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nolan, Polsley, Richardson, Ryan, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 418—An Act relative to the furnishing of drinking water on passenger trains of railroad corporations, and providing penalties therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 418 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Griffin, Hayes, Hinkle, Inman, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Nolan, Polsley, Ryan, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—42.

NOES—Mr. Gates—1.

TITLE AMENDED.

The following amendments to the title were submitted by Mr. Canepa:

AMENDMENT No. 1.

In line 2, of the title, strike out the word "relative", and insert in lieu thereof the word "relating".

AMENDMENT No. 2.

In line 2, of the title, after the word "of", insert the word "pure".

AMENDMENT No. 3.

In line 2, of the title, after the word "water", insert the following: "and individual drinking cups".

AMENDMENT No. 4.

In line 4, of the title, strike out the word "therefor", and insert in lieu thereof the following: "for violation of this Act".

Amendments adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of a state hospital near the city of Los Angeles, for the erection and equipment of buildings for a state reformatory to be established near Yountville, in the county of Napa, and for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation of five thousand dollars for the

expenses of printing and lithographing said bonds, and providing for the submission of this Act to a vote of the people.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

In line 3, of the title, strike out, commencing with the word "a" preceding the word "state" down to and including the word "of", preceding the word "state", in line 7, and insert after the word "purposes", in line 8, of the title, the following: "creating a commission to determine the amount to be expended for furnishing and equipping said buildings and accepting a suitable site."

Also: After the word "same", in line 10, of the title, insert the following: "making an appropriation therefor".

Also: On page 2, line 21, strike out the word "the" preceding the word "office."

Also: On page 4, line 14, insert the following, after the word "act": "are hereby appropriated and".

Also: Strike out all of Section 6, and insert in lieu thereof the following:

"There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of fifty thousand (50,000) dollars annually, to pay the principal of the bonds issued and sold pursuant to the provisions of this Act. Said annual appropriation to continue until the same, together with the accrued interest on the investment thereof, shall be sufficient to pay the principal of said bonds at the maturity thereof.

There is also hereby appropriated from any moneys in the state treasury not otherwise appropriated such sum annually as will be necessary to pay the interest on the bonds issued and sold pursuant to the provisions of this Act.

There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the other revenues of the state, as shall be required to pay the principal and interest on said bonds as herein provided and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue to do and perform each and every act which shall be necessary to collect such additional sum.

On the second day of January and on the second day of July of each year, after the sale of any bonds as herein provided for, the state treasurer and state controller shall transfer from the moneys hereby appropriated to the state buildings sinking and interest fund, a sufficient sum of money to pay all interest due and payable on any bonds sold and said transfer shall continue to be so made up to the date of maturity of such bonds and it shall be the duty of the state treasurer to pay the same when the same falls due. On the first Monday in July of each year, after the sale of any of the bonds as in this Act provided the state controller and state treasurer are hereby authorized and directed to transfer the moneys hereby appropriated for the payment of the principal of said bonds to the said state buildings sinking and interest fund. The moneys so transferred to the said state buildings sinking and interest fund for the payment of the principal of said bonds, shall be invested from time to time by the state treasurer in United States or state bonds. All interest payable on such bonds so invested shall be paid into the said state buildings sinking and interest fund and be applied and held for the payment of the principal of said bonds or reinvested in other bonds for the payment of such principal as herein provided.

The principal of all of said bonds sold shall be paid at the time the same becomes due, from the 'state buildings sinking and interest fund' and the interest on all bonds sold shall be paid at the time said interest becomes due from said fund and the faith of the State of California is hereby pledged for the payment of the principal of said bonds so sold and the interest accruing thereon.

The state controller and the state treasurer shall keep full and particular account and record of all their proceedings under this Act, and they shall transmit to the governor an abstract of all such proceedings thereunder, with an annual report, to be by the governor laid before the legislature biennially; and all books and papers pertaining to the matter provided for in this Act shall at all times be open to the inspection of any party interested, or the governor, or the attorney general, or a committee of either branch of the legislature, or a joint committee of both, or any citizen of the state."

Motion carried.

The Speaker appointed Mr. Inman as such select committee:

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1325, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1846—An Act regulating loans of money on assignment of wages and salaries; fixing a maximum rate of interest; and providing penalties therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1846 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nolan, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 100—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 544a, relating to service of civil process on all corporations or firms other than state, county, municipal or district corporations, doing business in more than one county in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 100 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Kingsley, McCarthy, McDonald, Mouser, Murray, Nolan, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—42.

NOES—Messrs. Gates and Kuck—2.

Title read and approved:

Bill ordered transmitted to the Senate.

Assembly Bill No. 433—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 433 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Kingsley, Kuck, McDonald, Mouser, Murray, Nolan, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 647—An Act to prohibit the use of bran, sawdust, rice, cement or other similar substance for the purpose of stopping leaks in stationary, locomotive or other boilers subject to regulation by the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 647 passed by the following vote:

AYES—Messrs. Beck, Bloodgood, Bowman, Bush, Byrnes, Clarke, Geo. A., Collins, Dower, Ellis, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Nolan, Polsley, Richardson, Ryan, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—42.

NOES—Messrs. Ambrose, Bagby, Brown, Emmons, Farwell, Murray, and Roberts—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804b, relating to the cancellation of erroneous assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1394 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Collins, Dower, Ellis, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Polsley, Richardson, Roberts, Ryan, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure, relating to form of judgments and notice thereof to be given to litigants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1765 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Green, Guill, Hayes, Hinkle, Johnson, T. D., Johnstone, W. A., Killingsworth, Kingsley, McCarthy, Mouser, Murray, Nolan, Richardson, Roberts, Ryan, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist, and the State Forester to co-operate with the State Water Commission in said examination; reapportioning money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2056 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bowman, Brown, Bush, Canepa, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnston T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Ryan, Scott, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 16—An Act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance of the same out of the school funds of the State of California, and providing for the conduct and management of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 16 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Killingsworth, Kingsley, Kuck, Libby, McDonald, Mouser, Nelson, Richardson, Roberts, Ryan, Scott, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—42.

NOES—Mr. Murray—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Gates gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 16 was this day passed.

Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 511 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Smith, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d and 626f of the Penal Code of the State of California, relating to the protection of fish and game.

SPECIAL ORDER.

On motion of Mr. Smith, consideration of Assembly Bill No. 1879 was made a special order for Thursday, April 17, 1913, at eleven o'clock a.m.

PROPOSED AMENDMENTS.

Mr. Polsley asked that the following proposed amendments to Assembly Bill No. 1879 be printed in the Journal.

AMENDMENT No. 1.

On page 2, lines 34 and 35, strike out the word "fifteen", and insert in lieu thereof the word "five".

AMENDMENT No. 2.

On page 2, line 35, strike out the word "fifteen", between the words "than" and "desert", and insert in lieu thereof the word "ten".

AMENDMENT No. 3.

On page 2, line 37, strike out the word "twenty", and insert in lieu thereof the word "five".

AMENDMENT No. 4.

On page 3, line 1, strike out the word "ten", and insert in lieu thereof the word "five".

AMENDMENT No. 5.

On page 3, line 1, strike out the word "four", and insert the word "two".

AMENDMENT No. 6.

On page 3, line 2, strike out the word "four", and insert in lieu thereof the word "two".

AMENDMENT No. 7.

On page 3, line 5, strike out the word "thirty", and insert in lieu thereof the word "ten".

Request granted.

Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor.

During third reading of the bill, Mr. Stuckenbruck moved that the Speaker appoint a select committee to amend the bill as follows:

On page 1, line 3, of the printed bill, strike out the words "both of".

Also: On page 1, line 10, of the printed bill, after the word "veterinarian" add a comma (,) and the words "the secretary of the state board of health".

Also: On page 2, line 13, of the printed bill, after the word "veterinarian" add a comma (,) and the words "the secretary of the state board of health".

Motion carried.

The Speaker appointed Mr. Stuckenbruck as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 703, with instructions, do now report that the instructions of the Assembly have been carried out.

STUCKENBRUCK, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 491—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for

counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all Acts, other Acts and parts of Acts in conflict with this Act.

During third reading of the bill, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, lines 2 and 3, Section 5, strike out the words "municipal corporation or any department thereof", and insert in lieu thereof the following: "legislative body, board, or commission of any municipal corporation or county".

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 491, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill 1951—An Act to amend the Political Code of the State of California, by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties and cities and counties of over 200,000 population, and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out of line 6 of title the words "counties of the first class," and insert in lieu thereof the following: "in each county".

Also: On page 1, lines 7 and 8, strike out the words "in counties of the first class", and insert in lieu thereof the following: "may be created in any county in this state by the board of supervisors thereof".

Also: On page 2, line 23, strike out the words "every county", and insert in lieu thereof the following: "each county where the office of psychopathic parole officer has been created under the provisions of this Act."

Motion carried.

The Speaker appointed Mr. Bloodgood as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1951, with instructions, do now report that the instructions of the Assembly have been carried out.

BLOODGOOD, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

During third reading of the bill, Mr. Hinkle moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, strike out the word "near", and insert in lieu thereof the following: "above".

Motion carried.

The Speaker appointed Mr. Hinkle as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 395, with instructions, do now report that the instructions of the Assembly have been carried out.

HINKLE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities except in those of the fifth and sixth class, and of cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish within the State of California uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practical method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

And report that the same have been correctly re-engrossed

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1554 and Assembly Bill No. 1850—have had the same under consideration, and respectfully report that Senate Bill No. 1554 is not identical with Assembly Bill No. 1850.

MOORHOUSE, Chairman.

Assembly Bill No. 1850 re-referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 321—An Act to amend Section 1665a, of the Political Code of the State of California, relating to the establishment and maintenance of cosmopolitan schools in cities of the first, first and one half, and second and one half classes.

Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor.

Assembly Bill No. 717—An Act to add a new section to the Penal Code to be known as Section 402f regulating the packing, preparing and shipping for sale within the State of California of any fruit or vegetables infected with insect pests

or disease injurious to trees, shrubs, plants, fruits or vegetables; and providing a penalty for the violation thereof.

Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Assembly Bill No. 1091—An Act to amend Section No. 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Assembly Bill No. 1620—An Act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain state buildings and grounds.

Assembly Bill No. 2074—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

Also: Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 7, Article I, of the Constitution of the State of California.

Also: Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII, relating to revenue and taxation.

Also: Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XII thereof, to be numbered Section 23a, in relation to the power of the Railroad Commission to fix just compensation to be paid for the taking of any property of any public utilities in eminent domain proceedings.

Also: Assembly Concurrent Resolution No. 23—Relative to the mailing of copies of all Acts passed and approved, relating to courts, judicial officers and amendments to codes to each judge of Superior Courts, district attorneys and county clerks of the counties and cities and counties of this State.

And report that the same have been correctly engrossed.

MOOREHOUSE, Chairman.

ADJOURNMENT.

At ten o'clock and fifty-five minutes p.m., on motion of Mr. Mouser, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, April 17, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—77.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Ferguson, Mr. Fitzgerald was granted leave of absence for the day.

At the suggestion of the Speaker, Mr. Wyllie was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Roberts:

CALIFORNIA FEDERATION OF WOMEN'S CLUBS,
April 14, 1913.

At a meeting of the board of directors of the Highland Park Ebell Club held to-day, the following resolution was unanimously adopted:

Resolved, That the Highland Park Ebell Club by its board of directors does hereby indorse bill 1251 as introduced by Mr. Roberts and does heartily recommend its passage by the Assembly.

Trusting that this action may be of service.

MARY M. GORDON,
Chairman of Civics.

(Mrs. Christopher Gordon.)

By Mr. Johnson:

April 3, 1913.

WHEREAS, The Southern Counties Water Protective Association has learned that statements were being circulated to the effect that it was in favor of Assembly Bill No. 642 and Senate Bill No. 606 (known as the Water Commission Bill) as amended; and

WHEREAS, The Association is and has been opposed to said bills in any form, because it believes any existing abuses in the use of water in this State can be more satisfactorily corrected by legislation of another character; therefore, be it

Resolved, That this Association reaffirm its opposition to these bills and authorizes copies of this resolution to be sent to members of the Legislature.

SOUTHERN COUNTIES WATER PROTECTIVE ASSOCIATION.

I hereby certify that the above is a true and correct copy of a resolution passed at a meeting of the Southern Counties Water Protective Association held in San Bernardino on April 3, 1913.

GLENN D. SMITH, Secretary.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Bohnett:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of Wells Fargo & Co. Express for the sum of thirty-five and 12/100 (\$35.12) dollars, said amount being one half of the expense of expressing the Blue Book to various places as per itemized bill attached, and the State Treasurer is hereby authorized and directed to pay the same.

Read, and referred to Committee on Contingent Expenses.

By Mr. Farwell:

WHEREAS, As per Journal of February 1, 1913, this Assembly passed a resolution requesting the State Engineering Department to thoroughly overhaul and inspect the heating and ventilating system of this Assembly Chamber, as well as the Capitol Building; and

WHEREAS, The recess has passed and the session has nearly drawn to a close and

there has been no report officially, or otherwise, from the said State Engineering Department; and

WHEREAS, Certain committee and other rooms are sadly in need of proper ventilation, thereby interfering materially with the health of the members of the Assembly and the attachés; therefore, be it

Resolved, That the Assembly does herewith demand that the said State Engineering Department submit to this Chamber at once and without further delay, its report with proper suggestions and estimates for relieving the unsanitary condition of the various rooms of the State Capitol Building, and, furthermore, that it take immediate steps to materially increase the size of the present inadequate and almost useless ventilators in the different committee rooms of the Assembly and particularly the stenographers' room thereof, and install electrical exhaust fans of the proper size and capacity to thoroughly and adequately exhaust the vitiated air from the said rooms.

Read, and referred to Committee on Rules.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 524—An Act appropriating money for the purchase of live stock at the state prison at Folsom.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1 of printed bill, strike out the word "four" and substitute in lieu thereof the word "three."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1 of printed bill, strike out the numerals "\$4,000.00" and substitute in lieu thereof the numerals "\$3,000.00".

Amendment adopted.

Bill read second time.

Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1 of printed bill, strike out the word "sixteen" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2 of printed bill, strike out the numerals "\$16,000.00" and insert in lieu thereof the numerals "\$7,000.00".

Amendment adopted.

Bill read second time.

Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Bill read second time.

Assembly Bill No. 1113—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for

the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Bill read second time.

Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Bill read second time.

Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out the title, and insert in lieu thereof the following:

An Act to amend the title and an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. The title of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, is hereby amended to read as follows: "An Act concerning neglected, dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons; fixing the salaries of probation officers; providing for detention homes for said persons; providing for the punishment of those responsible for, or contributing to, the dependency or delinquency of said persons; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts."

SEC. 2. Said Act is hereby amended to read as follows:

SECTION 1. This Act shall be known as the "juvenile court law" and shall apply only to persons under the age of twenty-one years and not now or hereafter inmates of a state institution.

SEC. 2. Within the meaning of this Act the words "neglected person" shall include any person:

(1) Whose home by reason of neglect, cruelty or depravity of his parents or either of them, or on the part of his guardian, or on the part of the person in whose care or custody he may be, is an unfit place for such person; or

(2) Whose father is dead or has abandoned his family or is an habitual drunkard, and it appears that such person is destitute of a suitable home, or of adequate means of obtaining an honest living, and is in danger of being brought up to lead an idle and dissolute, or immoral life; or

(3) Who has not the proper care and discipline essential to the welfare of such person, and who is without parent or guardian able or willing to give such care and enforce such discipline; or

(4) Who, being under the age of sixteen years, is found wandering and not having any home or settled place of abode, or any visible means of subsistence; or

(5) Who, being under the age of fifteen years, is in a condition of extreme want, and is without parent or other person able and willing to maintain such person; or

(6) Who, being under the age of fifteen years, is found begging, or receiving or gathering alms in any street, road or public place, or who is there for the purpose of so doing, whether actually begging or doing so under the pretext of peddling, or selling any article or articles, or singing or playing any musical instrument, or giving any public entertainment in such street, road or public place, or who accompanies or is used in aid of any person so doing.

SEC. 2a. It is hereby provided that no person shall be dealt with under this Act as a neglected person who properly can be dealt with under any other law of the State of California now or hereafter in force providing for the placing, care and custody of neglected persons.

SEC. 3. Within the meaning of this Act the word "dependent person" shall include any person:

(1) Who has no parent or guardian willing to exercise, or capable of exercising proper parental control, and for the want of such proper parental control such person is wayward and addicted to vicious habits, and is in danger of being brought up to lead an idle and dissolute, or immoral life; or

(2) Who knowingly associates with thieves or other vicious or immoral persons; or

(3) Who is found living or being in any house of prostitution or assignation, knowing at the time that such house is a house of prostitution or assignation; or

(4) Who habitually visits, without parent or guardian, any billiard room or pool room, or any saloon, or place where any spirituous, vinous or malt liquors are sold, bartered or given away; or

(5) Who is incorrigible, that is, who is beyond the control and power of his parents, guardian or custodian by reason of the vicious conduct or nature of said person; or

(6) Who is an habitual truant within the meaning of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of said Act," approved March 24, 1903, and any Act or Acts amending or superseding the same, and who is not placed in a parental school under the provisions of said Act, or who being over the age of fifteen years refuses to attend public or private school as directed by his parents, guardian or custodian; or

(7) Who habitually uses intoxicating liquor as a beverage; or, who habitually smokes cigarettes; or, who habitually uses opium, cocaine, morphine or other similar drug, without the direction of a competent physician; or

(8) Who from any cause of personal depravity is in danger of growing up to lead an idle and dissolute, or immoral life.

SEC. 4. Within the meaning of this Act the words "delinquent person" shall include any person who violates any law of this state, or any ordinance of any town, city, county or city and county of this state, defining crime, and which involves moral turpitude.

SEC. 5. The superior court in every county of this State shall exercise the jurisdiction conferred by this Act, and, while sitting in the exercise of its said jurisdiction, shall be known and referred to as the "juvenile court," and is hereinafter so referred to. In counties having more than one judge of the superior court, the judges of such court shall annually designate one or more of their number whose duty it shall be to hear all cases coming under this Act; *provided*, that no judge shall be designated to serve in such capacity for less than one year; and that no judge shall be designated to serve in such capacity who has already or shall hereafter have served for five consecutive years, until an interval of one year has elapsed: *provided, however*, that nothing in this section contained shall be construed in conflict with that portion of Article VI, Section 6, of the Constitution of the State of California, applying to the city and county of San Francisco. The orders and findings, if any, of the superior court, in all cases coming under the provisions of this Act, shall be entered in a book to be kept for that purpose and known as the "juvenile court record," and the court when acting under this Act shall be called the "juvenile court." All cases coming under the provisions of this Act shall be heard at a special or separate session of the court, and no other matter shall be heard at such session, nor shall there be permitted to be present at such session any person on trial or awaiting trial, or under accusation of crime, who does not come under the provisions of this Act.

SEC. 6. Any person may file with the clerk of the superior court a petition showing that there is within the county, or residing therein a neglected, dependent or delinquent person, and praying that the superior court deal with such person as provided in this Act. Such petition shall be verified and shall contain a statement

of facts constituting such neglect, dependency or delinquency, as defined in this Act, and the names and residence if known to the petitioner, of the parents or guardian of said neglected, dependent or delinquent person. There shall be no fee for filing such petition.

SEC. 7. Upon the filing of the petition provided for in section six hereof, a citation shall issue, requiring the person or persons having the custody or control of the alleged neglected, dependent or delinquent person, or with whom such alleged neglected, dependent or delinquent person may be, to appear with said alleged neglected, dependent or delinquent person at a time and place stated in the citation. Service of such citation must be made at least twenty-four hours before the time stated therein for such appearance. The parents or guardians of said alleged neglected, dependent or delinquent person, if residing within the county in which the court sits, and if their places of residence be known to the petitioner, or if there be neither parent nor guardian so residing, or if their places of residence be not known to the petitioner, then some relative of said alleged neglected, dependent or delinquent person, if any there be residing within said county, and if his residence and relationship to such alleged neglected, dependent or delinquent person be known to petitioner, shall be notified of the proceedings by service of citation requiring him or them to appear at the time and place stated in such citation. In any case the judge may appoint some suitable person to act in behalf of said alleged neglected, dependent or delinquent person, and may order such further notice of the proceedings to be given as he may deem proper. If any person, cited as herein provided, shall fail, without reasonable cause, to appear and abide by the order of the court, or to bring said alleged neglected, dependent or delinquent person, if so required in the citation, such failure shall constitute a contempt of said court and may be punished as provided for in other cases of contempt of court. In case such citation cannot be served or the party served fails to obey the same, and in any case in which it shall be made to appear to the court that such citation will probably be ineffective, a warrant of arrest shall issue on the order of the court, either against the parent or guardian, or the person having the custody of said alleged neglected, dependent or delinquent person, or with whom the said alleged neglected, dependent or delinquent person may be, or against the said alleged neglected, dependent or delinquent person himself, or any or all said persons; or if there be no person to be served with citation as above provided, a warrant of arrest may be issued against the said alleged neglected, dependent or delinquent person immediately. On the return of the citation or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Until the final disposition of any case, the said alleged neglected, dependent or delinquent person may be retained in the possession of the person having charge of said person, or may be kept, upon the order of the court, in some suitable place, provided by the county, or may be held otherwise as the court may direct.

SEC. 8. When any alleged neglected person under the age of twenty-one years shall be found by said court or judge to be a neglected person within the meaning of this Act, the court shall make such order or orders as may be necessary for the care of said neglected person; *provided, however,* that no such neglected person shall be placed in the care of any family home, association, society, corporation, school or institution, where there are dependent or delinquent persons. When any alleged dependent or delinquent person under the age of twenty-one years shall be found by said court or judge to be dependent or delinquent, within the meaning of this Act, the court may make an order committing said dependent or delinquent person, for such time as the court may deem fit but not beyond the time when such dependent or delinquent person shall reach the age of twenty-one years, to the home and care of some reputable person of good moral character, or to the care of some association, society or corporation willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for dependent or delinquent children, or to the care of the probation officer, or other person, said dependent or delinquent person to remain in his or her home, or in any other home approved by the court; or the court may, if said dependent or delinquent person be a boy of at least sixteen years of age commit him to the Preston School of Industry, or if under sixteen years of age to the Whittier State School during his minority; or, if a girl, commit her to the Whittier State School or to any similar state institution for girls until twenty-one years of age; *provided, however,* that such commitment under this Act to either the Preston School of Industry or the Whittier State School shall permit the transfer of any boy from one institution to the other upon the agreement thereto by the superintendents of both of such institutions. Accompanying the commitment papers, the court must submit to the superintendent of such institution a record of all the facts in the possession of the court, covering the history of the person committed, including a statement of the mental and physical condition.

Should it develop, either at the time of their presentation, or after having become an inmate thereof, that any dependent or delinquent person, who has been committed to either of such institutions, is an improper person to be there retained, or so incorrigible or so incapable of reformation under the discipline of the school to which such person may be committed as to render his or her retention detrimental to the interests of the school, the superintendent may, with the approval of the board of trustees of such institution return such dependent or delinquent person to the com-

mitting court. And in the event of such return, the transportation of such dependent or delinquent person shall be made in the same manner, and the compensation therefor, if any, shall be paid for as is provided for in the execution of an order of commitment to such institution. After making any of the above mentioned orders the court may, from time to time, change or modify the same, or set aside the same, or commit such dependent or delinquent person to such place or institution, and for such time as the court may deem fit, but not beyond the time when such person shall attain the age of twenty-one years.

SEC. 9. The judge of the superior court in and for each county, or city and county, of the state, and in counties where there is more than one judge of the said court, the judges of the superior court in said county shall, by order entered in the minutes of the court, appoint seven discreet citizens of good moral character, not more than four of whom shall be of the same sex, and at least two of whom shall have been mothers, to be known as the "probation committee," and shall fill all vacancies occurring in such committee. So far as possible, there shall not be appointed more than one member of such probation committee from the same vocation, business or profession. The clerk of said court shall immediately notify each person appointed on said committee and thereupon said persons shall appear before the judge of the superior court to whom has been assigned all proceedings under this Act and qualify by taking an oath, which shall be entered in said juvenile court records, to perform faithfully the duties of a member of such probation committee.

SEC. 10. The members of such probation committee shall hold office for four years, and until their successors are appointed and qualify; *provided*, that of those first appointed, one shall hold office for one year, two for two years, two for three years, and two for four years, the terms for which the respective members shall hold office to be determined by lot as soon after their appointment as may be. When any vacancy occurs in any probation committee by expiration of the term of office of any member thereof, his successor shall be appointed to hold office for the term of four years; when any vacancy occurs for any other reason, the appointee shall hold office for the unexpired term of his predecessor.

SEC. 11. The juvenile court or the judge thereof may at any time, and upon request of the county board of supervisors, shall require said probation committee or probation officer to examine into the qualifications and management of any society, association or corporation, other than a state institution, receiving, or applying for, any neglected dependent or delinquent person under this Act, and to report thereon to the court. It shall be the duty of each probation committee to prepare each year one or more reports in writing on the qualifications and management of all societies, associations and corporations, except state institutions, applying for or receiving any neglected, dependent or delinquent person under this Act from the courts of their respective counties, and in such report said committee may make such suggestions or comments as to them may seem fit; such report to be filed as a public document with the clerk of the juvenile court appointing such committee. The probation committee shall also make to the court an annual report to be filed as a public document prior to the first day of December, copies of which shall be filed with the county board of supervisors and the state board of charities and corrections. It shall be the duty of the probation committee to exercise a friendly supervision and visitation over the neglected, dependent or delinquent person when so directed by the court, to furnish the court information and assistance whenever required, and, from time to time, to advise and recommend to the court any change or modification of the order made in the case of a neglected, dependent or delinquent person as may be for the best interests of such person. Upon request of the probation officer, any member of the probation committee shall investigate the case of any alleged neglected, dependent or delinquent person coming under the provisions of this Act, and render a report thereon to the probation officer. The probation committee shall also have the control and management of the internal affairs of any detention home or branch detention home heretofore or hereafter established by the county board of supervisors; and it shall be the duty of said board of supervisors to provide for the payment of such employees as may be needed in the efficient management of such detention home or branch detention home or homes.

SEC. 12. Members of the probation committee shall serve without compensation, but shall be allowed their reasonable traveling expenses as approved by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasurer for the specified amount of such expenses. All orders by the juvenile court judge upon the county treasury shall be filed in duplicate with the county board of supervisors.

SEC. 13. There shall be appointed, as hereinafter provided, a probation officer in every county, and he may appoint as many deputies as he may desire; *provided*, however, that such deputies shall not have authority to act until their appointment shall have been approved by a majority vote of the probation committee, and by the judge of the juvenile court. The term of office of such deputies shall expire with the expiration of the term of office of the probation officer making such appointments: but either the probation officer, or the probation committee by a majority vote, or the

judge of the juvenile court, may at any time in his or their discretion, revoke and terminate any such appointment. Such deputies, except as hereinafter provided, shall serve without compensation. Every probation officer and every assistant probation officer receiving an official salary shall, at the time that he files his oath of office, file with the county clerk of the county his official bond approved by the judge of the juvenile court. The judge of the juvenile court shall have authority by an order entered in the minutes of said court to determine and fix the amount of bonds of the probation officer of the county and of his assistants. If said bonds, or any of them, are furnished by any surety company licensed to transact business in the State of California, the premium thereon shall be paid out of the county treasury.

SEC. 14. The offices of probation officer and assistant probation officer are hereby created. The probation officers and assistant probation officers to serve hereunder in any county shall be nominated by the probation committee in such manner as the judge of the juvenile court in the respective counties shall direct; and the appointment of such probation officers and assistant probation officers shall then be made by the judge of the respective juvenile courts. The term of office of the probation officers and assistant probation officers shall be two years from the date of their said appointments. All probation officers and assistant probation officers receiving a salary of seventy-five dollars or more per month shall devote their entire time and attention to the duties of their offices, and no such probation officer or assistant probation officer, while holding such office and receiving salary therefor, shall be a candidate or seek the nomination for any other public office or employment, and no person shall be appointed to and receive the salary attached to such office of either probation officer or assistant probation officer who is related to the judge of the juvenile court or to a member of the probation committee of such county, by consanguinity or affinity, within the third degree, computed according to the rules of law. Such probation officers and assistant probation officers may at any time be removed by the judge of the juvenile court for good cause shown; *provided*, that no such probation officer or assistant probation officer shall be removed unless he has been furnished with a specific statement in writing of the reasons for such removal, said statement to be signed by the judge of the juvenile court and by a majority of the probation committee.

SEC. 14a. In counties of the first class there shall be one probation officer and twenty-five assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen probation officers, one hundred dollars per month; one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month; one assistant probation officer to act as probation officer's clerk, eighty-five dollars per month; one assistant probation officer to act as stenographer to the probation officer in clerical work, seventy-five dollars per month; one assistant probation officer to act as bookkeeper, seventy-five dollars per month; one assistant probation officer to act as telephone exchange operator and stenographer, sixty-five dollars per month.

SEC. 14b. In counties, or cities and counties of the second class there shall be one probation officer and ten assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; and nine assistant probation officers, one hundred and twenty-five dollars per month each.

SEC. 14c. In counties of the third class there shall be one probation officer and eight assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; two assistant probation officers, each one hundred dollars per month; two assistant probation officers, each seventy-five dollars per month.

SEC. 14d. In counties of the fourth class there shall be one probation officer and one assistant probation officer. The salaries of said officers shall be as follows: Probation officer, one hundred and fifty dollars per month; assistant probation officer, one hundred dollars per month.

SEC. 14e. In counties of the fifth class there shall be one probation officer, whose salary shall be one hundred and fifty dollars per month; and one assistant probation officer, whose salary shall be one hundred and twenty-five dollars per month. In counties of the fourteenth class there shall be one probation officer, whose salary shall be one hundred and twenty-five dollars per month.

SEC. 14f. In counties of the sixth class there shall be one probation officer and two assistant probation officers. The salaries of such officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, one hundred dollars per month.

SEC. 14*g*. In counties of the seventh class there shall be one probation officer and two assistant probation officers. The salaries of said officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; and one assistant probation officer, one hundred dollars per month.

SEC. 14*h*. In counties of the eighth class there shall be one probation officer, whose salary shall be one hundred dollars per month.

SEC. 14*i*. In counties of the ninth class there shall be one probation officer and two assistant probation officers. The salaries of said officers shall be as follows: Probation officer, one hundred dollars per month; one assistant probation officer, seventy-five dollars per month; and one assistant probation officer, fifty dollars per month.

SEC. 14*j*. In counties of the tenth class there shall be one probation officer who shall maintain an office in the court house at the county seat. The salary of said probation officer shall be one hundred and fifty dollars per month.

SEC. 14*k*. In each of the counties of the eleventh, twelfth, thirteenth, seventeenth, eighteenth, twenty-third, twenty-fifth, twenty-sixth, twenty-seventh, and thirty-third classes, there shall be one probation officer. The salary of each of said probation officers shall be one hundred dollars per month. In counties of the thirteenth class, there shall be one assistant probation officer, whose salary shall be twenty-five dollars per month. In counties of the eighteenth class, there shall be four assistant probation officers, whose salary shall be twenty-five dollars per month each. In counties of the twenty-sixth class, there shall be one assistant probation officer, whose salary shall be forty dollars per month.

SEC. 14*l*. In counties of the thirty-fifth class there shall be one probation officer who shall maintain an office in the court house at the county seat. The salary of said probation officer shall be one hundred dollars per month.

SEC. 14*m*. In each of the counties of the fifteenth class there shall be one probation officer. The salary of said probation officer shall be eighty dollars per month.

SEC. 14*n*. In each of the counties of the sixteenth, nineteenth, twentieth, twenty-second, thirtieth, thirty-second and thirty-eighth classes there shall be one probation officer. The salary of each of said probation officers shall be fifty dollars per month.

SEC. 14*p*. In counties of the thirty-fourth class there shall be one probation officer. The salary of said probation officer shall be eighty dollars per month.

SEC. 14*q*. In counties of the thirty-first class there shall be one probation officer. The salary of said probation officer shall be sixty dollars per month.

SEC. 14*r*. In each of the counties of the twenty-first, thirty-fourth, thirty-ninth and forty-second classes, there shall be one probation officer. The salary of each of said probation officers shall be fifty dollars per month.

SEC. 14*t*. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 14*u*. In each of the counties of the forty-fourth, fiftieth, fifty-second, and fifty-fifth classes, there shall be one probation officer. The salary of each of said probation officers shall be ten dollars per month.

SEC. 14*v*. In each of the counties of the fifty-seventh and fifty-eighth classes there shall be one probation officer. The salary of each of said probation officers shall be five dollars per month.

SEC. 14*z*. In every other county than those heretofore expressly enumerated the salary of the probation officer shall be thirty-five dollars per month.

SEC. 15. The salaries of all probation officers and assistant probation officers shall be paid out of the county treasury of the county for which they are appointed, respectively, in the same manner as the salaries of the county officers. The probation officers and assistant probation officers and deputy probation officers in all counties of the state shall be allowed such necessary incidental expenses incurred in the performance of their duties as required by any laws of the State of California as may be authorized by the judge of the juvenile court; and the same shall be a charge upon the county in which the court appointing them has jurisdiction, and said expenses shall be paid out of the county treasury upon a written order of the judge of the juvenile court of said county directing the county auditor to draw his warrant upon the county treasurer for the specific amount of such expenses. The probation officer and the clerk of the juvenile court shall each keep a classified list of expenses and file a duplicate copy with the county board of supervisors.

SEC. 16. It shall be the duty of the clerk of any court before which an alleged neglected, dependent or delinquent person is brought under the provisions of this Act, before hearing, to notify the probation officer of the county thereof.

SEC. 17. The probation officer shall inquire into the antecedents, character, family history, environment and cause of dependency or delinquency of every alleged neglected, dependent, or delinquent person brought before the juvenile court, and shall make his report in writing to the judge thereof: It shall also be the duty of said probation officer, to be present in court in order to represent the interests of the neglected, dependent or delinquent person when the case is heard, and to furnish to the court such information and assistance as it may require and to make such report at such time; and to take charge of said neglected, dependent or delinquent person before and after the hearing as may be ordered. Whenever any person is declared neglected,

dependent or delinquent under the provisions of this Act, and is placed in or committed to the care and custody of the probation officer, the case may be transferred to the juvenile court of any county of this state, in which such person resides or to which such person shall remove, and such court shall thereafter have entire jurisdiction over said case. Every probation officer, assistant probation officer and deputy probation officer shall have the powers of a peace officer. At any time the probation officer may bring any neglected, dependent or delinquent person placed in or committed to his care before the court for such further or other action as the court may deem proper. Before any neglected person is replaced, or any dependent or delinquent person is recommitted, the probation officer shall inquire into the reasons assigned for such action and shall be present in court in order to represent the interests of such person. Every probation officer shall have the powers of a school attendance officer, in such portions of the county, in which such probation officer has been appointed, as are not otherwise provided with a school attendance officer, and shall exercise such powers when not inconsistent with his other duties. Every probation officer, within fifteen days after the thirtieth day of June, and within fifteen days after the thirty-first day of December, of each year, shall make in writing and file as a public document a report to the judge of the juvenile court of the county in which such probation officer is appointed, and shall furnish to the county board of supervisors and to the secretary of the state board of charities and corrections of this state a copy thereof. Such report without giving names shall state separately the exact number of neglected, dependent and delinquent persons, segregating male and female, who have been committed by such juvenile court to the care and custody of such probation officer, and the exact number of such persons who are wards of such juvenile court, but of whose cases other disposition has been made, as such number exists deducting all cases dismissed, or where such person has passed the age of twenty-one years upon such thirtieth day of June and such thirty-first day of December, segregating such persons as having been adjudged by such juvenile court to be neglected, dependent or delinquent, as the case may be, in 1903, 1904, 1905 and so on, up to and including the calendar year in which such report is made and filed. Any of the duties of a probation officer may be performed by an assistant or deputy probation officer, and shall be so performed whenever directed by the probation officer; and it shall be the duty of the probation officer to see that his assistant and deputy probation officers perform their duties.

Sec. 18. Whenever a deposition or complaint shall be filed in any court other than a superior court, charging a person with a crime and it shall be suggested to the judge, justice or recorder before whom such person is brought that the person charged is under the age of eighteen years, said judge, justice or recorder shall immediately suspend all proceedings against such person on said charge and examine into the age of such person, and if, from such examination, it shall appear to the satisfaction of said judge, justice or recorder that such person is under the age above specified, he shall forthwith certify to the juvenile court of his county (a) that said person (naming him) is charged with such crime (briefly stating its nature); (b) that such person appears to be under the age of eighteen years, giving date of birth when known, and (c) the suspension of proceedings against such person on such charge by reason of his age, with the date of such suspension; and immediately thereupon all proceedings against the said person on said charge shall be suspended until said juvenile court shall issue its mandate, as hereinafter provided, directing the court before which said charge was pending to proceed with the examination into or trial thereof, and the court so suspending its proceedings shall forthwith cause such person to be taken before the juvenile court of the county for consideration and proceedings under this Act. When such person shall be brought before the judge of the juvenile court said judge shall cause a complaint to be filed as provided in Section 6 of this Act and shall fix a time for considering said matter and shall cause citation to be issued, as provided in Section 9 of this Act. Pending such hearing, said judge may admit such person to bail or otherwise provide for his temporary custody in any manner provided herein for the care of a delinquent person after the finding of his delinquency. The judge of said juvenile court may further investigate the age of such person and may also inquire into the condition and care of such person and make such orders for his disposition under the provisions of this Act as he may deem proper. If said judge shall, after such investigation, decide that such person was at the time said offense was alleged to have been committed of the age of eighteen years or more, such determination shall be conclusive and he shall immediately issue his mandate directing the court before which such charge is pending to proceed therewith, and upon receipt of such mandate said court shall proceed with the examination or trial of said charge as though no suspension thereof had taken place: *provided, however*, that if the court shall find that the person so charged is under the age of twenty-one years but a fit subject for consideration under the provisions of this Act, he may make such order or orders hereunder as he may deem best in relation to such person: *provided further, however*, that if such judge shall at any time conclude that such person is not a fit subject for further consideration under this Act, he may remand such person to the court in which said person is charged with said offense for further proceedings on said charge, and upon receipt of the mandate of said juvenile court, or the judge thereof, the court before which said charge is then pending shall be vested with full authority to proceed with the

examination or trial thereof. All statutes of limitations relating to the charge so pending against such person shall be suspended as to said person and charge from the issuance by said judge, justice or recorder of his certificate hereinbefore provided for until said juvenile court, or judge thereof, shall issue its mandate remanding such person for further proceedings as aforesaid; and all statutes of limitation relating to any charge, made in any court, against any person under the age of twenty-one years, shall be suspended as to such charge and person whenever, and as long as, such person is before the juvenile court for consideration under the provisions of this Act, or is detained by virtue of any commitment issued hereunder and unrevoked; *provided, however*, that if said delinquent person shall be discharged by the juvenile court as reformed, such order of discharge shall constitute a bar to any further proceedings in any court against said delinquent person upon said charge.

SEC. 19. Whenever it is claimed that any person under the age of twenty-one years is a neglected, dependent or delinquent person as defined in this Act, a verified petition shall be filed in the juvenile court of the county wherein said alleged neglect, dependency or delinquency occurred, stating such neglect, dependency or delinquency and the facts constituting the same, and that said neglected, dependent or delinquent person is under the age of twenty-one years, and praying that the said court shall adjudge said person to be a neglected, dependent or delinquent person within the meaning of this Act. Notice shall be given of the time and place of hearing as in the case of a person alleged to be a neglected, dependent or delinquent person, and the petition shall be heard at the time and place designated by the juvenile court. If the court shall adjudge said person to be a neglected, dependent or delinquent person, within the meaning of this Act, such order shall be made as is meet in the premises, as in this Act provided.

If upon said hearing said court shall determine that a delinquent person is not a fit and proper subject to be dealt with under the reformatory provisions of this Act, said court may dismiss the petition hereunder and direct that such delinquent person be prosecuted under the general law. No dependent or delinquent person under eighteen years of age shall be prosecuted for crime until the matter has first been submitted to the juvenile court by petition as herein provided, or by certificate of the lower court as provided in section sixteen hereof.

SEC. 20. Whenever any person over the age of eighteen years and under the age of twenty-one years is accused of a felony, and the indictment or information has been filed in the superior court of the county wherein the crime was committed, charging said person with the commission of said felony, the judge may, in his discretion, with the consent of the accused, or upon his request, arrest said proceeding at the time of arraignment or at any time previous to the impanelment of a jury, except where the crime charged is a capital offense, and may proceed to investigate the charge against the defendant, and all the facts and circumstances necessary to determine the proper disposition to be made of said person, and shall determine whether said person shall be dealt with as a delinquent under the provisions of this Act. If the court is satisfied upon such investigation that said person should be declared a delinquent and should be dealt with under this Act, it may make such order as herein provided for the disposition of delinquent persons. If such person thereafter prove not to be amenable to the discipline of the state school to which he may be committed, and the trustees thereof shall determine that said person should be committed to a state penitentiary, such person shall be returned to the custody of the sheriff of the county in which such crime was committed, and thereafter proceedings shall be had upon the indictment or information commencing at the point at which proceedings were arrested; and said person shall be tried for the offense alleged in the information, and if convicted shall be sent to the penitentiary for such time as the court may determine, or otherwise dealt with in accordance with the law for dealing with persons convicted of a felony. If no request is made by the defendant for proceedings under this statute, or if the defendant desires a trial by jury, or if the judge declines to consent to the application of the defendant for proceedings under this statute, said cause shall proceed in the ordinary manner up to the verdict of guilty or not guilty as the case may be. If said person is convicted, the court may thereafter receive such evidence as may be offered, touching the question as to whether or not said person should be dealt with as a delinquent in the manner hereinbefore provided in case of the application and consent of the accused before trial, and may make such order of probation or commitment to said state schools, and may from time to time modify said probation orders, as is herein provided in the case of persons adjudged delinquent. If such person during the period of his commitment to said state institution, proves to be incorrigible or not amenable to the discipline of such institution, and it shall be deemed advisable in the judgment of the trustees of such institution that said person be sent to the penitentiary, then said person shall be returned to the superior court in which the verdict was rendered, for sentence, and thereupon the court shall pronounce judgment.

SEC. 21. In the case of a person alleged to be delinquent within the meaning of this Act, the juvenile court may, pending the hearing, at any time before the person is adjudged delinquent or otherwise disposed of, order that said person be detained in any detention home, provided for that purpose by any county or it may be otherwise

temporarily provided for as to the court may seem fit in any manner provided herein for the care of a person after the termination of his delinquency.

SEC. 22. If the court find a person to be dependent or delinquent, then the court may commit such person to the care and custody of the probation officer and may allow the said person to remain in the home of said person, subject to the visitation of a probation officer, and such person shall report to the probation officer as often as may be required, and be subject to be returned to the court for further proceedings whenever such action may appear necessary or desirable, or the court may commit the person to the care and custody of the probation officer, to be placed in a suitable family home subject to the supervision of said probation officer and the further order of the court; or it may order the probation officer to board out the person in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of said person until suitable provision may be made for said person in a home without such payment; or the court may commit said person for such time until such person arrives at the age of twenty-one years as to the court may seem fit, to the care and custody of some association, society or corporation that will receive it, embracing within its objects the care of dependent or delinquent children; or the court may commit said person to a state school as hereinbefore provided, or to such other state institution as may be authorized by law to receive it; *provided, further*, that should the legislative body of the county provide a suitable place for the detention of dependent or delinquent persons which they are hereby authorized and required to do, such dependent or delinquent persons may be committed thereto after the adjudication of dependency or delinquency for a definite period to be specified in such order, at the end of which time said person shall be brought before the court for further order of court. The court may thereafter set aside, change or modify said order and provide for a further detention in said place.

The court shall retain the jurisdiction of any person who is found to be dependent or delinquent until such person attains his majority, or if a girl, until she attains the age of twenty-one years, unless she is married with the consent of the court, or until said court is satisfied that said person has fully reformed and that further direction and supervision under the provisions of this Act are unnecessary for said person's reformation.

If a boy, under the age of sixteen years, said person may be committed by said court to the Whittier State School or if over the age of sixteen years, the Preston State School of Industry at any time during his minority for the period of his minority. If a girl, she may be committed to the said Whittier State School at any time before she is twenty-one years of age until she is twenty-one years of age. Such person may be committed to any other institution now or hereafter provided by the state for such persons.

Upon the return of said person to the custody of the juvenile court, if said person be accused of felony, it shall be the duty of the judge of said court to sit as a committing magistrate and hold the preliminary examination of such person, and if upon said hearing he shall determine that there is probable cause to believe that the said person has committed the offense charged in the petition theretofore filed in said court, he shall hold such person to answer to the superior court, and thereupon, the usual proceedings shall be had for the trial of said case in the superior court after the filing of the information in pursuance to said order of said judge sitting as a committing magistrate, and said person shall be tried by court and jury in the usual manner for the trial of a felony; *provided, however*, that no minor under the age of fourteen years at the time of the commission of the offense with which he is charged shall ever be sent to a penitentiary until he has first been committed to the Whittier State School or the Preston State School of Industry and has there proved to be incorrigible or not amenable to the discipline of said school.

No minor who is under the age of eight years and no one who is suffering from any contagious, infectious or other disease which would probably endanger the lives or health of the other inmates of said state schools shall be committed thereto. No person shall be committed to said state schools unless the judge of said court shall be fully satisfied that the mental and physical condition and qualifications of said person are such as to render it probable that such person will be benefited by the reformatory educational discipline of such schools.

SEC. 23. Any order providing for the custody of a neglected, dependent or delinquent person may provide that the expense of maintaining such person shall be paid by the parent or parents or guardian of such person, and in such case shall state the amount to be so paid, and shall determine whether or not the parent or parents or guardian shall exercise any control of said person, and define the extent thereof. Any disobedience of such order or interference with the custody of the person as therein determined shall constitute a contempt of court. It shall be the duty of the probation officer to investigate and report in writing at the first session of the juvenile court held after the first days of January, April, July and October of each year, whether said orders have been obeyed. If it be found, however, that the parent or parents or guardian of a neglected, dependent or delinquent person is unable to pay the whole expense of maintaining such person, the court may, in the order providing for the custody of such person, direct such additional amount as may be necessary to support such person to be paid from the county treasury of the county for the support of such person, the amount so ordered to be paid from the treasury

of said county not to exceed, in case of any one person the sum of eleven dollars per month; *provided*, that no order for the payment of all or part of the expense of support and maintenance of a neglected, dependent or delinquent person from the county treasury shall be effective for more than six months, unless a new order is secured at the expiration of that period. The court may thereafter set aside, change or modify any order herein provided for.

All orders by the juvenile court judge upon the county treasury shall be filed in duplicate with the county board of supervisors.

SEC. 24. Any order made by the court in case of a dependent or delinquent person may at any time be changed, modified or set aside as to the judge may seem meet and proper.

Nothing in this Act contained shall be deemed to interfere with the system of parole and discharge that is now or may hereafter be provided by law, or by rule of the board of trustees of the Whittier State School and the Preston State School of Industry, respectively, for the parole and discharge of dependent and delinquent persons committed to the said schools or to any similar state institutions hereafter created, or with the internal management of the said schools, save that the court committing a person to either of said schools may thereafter change, modify or set aside said order of commitment upon ten days' notice of the hearing of the application therefor being served by United States mail upon the superintendent of the said school to which said person had previously been committed.

SEC. 25. Any alleged neglected, dependent or delinquent person may have a private hearing upon the question of his neglect, dependency or delinquency, and upon the request of said person or said person and either of his parents or guardian, such hearing may be had privately in the manner provided by law for private hearings at preliminary examinations. An order of court adjudging a person neglected, dependent or delinquent under the provisions of this Act shall in no case be deemed to be a conviction of crime.

SEC. 26. No court, judge, magistrate or peace officer shall commit a person under sixteen years of age to any jail or prison, before trial and conviction, but if any such person is not released pending such hearing, he may be committed to the care and custody of a sheriff, constable or other peace officer who shall keep such person in a detention home or some other suitable place outside of the enclosure of any jail or prison, as the court may direct. When any person under sixteen years of age shall be sentenced to confinement in any institution to which adult convicts or prisoners are sentenced or confined, it shall be unlawful to confine such persons in the same room, yard or enclosure with such adult convicts or prisoners, or to permit such person to come or remain in contact with such adult convicts or prisoners.

SEC. 27. It shall be the duty of the legislative body of every county, or city and county, immediately upon this Act becoming effective, to provide and thereafter maintain, at the expense of such county, or city and county, in a location approved by the judge of the juvenile court, a suitable house or place to be known as the "detention home" of said county, or city and county, for the detention of dependent and delinquent persons. Such detention home must not be in, or connected with, any jail or prison, and shall be conducted in all respects as nearly like a home as possible and shall not be deemed to be or treated as a penal institution. Such legislative body must also provide for a suitable superintendent and matron to have charge of such detention home, and for such other employees as may be needed in the efficient management of such detention home, and provide for the payment, out of the general fund of the county, or city and county, of suitable salaries for such superintendent and matron, and such other employees, such superintendent, matron and other employees to be appointed by said legislative body, upon the nomination of the probation committee and approval of the judge of the juvenile court. The superintendent of the detention home shall keep a classified list of expenses, and file a duplicate copy with the county board of supervisors. The superintendent, matron or other employee of such detention home may, at any time, be removed by the probation committee, in its discretion.

SEC. 28. Any person who shall commit any act or omit the performance of any duty, which act or omission causes or tends to cause, encourage or contribute to the dependency or delinquency of any person under the age of twenty-one years, as defined by any law of this state, or any person who shall, by any act or omission, threats or commands or persuasion, endeavor to induce any such person, under twenty-one years of age, to do or perform any act or follow any course of conduct, or to so live as would cause or manifestly tend to cause any such person to become, or to remain a dependent or delinquent person, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, and the superior court, sitting as juvenile court, shall have original jurisdiction of all such misdemeanors; but no person shall be tried on the charge of contributing to the dependency and delinquency of any person under the age of twenty-one years, before the same judge who has heard or before whom is pending the case of the person under the age of twenty-one years to whose dependency and delinquency such person is alleged to have contributed.

SEC. 29. This Act shall be liberally construed to the end that its purpose may be carried out, to wit: That the care, custody and discipline of a neglected, dependent or delinquent person as defined in this Act shall approximate as nearly as may be that which should be given by his parents, and in all cases where it can be properly done, the neglected, dependent or delinquent person as defined in this Act shall be placed in an approved family, with people of the same or similar religious belief, and become a member of the family, by legal adoption or otherwise, or if placed in the care of, or committed to, an association, society, corporation, school or institution, then to one of the same or similar religious belief. No neglected, dependent or delinquent person as defined in this Act shall be taken from the custody of his parent or legal guardian, without the consent of such parent or guardian, unless the court shall find such parent or guardian to be incapable of providing, or to have failed or neglected to provide proper maintenance, training and education for said person; and in no case unless the parent or guardian has been duly notified to be present in court before or at the time of placement or commitment or recommitment, or unless said person if dependent or delinquent has been tried on probation in said custody, and has failed to reform. In this Act words used in any gender shall include all other genders, and the word "county" shall include "city and county," the plural shall include the singular and the singular shall include the plural.

SEC. 30. An appeal to the district court of appeal shall lie from any decision and judgment of the juvenile court. The party appealing shall serve on the opposite party and file a notice of such appeal within fifteen days from the day of rendition of the judgment from which the appeal is taken. It is hereby made the duty of the judge of the juvenile court when such an appeal is taken, to find the facts of the case based upon a preponderance of evidence in the form of a special finding and the appellate court shall pass upon the sufficiency of the evidence to sustain the judgment rendered. In case the party appealing, questions the sufficiency of the evidence to warrant the findings made by the court, such evidence shall be incorporated in a bill of exceptions prepared by the appellant within fifteen days after notice of appeal shall have been served on the opposite party and filed as aforesaid. The opposite party shall within ten days prepare and serve on appellant proposed amendments to such bill of exceptions, which amendment shall be settled by the judge within five days thereafter. Within ten days after the settlement of said bill of exceptions, the appellant shall engross the same and serve a copy on the opposite party and also on the attorney general, and file the original thereof together with proof of service as herein required endorsed thereon, with the clerk of the juvenile court who shall immediately transmit the same to the court to which the appeal is taken with his certificate that such bill of exceptions is correctly engrossed. An assignment of error that the decision of the juvenile court is contrary to law shall be sufficient to present both a sufficiency of the facts found to sustain the judgment and a sufficiency of the evidence to justify the findings. Appeals from the juvenile court shall have precedence in the court to which such appeal is taken over all other cases. The prosecution and appeal of such cases shall be governed as to costs and as to all other matters not herein provided for by the statutes governing appeals and criminal causes.

SEC. 31. This Act shall supersede all provisions of the Act entitled "An Act to establish a state reform school for juvenile offenders, and to make an appropriation therefor," approved March 11, 1889, and all amendments thereto, and all provisions of the Act entitled "An Act to establish a school of industry and to provide for the maintenance and management of same, and to make an appropriation therefor," approved March 11, 1889, and all amendments thereto relating to the mode of commitments to the institutions therein named; but said Acts shall control as to all matter concerning the management of said institutions, respectively.

SEC. 32. An Act entitled "An Act defining and providing for the control, protection and treatment of dependent and delinquent children: prescribing the powers and duties of courts with respect thereto; providing for the appointment of probation officers, and prescribing their duties and powers; providing for the separation of children from adults when confined in jails or other institutions; providing for the appointment of boards to investigate the qualifications of organizations receiving children under this Act and prescribing the duties of such boards; and providing when proceedings under this Act shall be admissible in evidence," approved February 26, 1903; and the amendments thereto, approved March 22, 1905, and March 27, 1907, are hereby repealed; *provided, however*, that all orders and judgments made heretofore under said Act shall continue in full force and effect, and that the court shall retain jurisdiction of all children heretofore declared dependent or delinquent, and such children shall be hereafter dealt with in the same manner as if such orders had been made under the provisions of this Act, and all proceedings now pending shall be continued under the provisions of this Act. All children now on probation from justice courts shall remain on probation for the period fixed in the judgment, and if required may be certified to the superior court in the manner in said Act provided. When so certified the said certificate shall be dealt with in the same manner as herein provided for a petition alleging delinquency.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1025—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disbursement from said fund; and making an appropriation to carry out the purposes of this Act.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 5, after the word "act" and before the semicolon insert the following: "and the use of more than one tenth of one miners' inch of water, perpetual flow, for each acre of land upon which such artesian well is located for the propagation of fish or the creation of duck ponds shall constitute waste; *provided*, nothing in this Act shall deprive the owner of such well of the right to cumulate the flow of water from such well for a longer period than one year."

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 7, 8, 9, 10, and 11, beginning with the word "provided", strike out to the end of the sentence in line 11.

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 12, strike out the word "shall" and insert in lieu thereof the following: "may".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries by adding a provision thereto, relating to employers and employees.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2084—An Act to enlarge the powers of the Board of State Harbor Commissioners and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1749, 1750, 1755, and 1756 of the Political Code of the State of California, relating to high school districts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 4, line 10, strike out the words "may be given credit" and insert in lieu thereof the words "credit shall be given".

Amendment adopted.

AMENDMENT No. 2.

On page 4, line 15, strike out the words "including instruction in manual training"; also strike out all of lines 16 and 17 and insert in lieu thereof the following: "and may include among such courses of study instruction in manual training, domestic science and art, agriculture, horticulture, dairying, industrial and commercial training, and such course shall be duly credited as a part of such high school's work; and all students taking such work shall be counted in the enrollment of the school for all purposes including the apportionment of high school funds."

Amendment adopted.

AMENDMENT No. 3.

On page 5, strike out lines 1 to 11, and insert in lieu thereof the following: "Any graduate of the elementary schools of this state and any other person who furnishes to the principal of the high school he desires to attend, and to the superintendent having jurisdiction over such high school, satisfactory evidence of his fitness for high school work, may attend any high school in this state, and any person fifteen years of age or over, may, at the discretion of the principal of a high school or the superintendent having jurisdiction over such high school, be admitted to receive instruction in manual and industrial training, domestic science and art, agriculture, horticulture, dairying, commercial training, language study, or any other work that may be taught in such high school, which such applicant may be prepared to receive, and such students shall be granted such diplomas or credentials as shall attest the progress they may make, and shall be counted in the enrollment of the school for all purposes, including the distribution of high school funds."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 35, after the word "districts" insert the following: "In case the qualified electors of any county deem it expedient to establish and maintain more than one county high school, then such additional school or schools may be established and maintained in the manner prescribed in this article for establishing and maintaining a county high school."

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 15, after the comma following the word "training", insert the words "California history".

Amendment adopted.

AMENDMENT No. 6.

On page 5, line 36, after the comma following the word "school", insert the following: "or for making additions or improvements to such buildings when once erected, or for buying new or additional furniture, or for the purchase of additional grounds, or for providing any other school facilities."

Amendment adopted.

AMENDMENT No. 7.

On page 6, line 19, strike out the word "any" before the period and insert the following: "or additions to plants already constructed."

Amendment adopted.

AMENDMENT No. 8.

On page 4, strike out all of line 18.

Amendment adopted.

AMENDMENT No. 9.

On page 5, strike out all of line 1.

Amendment adopted.

AMENDMENT No. 10.

On page 6, strike out all of line 1.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 446—An Act to amend Section 1566 of the Political Code of the State of California, relating to trustees' meetings.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 20, strike out the word "secretary" and insert the word "president".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 57—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 17, after the word "teachers" insert a comma.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 3, strike out the word "examiners" and insert in lieu thereof the following: "control".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 36, after the word "incurred" strike out the semicolon and insert a comma.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 438—An Act to amend Section 1615 of the Political Code of the State of California, relating to school trustees in newly formed school districts.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all of lines 11, 12, 13, 14, 15, 16, 17, 18 and 19, and insert in lieu thereof the following: "The terms of the trustees, if there be trustees in the parts of the district uniting to form the joint district, shall expire on the formation of the joint district. The superintendent of the county in which live the greater number of children between five and seventeen years of age as shown by the petition asking for the formation of the district shall appoint two trustees and the superintendent of the county in which the other portion of the district lies shall appoint one trustee. If the joint district should include portions of more than two counties, the superintendents shall appoint trustees of the district as may be agreed upon by the superintendents of the counties interested. The terms of the trustees appointed on the formation of the district shall expire on the first day of May next succeeding their appointment. At the April election following the formation of the district three trustees shall be elected as provided in section fifteen hundred and ninety-three of this code."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 436—An Act to amend Section 1665 of the Political Code of the State of California, relating to the list of subjects to be taught in the elementary day and evening schools.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with the state schools and reformatories.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2067—An Act providing how workingmen may pay fines imposed for delinquencies at the rate of not less than two dollars a week.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1364—An Act to amend Section 4251 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, Section 2, line 6, strike out the words "and twenty-five".

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 3, line 14, strike out the word "three" and insert in lieu thereof the following: "two".

Amendment adopted.

AMENDMENT No. 3.

On page 2, Section 4, line 20, strike out the words "three thousand" and insert in lieu thereof the following: "two thousand four hundred".

Amendment adopted.

AMENDMENT No. 4.

On page 2, Section 5, line 27, strike out the words "thirty-six hundred" and insert in lieu thereof the following: "three thousand".

Amendment adopted.

AMENDMENT No. 5.

On page 2, strike out the entire section and insert in lieu thereof the following: "6. The tax collector, two thousand five hundred dollars per annum; *provided*, that in counties of this class there shall be and is hereby allowed to the tax collector, a deputy, who shall be appointed by said tax collector, who shall be paid a salary of one hundred dollars per month, said salary to be paid by said county monthly at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid; *provided, further*, that in counties of this class there shall be and is hereby allowed to the tax collector a copyist for the period of time embraced between the first day of August and the thirty-first day of December in each fiscal year, and also for the period of time embraced between the first day of April and the first day of June in each fiscal year. Said copyist shall be appointed by said tax collector, and shall be paid a salary of fifty dollars per month during the period of time said copyist shall be employed, to be paid by said county monthly at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid.

Amendment adopted.

AMENDMENT No. 6.

On page 3, strike out the entire Section 7 and insert in lieu thereof the following: "7. The assessor, three thousand six hundred dollars per annum, and also such fees and commissions as are allowed by law; *provided, however*, that from and after the first day of January, 1915, in counties of this class the assessor shall receive no commission or compensation for the collection of poll tax or road poll tax; *provided*, that in counties of this class there shall be and is hereby allowed to the assessor,

a deputy, who shall be appointed by said assessor, who shall be paid a salary of one hundred dollars per month, to be paid by said county monthly at the same time and in the same manner and out of the same fund, as the salary of the assessor is paid; *and provided, further*, that in counties of this class there shall be and is hereby allowed to the assessor, a copyist for the period of time embraced between the first day of January and the first day of October in each fiscal year, who shall be appointed by said assessor, who shall be paid a salary of seventy-five dollars per month, said salary to be paid by said county monthly during the period of time said copyist shall be employed, at the same time, and in the same manner and out of the same fund, as the salary of the assessor is paid.

Amendment adopted.

AMENDMENT No. 7.

On page 4, Section 9, lines 1 and 2, strike out the words "one hundred" and insert in lieu thereof the following: "fifty".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

After the word "annum" on line 8, page 1, of the printed bill, insert the following: "and such fees as are now or may hereafter be allowed by law."

Amendment adopted.

AMENDMENT No. 2.

In line 16, page 1, of the printed bill, strike out the words "fifteen hundred" and insert in lieu thereof the words "two thousand four hundred".

Amendment adopted.

AMENDMENT No. 3.

In line 4, page 2, printed bill, strike out the words "nine hundred" and insert in lieu thereof the words "one thousand".

Amendment adopted.

AMENDMENT No. 4.

In line 12, page 3, printed bill, strike out the words "one thousand" and insert in lieu thereof the words "twelve hundred".

Amendment adopted.

AMENDMENT No. 5.

Strike out all after the period following the figure "18" on line 33, page 3, of the printed bill, down to and including the period after the word "same" on line 5, page 4, of the printed bill, and insert in lieu thereof the following:

"Grand jurors and trial jurors in the superior court shall receive for each day's attendance per day the sum of three dollars. In justices' courts in civil cases, jurors shall receive for each day's attendance per day, the sum of two dollars. In justices' courts in criminal cases, jurors shall receive for each day's attendance per day the sum of two dollars. And all jurors shall receive for each mile actually and necessarily traveled from their residences to the place of service, in going only, the sum of fifteen cents per mile. Such mileage to be allowed but once during any session of the court where such jurors serve; *provided*, that the fees of all trial jurors in civil cases shall be paid by the litigants as other costs are paid."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 346—An Act to amend Section 4255 of the Polit-

ical Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Section 4255 of the Political Code of the State of California is hereby amended so as to read as follows:

4255. In counties of the twenty-sixth class, the county and township officers shall receive as compensation for the services required of them by law, or by virtue of their offices, the following salaries, to wit:

1. The county clerk, three thousand dollars per annum, and five hundred dollars additional per annum for compiling the great register of the county. In counties of this class the county clerk may appoint a deputy county clerk, which office of deputy county clerk is hereby created, and said deputy county clerk shall receive as compensation for all services performed as such, the sum of nine hundred dollars per annum, to be paid out of the county treasury, in equal monthly installments, at the same time, in the same manner and out of the same fund as salaries of county officers are paid. The county clerk may appoint such number of deputies as may be necessary for the convenient registration of electors in their respective precincts or townships, and each such registration deputy shall receive as compensation for all services performed as such the sum of ten cents per name for each elector registered by him, to be paid monthly, at the same time, in the same manner and out of the same fund as salaries of county officers are paid: *provided*, that each such registration deputy, when so appointed, shall, prior to the drawing of any warrant for such compensation, first file with the auditor a statement, verified by the oath of such registration deputy, and approved in writing by the county clerk, showing the number of electors so registered by him during the period covered by such statement. The county clerk shall also receive and retain for his own use such fees as are now or may hereafter be allowed by law for issuing hunting and fishing licenses, for the naturalization of persons desiring to become citizens, and such other fees of similar character as are now or may hereafter be allowed by law for the performance of any service rendered by the county clerk other than in his official character as county clerk. All other fees or commissions shall be collected by the county clerk and shall be by him paid into the county treasury, and no part thereof shall be retained by him as a part of his compensation.

2. The sheriff, four thousand five hundred dollars per annum. In counties of this class the sheriff may appoint an under-sheriff, which office of under-sheriff is hereby created, and said under-sheriff shall receive as compensation for all services performed as such the sum of one thousand five hundred dollars per annum, to be paid out of the county treasury, in equal monthly installments, at the same time, in the same manner and out of the same fund as salaries of county officers are paid. In counties of this class the sheriff shall be allowed such sum as the board of supervisors shall fix for the board of prisoners confined in the county jail, and his actual necessary expenses for pursuing, searching for and arresting criminals and persons charged with being insane, and for conveying prisoners and persons charged with being insane to court and to prison or other place of confinement or detention and to and from state prisons, state hospitals and other institutions, and his actual necessary expenses for keeping, preserving and selling property seized, held or sold on attachment, execution or other process, and for the service and posting of all process, papers and notices required by law to be served or posted by the sheriff. All such actual necessary expenses and said sum for the board of prisoners shall be a proper legal charge against the county and shall be allowed, audited and paid out of the county treasury in the same manner as other county charges are allowed, audited and paid. The sheriff shall collect from the state all per diem and expenses incurred in conveying prisoners and persons adjudged insane, to and from state prisons, state hospitals and other institutions and pay the same, when so collected, into the county treasury, and the same and all other fees, commissions and compensation other than as hereinabove provided, which, in other counties of other classes, are allowed by law to the sheriff, as a part of his compensation, shall be paid into the county treasury, and no part thereof shall be retained by him as a part of his compensation; *provided*, that this subdivision of this section shall not go into effect or be in force until the expiration of the term of office of the incumbent.

3. The recorder, two thousand dollars per annum; *provided*, that in counties of this class the recorder may appoint a deputy, which office is hereby created, and said deputy county recorder shall receive as compensation for all services performed as such the sum of seven hundred and twenty dollars per annum, payable out of the county treasury in equal monthly installments, in the same manner, at the same time and out of the same fund as salaries of county officers are paid. The recorder may employ as many copyists as may be required, who shall receive as compensation, the sum of five cents per folio for recording any instrument or notice, except

maps or plats, and for making copies of any records or papers, five cents per folio. The salaries of such copyists shall be paid out of the county treasury, in the same manner, at the same time and out of the same fund as salaries of county officers are paid; *provided*, that the recorder shall file monthly with the auditor a verified statement showing in detail the persons employed as copyists and the amount due to each for such copying. All fees, commissions or other compensation allowed by law to the recorder in other counties of other classes, as a part of his compensation, shall be paid into the county treasury and no part thereof shall be retained by him as a part of his compensation: *provided*, that this subdivision of this section shall not go into effect or be in force until the expiration of the term of office of the present incumbent.

4. The auditor, one thousand five hundred dollars per annum; *provided*, that in counties of this class the auditor may appoint a deputy, which office of deputy auditor is hereby created, to serve during the month of October in each year, and said deputy auditor shall receive as compensation for all services performed as such, during the said month of October, the sum of one hundred dollars, to be paid out of the county treasury, in the same manner, at the same time and out of the same fund as salaries of county officers are paid; *provided*, that the provisions of this subdivision of this section shall not go into effect or be in force until the expiration of the term of office of the incumbent.

5. The treasurer, two thousand dollars per annum; *provided*, that in counties of this class the treasurer may appoint a deputy, which office of deputy treasurer is hereby created, and the said deputy treasurer shall receive as compensation for all services performed as such the sum of nine hundred dollars per annum, to be paid out of the county treasury, in equal monthly installments, in the same manner, at the same time and out of the same fund as salaries of county officers are paid. All fees, commissions or other compensation allowed by law to the treasurer in other counties of other classes shall be collected by the treasurer and be by him paid into the county treasury and no part thereof shall be retained by him as a part of his compensation; *provided*, that this subdivision of this section shall not go into effect or be in force until the expiration of the term of office of the incumbent.

6. The tax collector, two thousand dollars per annum; *provided*, that in counties of this class the tax collector may appoint a deputy tax collector, which office of deputy tax collector is hereby created, and said deputy tax collector shall receive as compensation for all services performed as such, the sum of seven hundred and fifty dollars per annum, to be paid out of the county treasury, in equal monthly installments, in the same manner, at the same time and out of the same fund as salaries of county officers are paid. All fees, commissions or compensation allowed by law to the tax collector in other counties of other classes shall be collected by the tax collector and be by him paid into the county treasury, and no part thereof shall be retained by him as a part of his compensation.

7. The assessor, three thousand six hundred dollars per annum; *provided*, in counties of this class the assessor may appoint a chief deputy assessor, which office of chief deputy assessor is hereby created, and said chief deputy assessor shall receive as compensation for all services performed as such the sum of one thousand two hundred dollars per annum, to be paid out of the county treasury, in equal monthly installments, at the same time, in the same manner and out of the same fund as salaries of county officers are paid. The assessor may also appoint six field deputies, which offices of field deputies are hereby created, to serve for not exceeding ninety days in any one year, and said field deputy assessors shall each receive as compensation for all services performed as such the sum of four dollars per day for each day actually and necessarily employed as such, to be paid out of the county treasury, in the same manner, at the same time and out of the same fund as salaries of county officers are paid; *provided*, that each such field deputy, when so employed, shall file with the auditor a statement verified by the oath of such field deputy and approved by the assessor, showing the number of days actually and necessarily employed in the performance of the duties of such employment during the period covered by said statement, before any warrant for the payment of such compensation shall be drawn by the auditor. All commissions, fees or compensation for the collection of taxes on personal property, for the collection of poll taxes and road poll taxes, and for services in making out the roll of persons subject to military duty, and all other fees, or commissions shall be collected by the assessor and by him paid into the county treasury, and no part thereof shall be retained by him as a part of his compensation: *provided, further*, that this subdivision of this section shall not go into effect or be in force during the term of the present incumbent.

8. The district attorney, three thousand five hundred dollars per annum. In counties of this class the district attorney may appoint a deputy district attorney, which office of deputy district attorney is hereby created, and said deputy district attorney shall receive as compensation for all services performed as such the sum of one thousand five hundred dollars per annum, to be paid out of the county treasury, in equal monthly installments, at the same time, in the same manner and out of the same fund that salaries of county officers are paid. The district attorney may also appoint a stenographer for service in his office, which office of stenographer to

the district attorney is hereby created, and said stenographer shall receive as compensation for all services performed as such the sum of six hundred dollars per annum, to be paid out of the county treasury, in equal monthly installments, at the same time, in the same manner and out of the same fund that salaries of county officers are paid.

9. The coroner, such fees as are now or may hereafter be allowed by law.

10. The public administrator, such fees as are now or may hereafter be allowed by law.

11. The superintendent of schools, one thousand six hundred dollars per annum and actual necessary traveling expenses when visiting schools of the county. The superintendent of schools may appoint a deputy superintendent of schools, which office of deputy superintendent of schools is hereby created, and said deputy superintendent of schools shall receive as compensation for all services performed as such the sum of nine hundred dollars per annum, to be paid out of the county treasury, in the same manner, at the same time and out of the same fund as salaries of county officers are paid.

12. The surveyor, one thousand dollars per annum, for all work performed for the county, and in addition thereto his actual necessary traveling expenses incurred in connection with field work, and also actual necessary expenses incurred in such field work, and actual necessary expenses and costs of supplies in preparing maps, tracings, plats and diagrams for the county assessor or other county officers, when directed by him or them to prepare the same. All of such expenses and costs shall be proper legal charges against the county and shall be allowed, audited and paid out of the county treasury, in the same manner that other county charges are allowed, audited and paid. All fees, commissions or other compensation allowed to the surveyor in other counties of other classes, except fees or charges for surveys made for private persons and not directed by the board of supervisors or county officers for county uses or purposes, shall be collected by the surveyor and by him paid into the county treasury, and no part thereof, except such fees or charges for such private surveys, shall be retained by him as a part of his compensation; *provided*, that this subdivision of this section shall not go into effect or be in force during the term of office of the present incumbent.

13. For the purpose of regulating the compensation of justices of the peace and constables, townships in counties of this class are hereby classified according to their population, as shown by the federal census of nineteen hundred and ten, as follows: Townships having a population of five thousand, or more, shall belong to and be known as townships of the first class; townships having a population of three thousand, and less than five thousand, shall belong to and be known as townships of the second class; townships having a population of one thousand, and less than three thousand, shall belong to and be known as townships of the third class, and townships having a population of less than one thousand shall belong to and be known as townships of the fourth class.

14. Justices of the peace shall receive the following salaries, which shall be paid monthly, out of the county treasury, in the same manner, at the same time and out of the same fund as salaries of county officers are paid, to wit:

1. In townships of the first class, one hundred dollars per month;

2. In townships of the second class, seventy dollars per month;

3. In townships of the third class, forty dollars per month.

4. In townships of the fourth class, twenty-five dollars per month.

In addition to the said monthly salaries herein provided for, each justice of the peace may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services rendered by him in civil actions or proceedings. Justices of the peace, in townships of the first class, shall be allowed their actual office rent and necessary incidental expenses, not to exceed the sum of twenty-five dollars for any one month.

15. Constables shall receive the following salaries, which shall be paid monthly, out of the county treasury, at the same time, in the same manner and out of the same fund that salaries of county officers are paid, and which shall be in full of all services rendered by them in criminal cases, to wit:

1. In townships of the first class, seventy-five dollars per month;

2. In townships of the second class, fifty-five dollars per month;

3. In townships of the third class, thirty dollars per month;

4. In townships of the fourth class, twenty dollars per month.

In addition to said monthly salaries each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services rendered by him in civil actions or proceedings, and shall also be allowed all necessary expenses actually incurred in arresting and pursuing criminals, and in conveying prisoners to court or to prison, which said actual necessary expense shall be allowed, audited and paid out of the county treasury, in the same manner other county charges are allowed, audited and paid.

16. Each member of the board of supervisors shall receive one thousand dollars per annum, payable in equal monthly installments, and which shall be in full for all services rendered as supervisor.

17. In counties of this class the fees of grand jurors and trial jurors, in the

superior court, in civil and criminal actions and in all special proceedings, shall be three dollars a day for each day's attendance, and mileage, to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, or in attending sessions of the grand jury, in going only. In criminal actions such fees and mileage of such trial jurors shall be paid by the treasurer, out of the general funds of the county, upon warrants drawn by the auditor, who shall draw such warrants upon the written order of the judge of the superior court in which such juror was in attendance, and the treasurer shall pay all such warrants."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 576—An Act to amend Section 4240 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title by striking out the figures "4240", after the word "section", and inserting in lieu thereof the figures "4244".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, insert "Section 1".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 1, strike out the figures "4240", and insert in lieu thereof the figures "4244".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 3, strike out the word and figures "Section 4240", and insert in lieu thereof the figures "4244". Also, on page 1, line 3, strike out the words "salaries and fees of officers of".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 8, strike out the words after the word "annum", to and including the period in line 16, and insert in lieu thereof the following: "*provided*, that in counties of this class there shall be, and there hereby is allowed to the county clerk, the following clerks, deputies and employees who shall be appointed by the county clerk and shall be paid salaries as follows: two deputies at a salary of one hundred twenty-five dollars per month each; one deputy at a salary of seventy-five dollars per month, and one stenographer and one copyist at a salary of sixty dollars per month each."

Amendment adopted.

AMENDMENT No. 6.

On page 2, Subdivision 4, line 14, strike out the period, insert a comma, and add the following: "and there is hereby allowed to the auditor two deputies who shall be appointed by the auditor, one who shall be paid ten hundred eighty dollars per annum, and one who shall be paid sixty dollars per month, from August fifteenth to October fifteenth, inclusive, of each year; *and it is hereby further provided*, that if the board of supervisors in any year shall act, order or direct the auditor to prepare and compile its annual statistical report, and on so performing such services and in that event, be allowed the further sum of three hundred dollars payable upon the completion and acceptance of said report".

Amendment adopted.

AMENDMENT No. 7.

On page 2, Subdivision 6, line 18, strike out the period and insert in lieu thereof a semicolon, and add the following: "and there shall be and there hereby is allowed to the tax collector, one deputy who shall be appointed by the tax collector and shall receive a salary of one hundred dollars per month."

Amendment adopted.

AMENDMENT No. 8.

On page 2, Subdivision 8, line 21, strike out the words "five hundred"; also, strike out the period after the word "annum", in line 22, Subdivision 8, and insert in lieu thereof a semicolon; also, on page 2, line 22, Subdivision 8, strike out that portion beginning with the word "He", down to and including the period in line 25, and insert in lieu thereof the following: "*provided*, that in counties of this class there shall be, and there hereby is allowed to the assessor the following deputies, clerks and assistants to be appointed by said assessor, which positions are hereby created and the salaries of which are hereby fixed as follows: one chief deputy assessor, eighteen hundred dollars per annum; one office deputy assessor, seven hundred twenty dollars per annum; eight field deputy assessors for not exceeding four months in every one year, one hundred twenty-five dollars each per month; four field deputy assessors for not exceeding three months in every one year, one hundred twenty-five dollars per month; three copyists for not exceeding three months in any one year, eighty dollars per month; and such additional assistants as the assessor may require, and whose compensation shall not, in the aggregate, exceed the sum of fifteen hundred dollars per annum, said additional assistants to be paid for their services on the presentation and filing with the board of supervisors of said county a duly verified claim or claims therefor. Said assessor may employ such assistants as may be necessary in making maps, plats and drawings essential for use in the assessor's office in the performance of his duty, and the expense thereof shall be a charge against the county; *it is hereby further provided*, that the said assessor shall retain no commission for the collection of personal property taxes, state poll taxes or road poll tax, but that all such claims shall be paid into the county treasury and become the property of the county."

Amendment adopted.

AMENDMENT No. 9.

On page 2, Subdivision 9, line 27, after the words "district attorney", insert the following: "while in receipt of said salary"; also, on page 2, Subdivision 9, line 33, strike out the words "one thousand", and insert in lieu thereof the words "eighteen hundred"; also, on page 2, Subdivision 4, line 33, strike out the period, insert a comma, and add the following: "and one stenographer who shall receive a salary of four hundred dollars per annum."

Amendment adopted.

AMENDMENT No. 10.

On page 3, Subdivision 12, line 1, after the words "two thousand", add the words "five hundred".

Amendment adopted.

AMENDMENT No. 11.

On page 3, Subdivision 12, line 5, strike out the words "seven hundred fifty", and insert in lieu thereof the words "nine hundred".

Also: On page 3, Subdivision 14, line 9, strike out the words "nine hundred", and insert in lieu thereof the words "twelve hundred".

Amendment adopted.

AMENDMENT No. 12.

On page 4, Subdivision 17, line 26, after the word "over", insert a comma.

Amendment adopted.

AMENDMENT No. 13.

On page 5, Subdivision 15, line 32, strike out the word "writ", and insert in lieu thereof the word "suit".

Amendment adopted.

AMENDMENT No. 14.

On page 6, Subdivision 18, line 33, strike out the word "eleventh", and insert in lieu thereof the word "fifteenth".

Amendment adopted.

AMENDMENT No. 15.

On page 7, Subdivision 19, line 9, strike out beginning with the word "The", all that portion down to and including the period in line 13, and insert in lieu thereof the following: "The fees of jurors in justices' courts in civil and criminal cases, shall be two dollars in lawful money of the United States for each day's attendance and mileage to be computed at the rate of fifteen cents per mile for each

mile necessarily traveled in attending court, in going only; on criminal cases such fees and mileage of said trial jurors in the justices' courts shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said jury was in attendance, and the treasurer of said county shall pay said warrants. The board of supervisors of said county is hereby directed to make suitable appropriations for the payments of the fees herein provided for."

Amendment adopted.

AMENDMENT No. 16.

On page 3, line 25, strike out the word "fifty" and insert in lieu thereof the words "one hundred and twenty-five".

Amendment adopted.

AMENDMENT No. 17.

On page 3, line 28, strike out the word "thirty" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT No. 18.

On page 3, lines 31 and 32, strike out the words "in addition to the salaries above provided for receive and", and in line 32, page 3, strike out the words "for their own use and benefit".

Amendment adopted.

AMENDMENT No. 19.

On page 3, line 34, after the figure "1" strike out all words in line 34.

Also: On page 3, line 35, strike out the small letter in the word "for" and insert in lieu thereof the capital letter "F" in the word "for".

Amendment adopted.

AMENDMENT No. 20.

On page 4, between lines 24 and 25, insert a new paragraph as follows: "All such fees collected by such justice before January 4, 1915, shall be retained by him as an addition to his salary; and all collected on or after said date shall be paid into the general fund of the county treasury."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 10, after the word "of", strike out "\$1020" and insert in lieu thereof "\$1200."

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out lines 14, 15, 16, 17, 18 and 19 and insert in lieu thereof the following: "2. The sheriff, five thousand dollars per annum, and such mileage as is allowed by law for services of all papers wherever issued by any court outside this county and all mileage for service of paper in civil cases in his own county and actual expenses incurred in criminal cases."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 1, after the word "recorder", strike out "\$1500" and insert in lieu thereof "\$2100".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 1, after the word "annum", strike out the words "*Provided, that such*".

Amendment adopted.

AMENDMENT No. 5.

On page 2, strike out lines 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, and insert in lieu thereof the following: "*provided, further, that in counties of this class there shall be and is hereby allowed to the recorder, one deputy recorder who shall be appointed by the recorder and shall be paid a sum of \$100 per month; also, an additional deputy recorder who shall be appointed by the recorder and who shall be paid a salary of \$75 per month, which said sum shall be paid by said county in equal monthly installments at the same time, in the same manner and out of the same fund as the salary of the recorder is paid.*"

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 21, after the words "deputy auditor", insert the following: "*which said office is hereby created.*"

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 27, after the words "tax collector", strike out "\$1,500", and insert in lieu thereof "\$1,800."

Amendment adopted.

AMENDMENT No. 8.

On page 3, strike out lines 2, 3, 4, 5, 6, 7, 8, and 9, and insert in lieu thereof the following: "*shall be appointed by the assessor and shall receive as compensation for all services performed by him the sum of \$100 per month; and provided, further, that the assessor may also appoint four additional deputies for a period of two months during each year, which officers of deputy assessors are hereby created, and such deputy assessors shall receive as compensation for all services as such deputy assessors the sum of \$4 per day each, for each day actually and necessarily employed as such said deputies, to be paid out of the county treasury in the same manner, at the same time and out of the same funds as the salaries of the other county officers are paid.*"

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 13, after the word "be", strike out "\$45", and insert in lieu thereof "\$60."

Amendment adopted.

AMENDMENT No. 10.

On page 4, line 11, after the word "districts", insert the following: "*which offices are hereby created.*"

Amendment adopted.

AMENDMENT No. 11.

On page 4, strike out lines 21, 22 and 23.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In the title, after the word "officers", strike out "of", and insert in lieu thereof the following: "*and fees and mileage of jurors in*".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3 of the printed bill, after the words "Section 1" strike out all of pages 1, 2, 3, 4, 5, and 6, and insert in lieu thereof the following:

"The county clerk, two thousand four hundred dollars per annum; *and provided*, that in each year in which a new and complete registration of voters is required by law, he shall receive the sum of ten cents for each elector registered, which amount shall be allowed by the board of supervisors at the close of registration preceding a general election, and paid from the general fund of the county; *provided, further*, that in counties of this class there shall be and is hereby allowed the county clerk a deputy county clerk, who shall be appointed by the county clerk and who shall be paid a salary of one hundred dollars per month; *and provided, further*, that there shall be and is hereby allowed to the county clerk an additional deputy county clerk, who shall be appointed by the county clerk and be paid a salary of seventy-five dollars per month, said salaries of said deputy county clerks to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county clerk is paid.

SEC. 2. The sheriff, five thousand dollars per annum, and necessary expenses for pursuing criminals or transacting any criminal business; *provided*, that in counties of this class there shall be and is hereby allowed the sheriff, one deputy, whose office is hereby created, who shall be a jailer, at a salary of twelve hundred dollars per year and who shall be appointed by the sheriff. The salary of said deputy herein provided for shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the sheriff is paid.

SEC. 3. The recorder, twenty-four hundred dollars per annum; *provided*, that in counties of this class there shall be and is hereby allowed to the recorder a copyist, who shall be appointed by the recorder, and be paid a salary of fifty dollars per month; *and provided, further*, that said recorder shall be allowed two additional copyists, who shall be appointed by the recorder and paid a salary of fifty dollars per month, which said salary paid to said copyists to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the recorder is paid.

SEC. 4. The auditor, twenty-four hundred dollars per annum; *provided*, that in counties of this class there shall be and is hereby allowed to the auditor one deputy, which office is hereby created, at a salary of six hundred dollars per annum, and who shall be appointed by the auditor. The salary of said deputy herein provided for shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the auditor is paid.

SEC. 5. The treasurer, twenty-four hundred dollars per annum

SEC. 6. The tax collector, two thousand dollars per annum; *provided*, that in counties of this class, there shall be and is hereby allowed to the tax collector a deputy tax collector to be appointed by said tax collector and to hold office during the months of October, November, December, March, April, May, June, July, August, and September of each year, who shall be paid a salary of fifty dollars per month, said salary to be paid in monthly installments during said months, at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid; *and provided, further*, that in counties of this class there shall be and there is hereby allowed to the tax collector an additional deputy tax collector, who shall be appointed by the tax collector and who shall hold office during the months of August, September, October and November of each year and who shall be paid a salary of fifty dollars per month, said salary to be paid in monthly installments at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid.

SEC. 7. The assessor, three thousand six hundred dollars per annum. The assessor shall also be allowed the following deputies, who shall be appointed by the assessor at such time or times as said assessor shall see fit, and shall be paid salaries as follows: said salaries of said deputies to be paid out of the same fund and in the same manner and at the same time as the salary of the assessor is paid, to wit: one chief deputy assessor at a salary of one hundred and fifty dollars per month; one deputy assessor at a salary of one hundred and ten dollars per month; one deputy assessor for the term of eight months at a salary of seventy-five dollars per month; four deputy assessors for a period of three months at a salary of one hundred and twenty-five dollars per month; six deputy assessors for a period of two months at a salary of one hundred and twenty-five dollars per month.

SEC. 8. The district attorney, the sum of twenty-four hundred dollars per annum; *provided*, that in counties of this class there shall be and is hereby allowed to the district attorney one stenographer, which office is hereby created, at a salary of seven hundred and twenty dollars per annum and who shall be appointed by the district attorney, the salary of said stenographer herein provided for shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid.

SEC. 9. The coroner, such fees as are now or may hereafter be allowed by law.

SEC. 10. The public administrator, such fees as are now or may hereafter be allowed by law.

SEC. 11. The superintendent of schools, two thousand dollars per annum; and shall also be allowed the compensation provided by law for services on the board of education, and shall be allowed his actual traveling expenses when visiting schools in his county; *and provided*, that in counties of this class there shall be and is hereby allowed to the superintendent of schools, a deputy superintendent of schools, to be appointed by the superintendent of schools and be paid a salary of one thousand dollars per year, payable in monthly installments at the same time and in the same manner and out of the same fund as the salary of the superintendent is paid.

SEC. 12. The surveyor, such fees as are now or may hereafter be allowed by law; *provided*, the surveyor shall annually revise the plats in the office of the assessor, for which he shall receive a sum not to exceed two hundred dollars in any one year.

SEC. 13. For the purpose of regulating the compensation of justices of the peace and constables, townships in counties of this class are hereby classified according to population, said population to be determined by the board of supervisors at the enactment of this Act and at the time of the formation of any new judicial township or townships, in the following manner: by appointing a suitable person in each township to take said census and said census shall be taken by the person so appointed of all the inhabitants of said township, the full name of each person shall be fully written, the names alphabetically arranged and numbered in one complete series and when completed shall be verified before any officer authorized to administer oaths, and to file the same with the county clerk and thereupon the same shall be the official census of said township. Townships having a population of thirty-five hundred or more shall belong to and be known as townships of the first class. Townships having a population of less than thirty-five hundred and more than two thousand shall belong to and be known as townships of the second class. Townships having a population of less than two thousand shall belong to and be known as townships of the third class. Justices of the peace shall receive the following salaries for all services rendered by them in criminal cases, payable monthly and in the same manner as county officers are paid. In townships of the first class, one hundred and fifty dollars per month. In townships of the second class, one hundred dollars per month. In townships of the third class, forty dollars per month.

SEC. 14. Constables in counties of this class shall receive the following salaries for all services rendered by them in criminal cases, payable monthly and in the same manner as county officers are paid. In townships of the first class, one hundred dollars per month. In townships of the second class, seventy-five dollars per month. In townships of the third class, forty dollars per month. Constables shall also receive for their own use and benefit, such fees as are now or may hereafter be allowed by law in civil cases. They shall also be allowed their actual expenses in conveying prisoners from place of arrest to court and in case of conviction, from the court to the county jail.

SEC. 15. Supervisors, each, the sum of six hundred dollars per annum for all services performed by them as supervisors and members of the board of equalization. Each supervisor shall receive mileage at the rate of ten cents per mile for each mile traveled in going to and from the meeting of the board. They shall act as road commissioners in their respective districts and shall receive for the services of such road commissioner, mileage at the rate of twenty-five cents per mile for all distances actually traveled by them in discharge of their duty as such road commissioner; *provided*, that such mileage as road commissioner shall not in any one year exceed the sum of six hundred dollars for any one of the road commissioners.

SEC. 16. In counties of this class the official reporter of the superior court shall receive such fees as are now or may hereafter be allowed by law.

SEC. 17. The purchasing agent employed by the supervisors, which office is hereby created, shall receive a salary of fifteen hundred dollars per annum, payable in equal monthly installments out of the general fund of the county; *and provided*, further, that said purchasing agent so employed by the board of supervisors shall be allowed the sum, not to exceed two hundred dollars in any one year, for traveling expenses.

SEC. 18. Juror fees shall be as follows: For attending as a grand juror or a trial juror in the superior court, for each day's attendance, three dollars per day; for each mile he travels in attending court as such juror, fifteen cents per mile, in going only."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2076—An Act relating to the use and furnishing stamps, coupons, tickets, certificates, cards or other similar devices for or with the sale of goods, wares and merchandise, and providing the penalty for the violation thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street, in the city of Chico, fronting the property belonging to the state normal school in that city.

During second reading of the bill, the following amendment was submitted by the committee:

Amend by adding a new section, to be as follows:

"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Amendment adopted.

Bill read second time.

Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 1, of printed bill, strike out the words "eighty-five", and substitute in lieu thereof the word "fifty".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1322—An Act to appropriate \$12,000 to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Bill read second time.

Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid to such employees.

Bill read second time.

Assembly Bill No. 388—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewage from the State Fair grounds, in the city of Sacramento.

Bill read second time.

Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Bill read second time.

Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act.

Bill read second time.

Assembly Bill No. 136—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 1, of printed bill, strike out the words and figures "ten thousand dollars (\$10,000.00)", and insert in lieu thereof the following: "thirteen thousand five hundred dollars (\$13,500.00)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1477—An Act to amend Sections 655, 678, 683 and 686 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Bill read second time.

Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno, and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 4 and 5, of printed bill, strike out everything after and inclusive of the word "Oakland", in line 4 down to and inclusive of the word "San Jose," in line 5, and substitute in lieu thereof the words "and Sacramento,".

Amendment adopted.

AMENDMENT No. 2.

On page 1, in the title of said bill, strike out everything after and inclusive of the word "Oakland", down to and inclusive of the word "San Jose," and substitute in lieu thereof the words "and Sacramento,".

Amendment adopted.

AMENDMENT No. 3.

On page 2, lines 31 and 32, of printed bill, strike out the words "twenty-five thousand", and substitute in lieu thereof the words "twelve thousand five hundred".

Amendment adopted.

AMENDMENT No. 4.

On page 2, lines 1 and 2, strike out all after and including the word "Oakland", and insert in lieu thereof the words "and Sacramento,".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1886—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Bill read second time.

Assembly Bill No. 1885—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Bill read second time.

Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol building.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 839, 1113, 2055, 1322, 1279, 388, 393, 392, 389, 1477, 1886, 1885, and 1323.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 839, 1113, 2055, 1322, 1279, 388, 393, 392, 389, 1477, 1886, 1885, and 1323 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 839, 1113, 2055, 1322, 1279, 388, 393, 392, 389, 1477, 1886, 1885, and 1323, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 232.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 232 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 232, and do now report the same back, without recommendation.

YOUNG, Chairman.

Bill ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 524, 529, 1235, 391, 530 and 136.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 524, 529, 1235, 391, 530 and 136 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 524, 529, 1235, 391, 530, and 136, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Also: Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1374?"

Insert after the word "the", in line 11, page 1, of the printed bill, the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1374 was concurred in by the following vote:

AYES—MESSRS. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Green, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McCarthy, Mouser, Murray, Palmer, Polsley, Roberts, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1267?"

On page 6, line 16, of the printed bill, after the period, strike out the rest of line 16, and all of lines 17, 18, 19 and 20.

The roll was called, and Senate amendment to Assembly Bill No. 1267 was concurred in by the following vote:

AYES—MESSRS. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons,

Farwell, Ferguson, Finnegan, Ford, Gates, Green, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McCarthy, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—41.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended: Assembly Bill No. 165—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628g, relating to shipping or transporting abalones out of the State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Also: Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-second fiscal year.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 165?"

Strike out of Section 1, lines 6 and 7, the words "or in cans holding more than one pint".

The roll was called, and Senate amendment to Assembly Bill No. 165 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Simpson, Tulloch, Weisel, White, Woodley, and Mr. Speaker—41.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 785?"

AMENDMENT No. 1.

On page 1, section 2, line 10, after the word "the" and before the word "current", insert the word "usual".

AMENDMENT No. 2.

Amend by striking out the word and figure "Sec. 2", on line 9, page 1, and insert in lieu thereof the word and figure "Sec. 3".

AMENDMENT No. 3.

Amend by inserting a new section, to be numbered "Sec. 2", to read as follows: "Sec. 2. The state controller is hereby authorized and directed to draw his warrant on the state treasury for the amount herein appropriated and the state treasurer is directed to pay the same."

The roll was called, and Senate amendments to Assembly Bill No. 785 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Finnegan, Fish, Ford, Gelder, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McCarthy, Moorhouse, Mouser, Murray, Polsley, Richardson, Simpson, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 195—An Act making an appropriation to pay the claim of the town of Suisun City against the State of California.

Also: Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Also: Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Also: Assembly Bill No. 1523—An Act to amend Section 1083 of the Political Code, relating to the qualifications of electors.

Also: Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer and defining its use and the liability therefor.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 195?"

AMENDMENT NO. 1.

Amend title by striking out all of line 2, after the word "appropriation", and all of lines 3, 4, 5 and 6, and inserting in lieu thereof the following: "to pay the claim of the town of Suisun City against the State of California."

AMENDMENT NO. 2.

On page 1, line 3, strike out all of the line after the word "the", and all of lines 4, 5 and 6, and insert in lieu thereof the following: "claim of the town of Suisun City against the State of California."

The roll was called, and Senate amendments to Assembly Bill No. 195 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Kingsley, McCarthy, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Shannon, Simpson, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—41.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 114?"

By striking out Section 2 thereof, and inserting in lieu thereof the following: "Sec. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

The roll was called, and Senate amendment to Assembly Bill No. 114 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, and Mr. Speaker—60.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 115?"

By striking out Section 2 thereof, and inserting in lieu thereof the following: "Sec. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

The roll was called, and Senate amendment to Assembly Bill No. 115 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—56.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1523?"

AMENDMENT No. 1.

On page 1, line 4, insert the word "native" immediately after the word "every", and before the word "citizen".

AMENDMENT No. 2.

On page 1, line 5, strike out the word "right", and insert in lieu thereof the word "rights".

AMENDMENT No. 3.

On page 1, line 6, strike out the word "Queretario", and insert in lieu thereof the word "Queretaro".

AMENDMENT No. 4.

On page 1, line 10, insert the words "or she" immediately after the word "he" at the end of said line.

AMENDMENT No. 5.

On page 1, line 11, insert the words "or her" immediately after the word "his", and before the word "vote".

The roll was called, and Senate amendments to Assembly Bill No. 1523 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Guiberson, Guill, Johnston, T. D., Judson, Kingsley, McCarthy, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 776?"

AMENDMENT No. 1.

On page 2, Section 2, line 4, strike out the word "the", and insert the word "usual".

AMENDMENT No. 2.

On page 2, line 3, strike out the word and figure "SEC. 2", and insert in lieu thereof the following: "SEC. 3."

AMENDMENT No. 3.

Add a new section, to be numbered Section 2, to read as follows:

"SEC. 2. The state controller is hereby authorized and directed to draw his warrant on the state treasury for the amount herein appropriated and the state treasurer is directed to pay the same."

The roll was called, and Senate amendments to Assembly Bill No. 776 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Gelder, Green, Griffin, Guill, Hayes, Johnson, Geo. H., Kingsley, Mc-

Carthy, Moorhouse, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Shannon, Simpson, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—41.
NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1140—An Act to amend Section 2900 of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depository or trustee or to engage in the business of banking.

Also: Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code, relating to the challenging of voters.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1140?"

AMENDMENT NO. 1.

On page 1, line 3, strike out the word "section".

AMENDMENT NO. 2.

On page 2, line 26, strike out the word "two", and insert the word "one".

AMENDMENT NO. 3.

On page 2, line 36, strike out the word "and".

AMENDMENT NO. 4.

On page 3, line 34, strike out the word "laws", and insert the word "law".

The roll was called, and Senate amendments to Assembly Bill No. 1140 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guiberson, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Murray, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Slater, Strine, Wall, Weldon, and Mr. Speaker—41.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1735?"

AMENDMENT NO. 1.

On page 1, line 4, strike out the word "precinct", and insert in lieu thereof the word "county".

AMENDMENT NO. 2.

On page 2, line 21, insert the word "consecutive" immediately after the word "any" and before the word "one".

AMENDMENT NO. 3.

On page 2, line 22, strike out the words "person challenging", and insert in lieu thereof the word "judges".

The roll was called, and Senate amendments to Assembly Bill No. 1735 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Gelder, Green, Guiberson, Guill, Hayes, Johnston, T. D., Kingsley, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Shannon, Simpson, Smith, Sutherland, Tulloch, Weisel, Weldon, White, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO. April 15, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess, or which may hereafter own or possess, tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters; to validate harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof; and to authorize and validate the filling in and improving of tidal lands between the mainland and harbor lines fixed by municipal or other authority.

Also: Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 849?"

AMENDMENT No. 1.

Amend the title of the printed bill as follows: In line 6 of the title strike out the words "waters, validating", and insert in lieu thereof the words "waters; to validate".

AMENDMENT No. 2.

Amend the title of the printed bill as follows: In line 13 of the title strike out the period (.) immediately after the word "thereof", insert in lieu thereof a semi-colon (;) and add the following: "and to authorize and validate the filling in and improving of tidal lands between the mainland and harbor lines fixed by municipal or other authority."

AMENDMENT No. 3.

Strike out all of Section 1, of the printed bill, to wit: all of lines 1 to 9, both inclusive, on page 1, and all of lines 1 to 5, inclusive, on page 2, and insert in lieu thereof the following:

"SECTION 1. Any municipal corporation that, by grant from the State of California, or otherwise, owns, holds or possesses, or may hereafter own, hold or possess tide lands and submerged lands, or the title to such lands, situated within the boundaries of such municipal corporation and fronting on the waters of any harbor, bay, inlet, estuary or other navigable water within the boundaries of such municipal corporation, is hereby granted power and authority, to be exercised by ordinance, to fix and establish harbor lines, both pierhead and bulkhead lines, in and for such harbor, bay, inlet, estuary or other navigable water and to change or abolish such harbor lines as the public interest or the needs of commerce and navigation may require. That the aforesaid power and authority is hereby granted and shall be exercised by any such municipal corporation to the same extent to which the State of California might itself exercise the same, or to which it can grant such power to any such municipal corporation; *provided*, that no such harbor lines shall be fixed or established beyond or outside of any harbor lines established by the United States."

AMENDMENT No. 4.

On page 2, line 16, of the printed bill, immediately after the comma following the word "validated", and immediately before the word "except", insert the following: "in so far as the same purport to fix or establish harbor lines, and".

AMENDMENT No. 5.

On page 3, of the printed bill, strike out all of lines 7 and 8, and insert in lieu thereof the following: "to establish, by ordinance, such public streets, highways and other public rights of way to such waters as are or may be required for any".

AMENDMENT No. 6.

On page 3, line 15, of the printed bill, strike out the word "establish".

AMENDMENT No. 7.

On page 3, of the printed bill, strike out all of line 17, and insert in lieu thereof the following: "of way; and to fill in or authorize to be filled in all or any part of tide lands and submerged lands lying between said streets and lying between the mainland and harbor lines established by said municipal or other authority; *provided*, that when any such lands are so filled in, sufficient streets shall be opened and maintained open through or adjacent to said lands so filled in to enable the public to have convenient and adequate access to and along the water front of such lands and to such navigable waters. That the power and authority hereby granted".

AMENDMENT No. 8.

On page 3, line 22, of the printed bill, strike out the words "the title to which is held by," and insert in lieu thereof the following: "that may hereafter be owned or possessed, or the title to which is now or may hereafter be held by".

The roll was called, and Senate amendment to Assembly Bill No. 849 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Gelder, Guiberson, Guill, Inman, Johnston, T. D., Judson, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Polesley, Roberts, Shannon, Simpson, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—41.
NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1314?"

AMENDMENT No. 1.

On page 1, at the end of the last line in the title, replace the period with a comma, and add the following: "also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose."

AMENDMENT No. 2.

On page 2, at the end of Section 2, add the following:

"Any city and county, or county or city operating under freeholders' charter or otherwise, or any town or any municipal corporation in the State of California, is hereby authorized and empowered to incur indebtedness for any of the purposes mentioned in this Act. Where an election has been held in accordance with the laws of the state in any such city and county, or county and city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California, and the necessary two thirds of all the qualified electors voting thereat shall have voted in favor of incurring an indebtedness for any of the purposes specified in this Act, all the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose are hereby legalized, ratified and declared valid to all intents and purposes, and the power to issue such bonds is hereby confirmed, and all bonds that may be sold, in accordance with the provisions of law for not less than their par value, are hereby declared to be legal and valid obligations of and against the city and county, or county or city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California so issuing them, and the faith and credit of such city and county, or county or city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California, is hereby pledged for the prompt payment and redemption of the principal and interest of such bonds, in accordance with the provisions thereof; *provided*, that this Act shall not operate to legalize any bonds which have been sold for less than their par value, or any bonds which have not, at the time this Act shall take effect, been authorized by not less than two thirds of the qualified electors of such city and county, or county or city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California voting at such election."

The roll was called, and Senate amendment to Assembly Bill No. 1314 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Ferguson,

Finnegan, Fish, Ford, Gabbert, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Sutherland, Tulloch, Weisel, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 1—Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of President and Vice President of the United States by a direct vote of the people.

Also: Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution, amending Article VI thereof, by inserting therein a new section, to be known as Section 4a, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act *pro tempore* as justices of said District Courts of Appeal, to hold such extra sessions thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered 650a, relating to exposure or threats of exposure of paroled or discharged prisoners.

Also: Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

Also: Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and presenting penalties for violation of this Act," approved April 21, 1911.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 101—An Act appropriating money for building barracks at the Veterans' Home in California.

Also: Senate Bill No. 102—An Act appropriating money for painting buildings at the Veterans' Home of California.

Also Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Also: Senate Bill No. 489—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Also: Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers, and prescribing a penalty for the violation of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1701—An Act to make an appropriation for improving, repairing and protecting the water supply system of the Preston School of Industry.

Also: Senate Bill No. 126—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Also: Senate Bill No. 128—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Also: Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Also: Senate Bill No. 104—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Also: Senate Bill No. 105—An Act appropriating money for building and equipping a tubercular ward at the Veterans' Home of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department at the Stockton State Hospital.

Also: Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Senate Bill No. 88—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Also: Senate Bill No. 89—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Senate Bill No. 90—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also: Senate Bill No. 91—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Senate Bill No. 92—An Act appropriating money for the purchase of bakery, kitchen and dining room equipment at Napa State Hospital.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

Also: Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Seannell" and "Dennis Sullivan" shall be borne and paid by the State of California out of the general fund.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 750—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 1410—An Act consolidating Reclamation District No. 742 and Reclamation District No. 900, and providing for their liquidation and payment of all outstanding indebtedness.

Also: Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Also: Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Also: Senate Bill No. 268—An Act appropriating five thousand five hundred dollars for the construction of septic tanks, and making such repairs, alterations and additions, as may be necessary, to the present sewer system at the Sonoma State Home, at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Also: Senate Bill No. 269—An Act appropriating twenty thousand dollars therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like or greater sum for the same purpose.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 93—An Act appropriating money for remodeling north pay cottage at Napa State Hospital.

Also: Senate Bill No. 94—An Act appropriating money for the construction and equipment of a laundry building at Napa State Hospital.

Also: Senate Bill No. 485—An Act appropriating money for the construction of a laundry building and the equipment of the same at Folsom State Prison.

Also: Senate Bill No. 486—An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison.

Also: Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1725—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol building and making an appropriation therefor.

Also: Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Also: Senate Bill No. 97—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital.

Also: Senate Bill No. 98—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Also: Senate Bill No. 99—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Also: Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies G and E at the Veterans' Home of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 15, 1913, adopted Senate Concurrent Resolution No. 8—Relative to the training and education of orphan children, and instructing the State Board of Education to investigate the training and education now received by orphan children and the feasibility of extending the public school system of the State to provide for their training and education, and to report thereon to the forty-first session of the Legislature of the State of California.

Also: Senate Joint Resolution No. 27—Relative to the purchase by the United States of the Tioga road.

Also: Senate Joint Resolution No. 30—Relative to memorializing the Congress of the United States to initiate proceedings therein for the preparation of and submission to the several states of an amendment to the Constitution of the United States placing women and men on an equality with respect to citizenship and the exercise of the elective franchise.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 101 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 102 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 335 read first time, and referred to Committee on County Government.

Senate Bill No. 489 read first time, and referred to Committee on County Government.

Senate Bill No. 297 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 1701 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 126 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 128 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 227 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 104 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 105 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 111 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 115 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 88 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 89 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 90 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 91 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 92 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1199 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 148 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 750 read first time, and referred to Committee on Ways and Means.

Committee Substitute for Senate Bill No. 1410 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 518 read first time, and referred to Committee on Hospitals and Asylums.

Senate Bill No. 197 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 200 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 268 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 269 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 449 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 93 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 94 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 485 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 486 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 186 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 192 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1725 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 95 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 97 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 98 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 99 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 100 read first time, and referred to Committee on Ways and Means.

Senate Concurrent Resolution No. 8 read first time, and referred to Committee on Education.

Senate Joint Resolution No. 27 read first time, and referred to Committee on Federal Relations.

Senate Joint Resolution No. 30 read first time, and referred to Committee on Federal Relations.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California amendment to the Constitution of the State of California, by amending Section 13 of Article XX, relating to elections.

During the reading of the constitutional amendment, Mr. Clark moved that the Speaker appoint a select committee of one to amend the amendment as follows:

Strike out all on page 1, after line 7, and insert in lieu thereof the following:

"SECTION 13. Where not otherwise directed in this constitution, a plurality of the votes given at any primary or other election shall constitute a choice, including nomination for and election to office; *provided*, that it may also be otherwise directed in charters framed under the authority of this Constitution for cities, counties or cities, and counties, and by the legislature in other cases, and provision may be made in such charters, and in other cases by the legislature, for either or both nomination for and election to office at a primary election of all or any portion of the candidates voted for at such primary election, and provision may also be so made for a preferential system of voting at any primary or other election."

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 19, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendment adopted.

Assembly Constitutional Amendment No. 19 ordered to reprint, re-engrossment, and on file for adoption.

Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining-room equipment at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 140 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Green, Guiberson, Johnson, Geo. H., Kingsley, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Shannon, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

Assembly Bill No. 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as Section 2697 and Section 2698, relating to the abandonment of highways.

On motion of Mr. Brown, reconsideration of the above Assembly bill was postponed until Friday, April 18, 1913.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375b, relating to the receptacles for gasoline and kerosene.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, White, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 146—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 146 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D.,

Johnstone, W. A., Kingsley, Libby, McCarthy, Morgenstern, Mouser, Murray, Polsley, Richardson, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Tulloch, Weisel, Weldon, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 172 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bohnett, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gelder, Green, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Shearer, Simpson, Strine, Sutherland, Tulloch, Weisel, Weldon, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 174—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 174 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Shannon, Shartel, Shearer, Strine, Sutherland, Tulloch, Weisel, White, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 178 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Libby, McCarthy, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Shartel, Shearer, Simpson, Strine, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 180 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Shartel, Shearer, Simpson, Strine, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 182 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gelder, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1879—An Act to amend Sections 626, 626*a*, 626*d* and 626*f* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1879 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Morgenstern, Mouser, Murray, Peairs, Roberts, Shannon, Shartel, Shearer, Simpson, Sutherland, Tulloch, White, Woodley, and Mr. Speaker—48.

NOES—Messrs. Slater and Weldon—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 141 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 143 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Morgenstern, Mouser, Palmer, Polsley, Roberts, Ryan, Shannon, Shartel, Simpson, Strine, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 144 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Dower, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Morgenstern, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, White, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 145 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock and thirty minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water, exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

Bill read third time.

SPECIAL ORDER RESET.

On motion of Mr. Bohnett, the consideration of Assembly Bill No. 642 was continued until one o'clock and thirty minutes p.m. of this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 332—An Act to amend Sections 344, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission—have had the same under consideration, and respectfully report the same back, with amendments, without recommendation, and that it be re-referred to Committee on Ways and Means.

GUILLE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 2069—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign-born resident of this State, and providing punishment therefor, and providing for disposition of such shotguns or rifles—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILLE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1430—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 635b, relating to the protection of fish and game.

Also: Assembly Bill No. 1434—An Act to amend Section 628d of the Penal Code of the State of California.

Also: Assembly Bill No. 1445—An Act to amend Section 626 of the Penal Code, relating to the protection of tree squirrels.

Also: Assembly Bill No. 1448—An Act to amend Section 633 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Also: Assembly Bill No. 1453—An Act to amend Section 637 of the Penal Code of the State of California, relating to the protection of fish.

Also: Assembly Bill No. 1454—An Act to amend Section 629 of the Penal Code of the State of California, relating to the protection of fish.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GUILLE, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1416—An Act to amend Section 626c of the Penal Code of the State of California, relating to the shooting of wild ducks.

Also: Assembly Bill No. 996—An Act to amend Section 1 of an Act entitled "An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands; to define the duties of the State Board of Fish Commissioners in relation to the control of such rights, and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches a misdemeanor," approved March 21, 1907.

Also: Assembly Bill No. 1439—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of fish and game.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GUILLE, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1428—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909.

Also: Assembly Bill No. 1451—An Act to amend Section 628a of the Penal Code of the State of California, relating to the protection and preservation of fish.

Also: Assembly Bill No. 1447—An Act to amend Section 633 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Also: Assembly Bill No. 1436—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634a, relating to the protection and preservation of fish.

Also: Assembly Bill No. 2036—An Act to add a new section to the Penal Code of the State of California, to be numbered 637g.

Also: Assembly Bill No. 201—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 636½, to prevent the use or possession of lompara nets and paranzella nets, and providing the penalty therefor.

Also: Assembly Bill No. 1438—An Act to amend Section 626*f* of the Penal Code, relating to the protection and preservation of male deer.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

GUILL, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 93—An Act to regulate the height of billboards or fences.

Also: Assembly Bill No. 564—An Act to amend the Code of Civil Procedure of the State of California by adding thereto a new section to be known as Section 581*b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

Also: Assembly Bill No. 662—An Act to add a new section to the Penal Code of the State of California, to be known as Section 532*4*, declaring the use of false statements for the purpose of obtaining property or credit to be a crime and prescribing the punishment therefor.

Also: Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

Also: Assembly Bill No. 1466—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 402*f*, providing that certain buildings shall be provided with fire escapes—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1487—An Act authorizing board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

Also: Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered 1314, and relating to the nomination of guardians by persons who may afterwards become insane or incompetent.

Also: Senate Bill No. 138—An Act to amend Sections 1763 and 1764 of the Code of Civil Procedure, in relation to the appointment of guardians of insane and incompetent persons.

Also: Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing crime for failure to comply with provisions of said Act.

Also: Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotelkeepers on property of guests for charges.

Also: Senate Bill No. 631—An Act to amend Section 817 of the Penal Code, relating to peace officers.

Also: Senate Bill No. 683—An Act to amend Section 271 of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Also: Senate Bill No. 687—An Act to amend Section 1183 of the Political Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

Also: Senate Bill No. 947—An Act to amend Section 3898 of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

Also: Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered Section 3a, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States or any foreign nation, to practice as a certified public accountant in the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1639—An Act making unlawful the sale or other disposition of alcoholic liquors within a certain distance of any United States, or state, military or naval reservation, with certain exceptions—have had the same under consideration, and respectfully report the same back, with amendments, and without recommendation as to passage.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 10—An Act to amend Section 261, of the Penal Code, relating to the crime of rape—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1937—An Act to amend Section 1115 of the Political Code, relating to affidavits of registration—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 623—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911, by amending Sections 6, 8, 9, 11, 13, 14 and 18 thereof, and by repealing Section 12 thereof and by adding a new section to said Act, which section

shall be numbered 12, relating to the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code.

Also: Assembly Bill No. 844—An Act to amend Section 2643 of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea—which was re-referred to us from the Committee on Fish and Game—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

CHANDLER, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred Assembly Concurrent Resolution No. 26—Relative to the payment of expenses incurred by the joint commission appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved that the concurrent resolution be taken up for immediate consideration.

Motion carried.

The roll was called, and Assembly Concurrent Resolution No. 26 adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guiberson, Guill, Johnston, T. D., Judson, Kingsley, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Shannon, Simpson, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—Mr. Hayes—1.

Assembly concurrent resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 26.

Relative to the payment of expenses incurred by the joint commission appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm.

WHEREAS, Pursuant to Assembly Concurrent Resolution No. 13, the following named members of the Senate and Assembly were authorized and empowered to make certain investigation relative to the feasibility of removing the Stockton State Hospital to the State Agricultural Farm in San Joaquin County, namely, Lieutenant Governor Wallace, chairman, W. C. Wall, member from Twentieth Assembly District, secretary, E. K. Strobridge, chairman of the Senate Committee on Finance, B. F. Rush, chairman of the Senate Committee on Hospitals and Asylums, A. Caminetti, member from Tenth Senatorial District, J. E. Cram, chairman of the Assembly Committee on Hospitals and Asylums, W. F. Chandler, chairman of the Assembly Committee on Ways and Means, T. D. Johnston, chairman of the Assembly Committee on State Grounds and Parks, and J. W. Stuckenbruck, member of the Nineteenth Assembly District; and

WHEREAS, By the terms of said resolution, the said members were to be allowed actual expenses necessarily incurred in the performance of their duties; and

WHEREAS, Said committee has submitted the following itemized statement of expenses with proper vouchers attached, through its secretary, W. C. Wall, one half to be charged against the Contingent Fund of the Assembly, and one half against the Contingent Fund of the Senate:

Retainer fee, as per claim—	
Judge E. I. Jones, Stockton, Cal.-----	\$25 00
Searching of record from 1852 to 1913—	
Miss M. C. Alley, Stockton, Cal.-----	25 00
Special stenographic work for commission—	
Miss Maud Alley, Stockton, Cal.-----	25 00
Western Union Telegraph Company—	
Telegrams as per attached bill-----	1 97
Transportation and hotel—	
J. E. Cram-----	15 00
B. F. Rush-----	10 00
J. W. Stuckenbruck-----	5 00
A. Caminetti-----	0 00
A. J. Wallace-----	0 00
E. K. Strobridge-----	0 00
W. F. Chandler-----	0 00
C. C. Young-----	0 00
T. D. Johnston-----	0 00
Automobile hire, stamps, stenographic work, etc.—	
W. C. Wall-----	10 00
Total -----	\$116 97

Resolved by the Assembly, the Senate concurring, That the Controller be and he is hereby authorized and directed to draw his warrant, one half upon the appropriation for the contingent expenses of the Assembly and one half upon the appropriation for the contingent expenses of the Senate, in favor of the said W. C. Wall, for the sum of one hundred and sixteen dollars and ninety-seven cents, and the State Treasurer is hereby directed to pay the same.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Weldon:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Sections 2521, 2522 and 2552 of the

Political Code of the State of California, relating to the Board of State Harbor Commissioners, and employees and their duties and salaries.

Referred to Committee on Introduction of Bills.

By Mr. Griffin:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to repeal an Act entitled "An Act to create the office of attorney for the State Board of Health and the board of health of the city and county of San Francisco," approved March 31, 1891.

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to repeal Section 2568½ of the Political Code of the State of California, relating to the employment of an attorney by the Board of Harbor Commissioners of the port of Eureka.

Referred to Committee on Introduction of Bills.

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

Referred to Committee on Introduction of Bills.

By Mr. Slater:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

RECESS.

At twelve o'clock and fifteen minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

RE-REFERENCE OF BILLS.

On motion of Mr. Bohnett, Senate Bills Nos. 111, 485, 486, 95, 94, 197, 97, 93, 100, and 102 were recalled from the Committee on Ways and Means and referred to Committee on Engrossment and Enrollment for comparison with Assembly Bills Nos. 190, 525, 528, 138, 139, 181, 147, 142, 134 and 133.

SPECIAL ORDER.

The hour of one o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

During the further consideration of Assembly Bill No. 642. Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 6, line 36, strike out subdivision (d).

Motion lost.

SPECIAL ORDER SET.

Mr. Johnstone moved that further consideration of Assembly Bill No. 642 be made a special order for Monday, April 21, 1913, at eleven o'clock a.m.

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Roberts, Ryan, Scott, Sharrel, Slater, Smith, Strine, Sutherland, Wall, Weisel, and Mr. Speaker—43.

NOES—Messrs. Alexander, Bagby, Beck, Bowman, Bradford, Brown, Clarke, Geo. A., Dower, Ferguson, Ford, Gelder, Griffin, Guiberson, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McCarthy, Murray, Nolan, Palmer, Polsley, Richardson, Shannon, Shearer, Simpson, Stuckenbruck, Tulloch, Weldon, and White—31.

SPECIAL ORDER RESET.

On motion of Mr. McDonald, the consideration of Assembly Bill No. 1108 was continued until Friday, April 18, 1913, at eleven o'clock a.m.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to amend Sections 2521, 2522 and 2552 of the Political Code of the State of California, relating to the Board of State Harbor Commissioners, and employees and their duties and salaries.

An Act to repeal an Act entitled "An Act to create the office of attorney for the State Board of Health and the Board of Health of the city and county of San Francisco," approved March 31, 1891.

An Act to repeal Section 2568½ of the Political Code of the State of California, relating to the employment of an attorney by the Board of Harbor Commissioners of the port of Eureka.

An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, McDonald, Morgenstern, Mouser, Nelson, Nolan, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Sharrel, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Slater: Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Johnson: Assembly Bill No. 2091—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

Bill read first time, and ordered on file without reference.

By Mr. Griffin: Assembly Bill No. 2092—An Act to repeal Section 2568½ of the Political Code of the State of California, relating to the employment of an attorney by the Board of Harbor Commissioners of the port of Eureka.

Bill read first time, and ordered on file without reference.

Also: Assembly Bill No. 2093—An Act to repeal an Act entitled "An Act to create the office of attorney for the State Board of Health and the Board of Health of the city and county of San Francisco," approved March 31, 1891.

Bill read first time, and ordered on file without reference.

By Mr. Weldon: Assembly Bill No. 2094—An Act to amend Sections 2521, 2522, and 2552 of the Political Code of the State of California, relating to the Board of State Harbor Commissioners, and employees and their duties and salaries.

Bill read first time, and ordered on file without reference.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motions to reconsider Senate Bills Nos. 1104 and 933 was postponed until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1009—An Act making an appropriation to defray the expense of legislative printing for the fortieth session of the Legislature of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1009 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnston, T. D., Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1011 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder,

Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McDonald, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1010 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Bradford moved that the Assembly take up Senate file for thirty minutes.

Motion carried.

THIRD READING OF SENATE BILLS.

Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

During third reading of the bill, Mr. Bradford moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 26, after the word "hundred", insert the word "dollars".

Motion carried.

The Speaker appointed Mr. Bradford as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 15, with instructions, do now report that the instructions of the Assembly have been carried out.

BRADFORD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 987 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kuck, Moorhouse, Mouser, Murray, Palmer, Ryan, Shannon, Shartel, Slater, Strine, Stuckenbruck, Tulloch, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1128—An Act to amend Section 4260 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1128 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Finnegan, Fish, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Moorhouse, Mouser, Murray, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 250—An Act providing for the construction and equipment of a class room and library building at the University Farm and Agricultural School at Davis and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Moorhouse, Mouser, Murray, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Weldon, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 311—An Act appropriating the sum of \$62,000 for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 311 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Moorhouse, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Slater, Strine, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 957—An Act authorizing and empowering the directors of the State Board of Agriculture to set aside a site and to grant to any person or persons the right and privilege to erect in the State Fair grounds at Agricultural Park in the city of Sacramento a building or other structure as a memorial, providing for the approval of the plans and specifications therefor and for the acceptance and maintenance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 957 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bradford, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gelder, Gaill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Moorhouse, Mouser, Murray, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 939—An Act to create a drainage district, to be called "Knight's Landing Ridge Drainage District"; to promote drainage therein by the making of a cut through Knight's Landing ridge and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessment and the issuance of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 939 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1114—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500"; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1114 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McCarthy, McDonald, Murray, Roberts, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Woodley, and Mr. Speaker—43.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILLS.

Mr. Murray asked for and was granted unanimous consent to withdraw Assembly Bills Nos. 1602 and 1258.

Bills withdrawn, and ordered stricken from the file.

SECOND READING OF SENATE BILLS.

Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 238—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, lines 19 and 20, strike out the words "required by section forty-four of this chapter".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to the valuation of stocks and bonds held by insurance companies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1036—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Sections 1, 2, 3, 5, 6, 7 and 8 thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 21—An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 521—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate school districts and to the annexation of additional territory thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 691—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 692—An Act confirming and validating the organization of school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 693—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers and providing for the proper distribution of such books.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 488—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1456—An Act to amend Section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Bill read second time, and ordered on file for third reading.

RESOLUTION.

The following resolution was offered:

By Mr. Ellis:

WHEREAS, A subcommittee of the Committee on Prisons and Reformatories, under a resolution adopted by the Assembly March 18, 1913, was instructed and empowered to inquire whether prisoners confined in San Quentin and Folsom state prisons are now or have been within the last two years subjected to cruel and unusual punishment, and especially to what extent the strait-jacket is being used at said prisons upon prisoners confined in said prisons, or in any of the reformatories or institutions of this State, for the purpose of discipline or punishment, and set aside the sum of two thousand dollars to defray the expense of such investigation; and

WHEREAS, Said subcommittee, in pursuance of said resolution, entered upon and has been conducting such investigation and has taken a large amount of testimony in connection with the subject matter of said resolution with respect to the state prison at San Quentin; and

WHEREAS, The said sum of two thousand dollars set aside from and out of the Contingent Expense Fund of the Assembly for the use of said committee, as aforesaid, is inadequate to defray the entire expense of said investigation in accordance with the terms of said resolution, and is now practically exhausted; now, therefore, be it

Resolved, That the sum of one thousand five hundred dollars, or such portion thereof as may be needed, be and the same is hereby set aside from and out of the Contingent Expense Fund of the Assembly for the use of said Committee on Prisons and Reformatories, in addition to said two thousand dollars, which said sum of one thousand five hundred dollars shall be used and expended in defraying the actual and necessary expense that may be incurred by said committee in said investigation, and the Controller is hereby directed to draw his warrant in payment of such expense by said committee, from time to time, in favor of W. H. Ellis, chairman of said Committee on State Prisons and Reformatories, and the State Treasurer is directed to pay the same.

Mr. Brown moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman,

Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Polesley, Richardson, Roberts, Ryan, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—47.

NOES—Messrs. Johnson, Geo. H., Palmer, and Shannon—3.

NOTICE OF MOTION TO RECONSIDER.

Mr. McDonald gave notice that on the next legislative day he would move a reconsideration of the vote whereby the above resolution was this day adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of text-books for use in the public schools of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STRINE, Acting Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1052—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to provide sheets of certain dimensions and individual towels for the guests of such hotel—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAGBY, Acting Chairman.

The above reported bill ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1913.

MR. SPEAKER: Your Committee on Building and Loan Associations, to whom was referred Assembly Joint Resolution No. 17—Relating to requesting the United States Congress to amend the Federal Bankruptcy Act so as to exclude building and loan associations from the provisions thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HAYES, Chairman.

The above reported resolution ordered on file for adoption.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and to erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the costs and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electrical current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain

in operation said Stockton State Hospital after such rebuilding—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CRAM, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 212—An Act providing for the registration, licensing, use, and operation of motor vehicles, and the registration of chauffeurs; for the disposition and use of funds derived from such licenses; creating the motor vehicle department in the office of Secretary of State, and making an appropriation for the purpose of this Act, and providing for the repeal of an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, and all amendments thereto.

Also: Assembly Bill No. 463—An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act and repealing an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, and all Acts or parts of Acts amendatory thereof.

Also: Assembly Bill No. 1153—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles for compensation; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other considerations for the purchase of supplies or parts for motor vehicles, or for work or repairs done thereon; to limit the power of local authorities to enact or maintain ordinances, rules or regulations upon the matters embraced within the provisions of this Act; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Have had the same under consideration, and respectfully report the same back, with the following substitute for Assembly Bill No. 1153:

An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere: to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act—and recommend that it do pass.

GABBERT, Chairman.

The above reported bills ordered on file for second reading.

RESOLUTIONS.

The following resolutions were offered:

By. Mr. Palmer:

WHEREAS, Assemblyman J. W. Stuckenbruck, minority leader of the Assembly, has received the sad news of the death of his beloved sister; therefore, be it

Resolved, That this Assembly extend to Mr. Stuckenbruck its sincere sympathy in this his hour of grief.

Resolution read, and on motion unanimously adopted.

By Mr. Gelder:

WHEREAS, Almighty God in His infinite wisdom has seen fit to take from the rolls of the living the mother of Honorable George Fitzgerald, a member of this House; and

WHEREAS, We deeply appreciate a loss so great to our honorable colleague; now, therefore, be it

Resolved, That we, the members of this House, extend to the Honorable George Fitzgerald our heartfelt sympathy and condolence in this his hour of bereavement and sadness; and be it further

Resolved, That while we appreciate that words cannot beguile our honorable colleague from the anguish which we feel is his, still we know that he is left with the cherished thought that for her there is no more sorrow, no more pain, and no more suffering; and be it further

Resolved, That as a further mark of respect and expression of deep sorrow that when the House adjourns this day it does so out of sympathy and respect to our fellow member; and be it further

Resolved, That the Chief Clerk be, and he is hereby, authorized to have the foregoing resolutions suitably engrossed and delivered to our honorable colleague.

Resolution read, and on motion unanimously adopted.

MOTION.

Mr. Bohnett moved that when the Assembly adjourn this day it do so out of sympathy for, and respect to, our fellow members, Hon. J. W. Stuckenbruck and Hon. George Fitzgerald.

Motion unanimously carried.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Murray, Mr. and Mrs. J. Gregory were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Palmer, Mr. A. M. Akins was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. A. W. Marx was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Strine, Mr. Z. Greene was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Mrs. Will Billson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Miss Agnes Stoddart was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. S. A. Guiberson, Jr., was granted the privilege of the floor of the Assembly for this day.

RECESS.

At five o'clock and forty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Young in the chair.

RULE SUSPENDED.

Mr. Green moved that Rule 69 be suspended.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 188 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Cram, Dower, Ellis, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Kingsley, McDonald, Mouser, Nelson, Polsley, Roberts, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 225—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 225 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Ellis, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, McCarthy, McDonald, Mouser, Nelson, Polsley, Richardson, Roberts, Shartel, Slater, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 527—An Act appropriating money for general repairs and improvements at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 527 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Ferguson, Finnegan, Ford, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Mouser, Nelson, Polsley, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 179 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Collins, Ellis, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone,

W. A. Kingsley, McCarthy, Mouser, Nelson, Polsley, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—41.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 116—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 116 passed by the following vote:

AYES—Messrs. Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Mouser, Polsley, Richardson, Ryan, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 91 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Morgenstern, Mouser, Murray, Polsley, Richardson, Ryan, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 24 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Murray, Polsley, Richardson, Ryan, Shannon, Shartel, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 523—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 523 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Murray, Polsley, Richardson, Ryan, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 522—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 522 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Murray, Polsley, Richardson, Ryan, Scott, Shannon, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 521 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, McCarthy, Murray, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Slater, Stuckenbruck, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 520—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 520 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, McCarthy, Murray, Polsley, Richardson, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 519 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Murray, Polsley, Richardson, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 518—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 518 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Murray, Polsley, Richardson, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 517—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 517 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Murray, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 407—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 407 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Murray, Polsley, Richardson, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 406—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 406 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Murray, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 303 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Murray, Roberts, Ryan, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 301—An Act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 301 passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnson, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Murray, Richardson, Roberts, Ryan, Schmitt, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 299—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 299 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Murray, Richardson, Roberts, Ryan, Schmitt, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 135 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Murray, Richardson, Roberts, Ryan, Scott, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 132 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Murray, Richardson, Roberts, Ryan, Schmitt, Shartel, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 131 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., John-

stone, W. A., Kingsley, Kuck, McCarthy, Murray, Nolan, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1922 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Murray, Nelson, Nolan, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1755 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Murray, Nelson, Nolan, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM IN THE CHAIR.

At nine o'clock and twenty minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1813 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Gabbert,

Gelder, Green, Hayes, Johnson, Geo. H., Johnstone, W. A., Kingsley, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At nine o'clock and fifty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolutions:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of the Globe Express Company for the sum of five and 15/100 (\$5.15) dollars, said amount to pay for expressage on printed matter sent out to various sections of California, as per itemized bill attached, and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Morgenstern, Mouser, Polsley, Ryan, Shannon, Shartel, Slater, Stuckenbruck, Wall, Weldon, White, Woodley, and Mr. Speaker—41.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of the Globe Express Company for the sum of twelve dollars and thirty cents (\$12.30), said amount being one half of the expense of expressing Blue Books to various places as per itemized bill attached; and the State Treasurer is hereby directed to pay the same—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Morgenstern, Mouser, Polsley, Richardson, Ryan, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—42.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for the sum of eighty-two (\$82.00) dollars, said amount to pay for eighty-two copies of "Pending Legislation, 1913", as per itemized bill attached, and the State Treasurer is hereby authorized to pay the same—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Collins, Ellis, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Morgenstern, Mouser, Polsley, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

Assembly Bill No. 85—An Act defining commission merchants, providing for a license for the conduct of the business of commission merchants and the procedure for obtaining the same, also providing regulations for the conduct of the said business and for penalties for violations of this Act.

Assembly Bill No. 156—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Assembly Bill No. 420—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stables or tent tops and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Assembly Bill No. 804—An Act to add a new section to the Code of Civil Procedure, the said section to be designated 1170a, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and

compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act," approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof and by adding three new sections, to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering and making certain acts a misdemeanor.

Assembly Bill No. 1022—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903, and as amended by an Act approved March 24, 1911.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as Section 1202a, relating to indeterminate sentences.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

And report that the same have been correctly re-engrossed.

COLLINS, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Assembly Bill No. 288—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Assembly Bill No. 388—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewerage from the State Fair grounds in the city of Sacramento.

Assembly Bill No. 436—An Act to amend Section 1665 of the Political Code of the State of California, relating to the list of subjects to be taught in the elementary day and evening schools.

Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom, and for construction of a wall around said prison.

Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Assembly Bill No. 832—An Act making an appropriation to pay the claims of the California Highway Construction Company against the State of California.

Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8, 8a, and 8b of, and to add two new sections to be known as Sections 8c and 8d, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act.

Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

Assembly Bill No. 1025—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disbursements from said fund; and making an appropriation to carry out the purposes of this Act.

Assembly Bill No. 1065—An Act to amend Section 476a of the Penal Code of the State of California, relating to the making, drawing, uttering, or delivering of bank checks with intent to defraud.

Assembly Bill No. 1113—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies, and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

Assembly Bill No. 1172—An Act to amend Section 148 of the Penal Code, relating to the prosecution and punishment of the offense of resisting and obstructing a public officer in the discharge of his duty.

Assembly Bill No. 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

Assembly Bill No. 1187—An Act to amend Section 472 of the Political Code of the State of California, relating to the duties and salaries of the assistants to the Attorney General, and providing for additional deputies.

Assembly Bill No. 1192—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 892, 974 and 1135 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 849a, 850b, 858b and 872a thereof, relating to proceedings in justices' courts.

Assembly Bill No. 1196—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing Section 64 thereof, and inserting a new section relating to joint use of irrigation works.

Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid to such employees.

Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquids and drugs and making an appropriation therefor," by adding a new section thereto, to be known as Section 27.

Assembly Bill No. 1322—An Act to appropriate twelve thousand dollars, to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol building.

Assembly Bill No. 1338—An Act to amend Section 204 of the Code of Civil Procedure of the State of California, relating to the selection of jurors for courts of record.

Assembly Bill No. 1476—An Act to amend Section 6 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California," approved March 20, 1905.

Assembly Bill No. 1574—An Act to amend the Code of Civil Procedure of the State of California by adding thereto a new section, to be numbered Section 1218a, providing for a jury trial in certain cases of contempt.

Assembly Bill No. 1695—An Act to authorize the appointment of a commission and to empower it to sell and convey all or any part of the lands and buildings of the Whittier State School; to change the name of the Whittier State School to "California Trades School"; to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school.

Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

Assembly Bill No. 1790—An Act consolidating Reclamation District No. 742 and Reclamation District No. 900, and providing for their liquidation and payment of all outstanding indebtedness.

Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing the method whereby electors or political parties may express their choice at such primary elections for United States Senator, and providing a method for choosing the delegates for political parties to state conventions and for nominating the delegates of political parties to national conventions, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Assembly Bill No. 1849—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Assembly Bill No. 1885—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Assembly Bill No. 1886—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for the expense of the payment of such bonds and the interest thereon outside of the State.

Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting", in municipal elections.

Assembly Bill No. 1934—An Act to amend Section 1104 of the Political Code, relating to the registration of voters.

Assembly Bill No. 1935—An Act to amend Section 1105 of the Political Code, relating to the cancellation of registrations.

Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Assembly Bill No. 2054—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as an Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Assembly Bill No. 2067—An Act providing how workingmen may pay fines imposed for delinquencies at the rate of not less than two dollars a week.

Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries by adding a provision thereto relating to employers and employees.

Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Assembly Bill No. 2084—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use thereof.

Also: Assembly Concurrent Resolution No. 26—Relative to the payment of expenses incurred by the joint commission appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bills Nos. 93, 94, 95, 97, 100, 102, 111, 197, 485 and 486—have had the same under consideration, and respectfully report that Senate Bill No. 93 is identical with Assembly Bill No. 142, Senate Bill No. 94 is identical with Assembly Bill No. 139, Senate Bill No. 95 is identical with Assembly Bill No. 138, Senate Bill

No. 97 is identical with Assembly Bill No. 147, Senate Bill No. 100 is identical with Assembly Bill No. 134, Senate Bill No. 102 is identical with Assembly Bill No. 133, Senate Bill No. 111 is identical with Assembly Bill No. 190, Senate Bill No. 197 is identical with Assembly Bill No. 181, Senate Bill No. 485 is identical with Assembly Bill No. 525, Senate Bill No. 486 is identical with Assembly Bill No. 528.

COLLINS, Acting Chairman.

Senate Bills Nos. 93, 94, 95, 97, 100, 102, 111, 197, 485 and 486 ordered on file without reference.

Assembly Bills Nos. 142, 139, 138, 147, 134, 133, 190, 181, 525 and 528 ordered withdrawn, and stricken from the file.

INTRODUCTION OF ASSEMBLY CONSTITUTIONAL AMENDMENT.

The following Assembly constitutional amendment was introduced, and referred as indicated:

By Mr. Clarke: Assembly Constitutional Amendment No. 89—Amending the Constitution of the State of California, relating to county revenue.

Read, and referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At ten o'clock p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.
Friday, April 18, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgestern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—78.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Ferguson, Mr. Fitzgerald was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

BERKELEY, CAL., April 15, 1913.

WHEREAS, The Governor has signed the Grant-Bohnett injunction and abatement bill for the suppression of houses of prostitution; and

WHEREAS, It is rumored that the opponents of the measure propose to invoke the referendum and call for a popular vote; therefore

Resolved, That we request the Social Service Committee to proceed at once to organize the Baptist churches and pastors of the convention for an aggressive and persistent campaign in favor of the law, in the event that the referendum prevails.

Resolved, That this committee record its approval of the action of the Senate and Assembly in passing the Grant-Bohnett bill, and of his Excellency the Governor in signing the bill, and that the corresponding secretary be directed to transmit to the Governor, the President of the Senate and the Speaker of the House a copy of these resolutions.

C. W. BRINSTAD, Corresponding Secretary.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 377—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any unnavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909—and respectfully requests your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 377?"

Insert, before the word "innavigable", in line 2, page 4, of the printed bill, the words "channels of the".

The roll was called, and Senate amendment to Assembly Bill No. 377 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Griffin, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Mouser, Nelson, Palmer, Polsley, Richardson, Ryan, Schmitt, Shartel, Slater, Strine, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Concurrent Resolution No. 19—A resolution

relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment—and respectfully requests your honorable body to concur in said amendment.

• W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 19?"

On motion of Mr. Bohnett, the question was continued until eleven o'clock a.m. of Tuesday, April 22, 1913.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1009—An Act making an appropriation to defray the expense of legislative printing for the fortieth session of the Legislature of the State of California.

Also: Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Also: Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Joint Resolution No. 18 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 52—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 52 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 16, 1913, passed Senate Bill No. 1202—An Act to repeal Section 669 of the Penal Code of the State of California, relating to "second term of imprisonment, when to commence."

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 14, 1913, passed Senate Bill No. 812—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 16, 1913, adopted Senate Constitutional Amendment No. 34—A resolution to

propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions on the power of counties, cities and other subdivisions of the State to incur indebtedness.

Also: Senate Joint Resolution No. 34—Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the state to which it is consigned through the parcel post.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1202 read first time, and referred to Committee on Judiciary.

Senate Bill No. 812 read first time, and referred to Committee on Education.

Senate Constitutional Amendment No. 34 read, and referred to Committee on Constitutional Amendments.

Senate Joint Resolution No. 34 read, and referred to Committee on Federal Relations.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Ellis:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning, in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma, in Imperial County.

Referred to Committee on Introduction of Bills.

By Mr. Bloodgood:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Mallibu county road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1937—An Act to amend Section 1115 of the Political Code, relating to affidavits of registrations.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

On page 1, line 3, strike out the word "Section".

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 8, strike out the words "if a female".

Amendment adopted.

AMENDMENT NO. 3.

On page 1, line 9, strike out the words "the proper designation of Mrs. or Miss".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 14, after the word "exceeding", insert the word "fifty".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 16, immediately after the period, insert "The county clerk shall furnish upon written or oral demand to every candidate, who is to be voted for in said county, city, or city and county or any political subdivision of said county, city, or city and county, an index of the registration, for such primary and general elections in which said candidate will participate, at a cost of ten cents per thousand names. All such moneys collected shall be deposited in the county treasury, to the credit of the general fund."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2069—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign born resident of this state and providing punishment therefor, and providing for disposition of such shotguns or rifles.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1430—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 635*b*, relating to the protection of fish and game.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1434—An Act to amend Section 628*d* of the Penal Code of the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1445—An Act to amend Section 626*g* of the Penal Code, relating to the protection of tree squirrels.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, add a new paragraph to read as follows:

"*Provided*, that none of the provisions of the section shall in any manner apply to the county of Mendocino in said State."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1448—An Act to amend Section 626*e* of the Penal Code of the State of California, relating to the protection and preservation of game.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1453—An Act to amend Section 637 of the Penal Code of the State of California, relating to the protection of fish.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1454—An Act to amend Section 629 of the Penal Code of the State of California, relating to the protection of fish.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1416—An Act to amend Section 626*o* of the Penal Code of the State of California, relating to the shooting of wild ducks.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 13, strike out the words "or within two hundred yards of".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 996—An Act to amend Section 1 of an Act entitled "An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands; to define the duties of the State Board of Fish Commissioners in relation to the control of such rights, and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches, a misdemeanor," approved March 21, 1907.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 6, strike out the words "one year", and insert in lieu thereof the words "ten years".

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 6 and 7, strike out the words "nor more than five years".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 32, strike out the comma after the word "ocean", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 32, strike out all the rest of the line after the word "ocean".

Amendment adopted.

AMENDMENT No. 5.

On page 2, strike out all of line 33.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1439—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of fish and game.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out everything after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section six hundred and thirty-seven a of the Penal Code of the State of California is hereby amended to read as follows:

637a. Every person in the State of California who shall at any time kill or catch, or have in his possession, living or dead, any wild bird other than a game bird, or who shall purchase, offer or expose for sale, transport or ship within or out of the state any such wild bird after it has been killed or caught except as permitted by this Act, shall be guilty of a misdemeanor. No part of the plumage, skin or body of any bird shall be sold or had in possession, irrespective of whether said bird was captured or killed within or without the state. For the purposes of this Act the following only shall be considered game birds: The *Anatida* (commonly known as geese, brant, and river and sea ducks) except the wood duck and wild swan; the *Gallina* (commonly known as grouse, prairie chickens, pheasants, partridges and quail); of the *Columbida* the mourning dove alone; and the *Limicola* (commonly known as shore-birds); the Wilson snipe (also known as the jacksnipe and English snipe) alone. All other species of wild birds, either resident or migratory, shall be considered non-game birds; *provided*, that the English or European house sparrow, the great horned owl, sharp-shinned hawk, Cooper hawk, duck hawk,

butcher bird, California jay, and house finch, commonly known as California linnet, are not included among the birds protected by this Act; *provided, further*, that nothing in this section shall prohibit the killing of a raven, crow, or magpie committing depredation in the poultry yard or upon like stock or crops, or the killing of any fruit-eating or grain-eating bird by the owner or tenant of any premises where such bird is found destroying berries, fruit, or crops growing on such premises, but the bird so killed, shall not be shipped, nor sold, nor used for food; *and provided, further*, that it shall be lawful for the California fish and game commission and the United States bureau of fisheries to kill any birds committing depredations in and upon hatchery ponds; and nothing in this Act shall prevent a citizen of California from taking or keeping any wild non-game birds as domestic pets if such birds shall not be sold or offered for sale, or transported out of the state, a permit to keep the same having first been obtained from the California fish and game commission.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1428—An Act to amend an Act entitled “An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration,” approved March 22, 1909.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out everything after the enacting clause, and insert in lieu thereof the following:

“An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration,” approved March 22, 1909, is hereby amended to read as follows:

SECTION 1. Every person who, in the State of California, hunts, pursues, takes or kills, any of the wild birds or animals, excepting predatory birds or animals, without first procuring a license therefor, as provided in this Act is guilty of misdemeanor.

SEC. 2. Licenses granting the privilege to hunt, pursue, take, or kill wild birds or animals shall be issued and delivered upon application, by the county clerk of any of the counties of this state, or by the board of fish and game commissioners, which board shall prepare suitable licenses of convenient form and size, and have printed or stamped thereon, the words: “Hunting license No. _____, State of California, expires December 31, 19____,” with the registration number, and appropriate year printed or stamped thereon, which said license shall be prepared and furnished to the county clerks, and for their own disposition, by the state board of fish and game commissioners, which board shall take receipt therefor by number and quantity, from the several county clerks, and the county clerks shall be responsible therefor and shall account for the same to the controller of the state every three months, beginning with January first of each year. For each license sold, registered and accounted for by any person, excepting by a fish and game commissioner, he shall be allowed as compensation, and for his own use, out of the fish and game preservation fund, ten per cent of the amount accounted for.

SEC. 3. Licenses herein provided for shall be issued as follows:

First—To any citizen of the United States over the age of fifteen years who has been a resident of the State of California for a period of one year, upon the payment of one dollar.

Second—To any citizen of the United States over the age of fifteen years who has not been a resident of the State of California for a period of one year, upon the payment of ten dollars.

Third—To any person not a citizen of the United States, over the age of fifteen years, who has resided in the state less than thirty (30) days, upon the payment of twenty-five dollars.

Fourth—To any person under the age of fifteen years, upon the payment of twenty-five cents.

Fifth—No license shall be issued to any person not a citizen of the United States, over the age of fifteen years, who has resided within the state more than thirty (30) days.

SEC. 4. Every person applying for and procuring a license as herein provided, shall furnish to the county clerk and state board of fish and game commissioners, his name and resident address, which information shall be by the clerk or board entered in a book kept for that purpose, and provided by the state board of fish and game commissioners, together with a statement of the date of issuance and the number of the license issued to such person. Such applicant shall also furnish

to the county clerk or fish and game commissioner a correct written description of himself, by age, height, nationality, and color of eyes and hair.

SEC. 5. All licenses issued as herein provided shall be valid, and shall authorize the person to whom issued to hunt, pursue, and kill wild birds and animals, excepting predatory birds and animals, on and from the first day of January of the year in which such license is issued, until the date of expiration written or stamped thereon, but no licenses shall continue in force for a period longer than one year, nor shall any license be issued to any person unless the holder thereof shall agree to exhibit any wild birds or animals in his possession to any regularly appointed deputy fish and game commissioner or any peace officer upon demand, said agreement to be contained in said license.

SEC. 6. Not more than one license shall be issued to any one person for the same license year, except upon an affidavit by the applicant that the one previously issued has been lost or destroyed, and no license issued as herein provided shall be transferable or used by any other person than the one to whom it was issued.

SEC. 7. Every person having a license as provided herein who while hunting refuses to exhibit such license or any game birds or animals that may be in his possession upon demand of any officer authorized to enforce the game and fish laws of this state, or any peace officer of the state, shall be guilty of a misdemeanor.

SEC. 8. Every person making any false representation for the purpose of obtaining a license as prescribed in this Act, and every person violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail for a term of not less than ten days nor more than one hundred days, or by both such fine and imprisonment, and shall forfeit such hunting license as may have been issued to him, and no new license shall be issued to him for the remainder of the license year.

SEC. 9. All moneys collected from the sale of licenses as provided in this Act, and all fines and forfeitures imposed and collected for the violation of any of the provisions thereof, shall be paid into the state treasury and credited to the fish and game preservation fund.

SEC. 10. All hunting licenses purchased prior to the going into effect of this Act shall be valid and shall authorize lawful hunting until June 30, 1914.

SEC. 11. This Act shall be in force and effect after January 1, 1914.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1451—An Act to amend Section 628a of the Penal Code of the State of California, relating to the protection and preservation of fish.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "or".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, strike out the words "any striped bass of less than three pounds in weight", and insert in lieu thereof the following: "ships or offers for shipment any striped bass of less than five pounds in weight".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 6, strike out the word "three", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 9, strike out the word "ten", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 10, strike out the word "three", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 11, strike out the entire line, and insert in lieu thereof the following: "twentieth day of September and the fifteenth day of Novem-".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 1, strike out the entire line, and insert in lieu thereof the following: "the twentieth day of September and the fifteenth day of".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 7, after the word "bass", insert the words "or any catfish".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 9, after the word "bass", insert the words "or catfish".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 10, after the word "bass", insert the words "or catfish".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1447—An Act to amend Section 633 of the Penal Code of the State of California, relating to the protection and preservation of fish.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "thirtieth", and insert the word "first".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, strike out the word "September", and insert in lieu thereof the word "November".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, strike out the word "first", and insert in lieu thereof the word "fifteenth".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 4, strike out the word "August", and insert in lieu thereof the word "July".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1436—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634a, relating to the protection and preservation of fish.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, after the words "Section 634a", strike out all of line 4.

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out all of lines 5, 6, 7, 8, 9, 10, 11 and 12, and insert in lieu thereof the following: "Every person who, in fish and game district number four, shall take, catch, kill or destroy any fish by means other than with hook and line, used only in the manner commonly known as augling, is guilty of a misdemeanor; *provided*, that nothing in this section shall prevent the use of spears for taking salmon."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2036—An Act to add a new section to the Penal Code of the State of California, to be numbered 637*g*.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1, after the word "who", insert the words "in fish and game district four".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, strike out the words "within this state".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 201—An Act to add a new section to the Penal Code of the State of California, to be numbered 636½, to prevent the use or possession of lompara nets and paranzella nets, and providing the penalty therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, of the printed bill, strike out everything after the words "An Act", and insert in lieu thereof the following:

To add a new section to the Penal Code of the State of California, to be numbered Section 636½, to prevent the use of paranzella or trawl nets, and providing the penalty therefor.

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the Penal Code of the State of California, to be numbered 636½, to read as follows:

636½. Every person who at any time shall cast, extend, set, draw, use, or continue or assist in casting, extending, setting, drawing, using, or continuing, any paranzella, or trawl net, for catching fish, shellfish, shrimp, or crabs in waters of fish and game district six or in the waters of Monterey bay, shall be guilty of a misdemeanor, and upon conviction, shall be punishable by a fine of not less than two hundred and fifty dollars, or by imprisonment in the county jail in the county in which the conviction shall be had, not less than one hundred and twenty-five days, or by both such fine and imprisonment; and all the fines and forfeitures imposed and collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1438—An Act to amend Section 626*f* of the Penal Code, relating to the protection and preservation of male deer.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title of the Act by striking out the letter "f", and insert in lieu thereof the letter "i".

Amendment adopted.

AMENDMENT No. 2.

Strike out everything after the enacting clause, and insert in lieu thereof the following:

"626. Every person who takes, kills or destroys, or has in his possession, whether taken or killed in the State of California, or shipped into the state from any other state, territory, or foreign country, more than two deer during any one open season, is guilty of a misdemeanor; *provided, further*, that every person who takes, kills or destroys any deer, and does not within thirty (30) days after the killing thereof notify the fish and game commission, at San Francisco, Sacramento, Los Angeles or Fresno, in writing, setting forth correctly and plainly the name of the person killing the deer and the place, county and time of killing, is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 93—An Act to regulate the height of billboards or fences.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, of the printed bill, strike out all of the title except the first line, and insert in lieu thereof the following: "in relation to fences and other structures erected to annoy, and for the abatement of nuisances".

Amendment adopted.

AMENDMENT No. 2.

After the enacting clause, strike out all the remainder of the bill, and insert in lieu thereof the following:

"SEC. 1. Any fence or other structure in the nature of a fence, unnecessarily exceeding ten feet in height, maliciously erected or maintained for the purpose of annoying the owner or occupants of adjoining property, shall be deemed a private nuisance.

"SEC. 2. Any such owner or occupant, injured either in his comfort or the enjoyment of his estate by such nuisance, may enforce the remedies against the continuance of the same prescribed in Title III, Part III of the Civil Code of the State of California."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 564—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be known as Section 581*b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 15, strike out the word "of", and insert in lieu thereof the word "or".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 662—An Act to add a new section to the Penal Code of the State of California, to be known as Section 532½, declaring the use of false statements for the purpose of obtaining property or credit to be a crime and prescribing the punishment therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out everything after the words "An Act", and insert in lieu thereof the following:

To add a new section to the Penal Code of the State of California to be known as Section 532a, relating to the making and use of false statements for the purpose of obtaining property or credit, and prescribing the punishment therefor.

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the Penal Code to be numbered 532a, and to read as follows:

532a. Any person,

(1) Who shall knowingly make or cause to be made, either directly or indirectly, or through any agency whatsoever, any false statement in writing, with intent that it shall be relied upon, respecting the financial condition, or means or ability to pay, of himself, or any other person, firm or corporation, in whom he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan or credit, the extension of a credit, the discount of an account receivable, or the making, acceptance, discount, sale or indorsement of a bill of exchange, or promissory note, for the benefit of either himself or of such person, firm or corporation; or

(2) Who, knowing that a false statement in writing has been made, respecting the financial condition or means or ability to pay, of himself, or such person, firm or corporation in which he is interested, or for whom he is acting, procures, upon the faith thereof, for the benefit either of himself, or of such person, firm or corporation, either or any of the things of benefit mentioned in the first subdivision of this section; or

(3) Who, knowing that a statement in writing has been made, respecting the financial condition or means or ability to pay of himself or such person, firm or corporation, in which he is interested, or for whom he is acting, represents on a later day in writing, that such statement theretofore made, if then again made on said day, would be then true, when in fact, said statement if then made would be false, and procures upon the faith thereof, for the benefit either of himself or of such person, firm or corporation, either or any of the things of benefit mentioned in the first subdivision of this section: shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out all of line 1 after the period following the figure "1"; also, all of lines 2 and 3 and the first two words in line 4, and insert in lieu thereof the word "In".

Amendment adopted.

AMENDMENT No. 2.

On page 2, strike out all of line 4 after the period following the figure "5", and all of line 5 down to and including the word "no", and insert in lieu thereof the word "No".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 6, after the word "state", strike out the period, and insert in lieu thereof the words "in any such suit."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1466—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the words "An Act", and insert in lieu thereof the following: To amend section ninety-two of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

The people of the State of California do enact as follows:

SECTION 1. Section ninety-two of the Civil Code of the State of California is hereby amended to read as follows:

92. Divorce may be granted for any of the following causes:

- (1) Adultery.
- (2) Extreme cruelty.
- (3) Wilful desertion.
- (4) Wilful neglect.
- (5) Habitual intemperance.
- (6) Conviction of felony.
- (7) Incurable insanity; *provided*, that no divorce shall be granted on the grounds of incurable insanity unless: *first*, the defendant shall have been duly and regularly adjudged to be insane by the legally constituted authorities of this state or any other state, at least five years prior to the commencement of the action; and has been confined in an asylum for the insane for a period of at least five years previous thereto and unless; *second*, it shall appear to the satisfaction of the court by the testimony of competent witnesses that the insanity of the defendant is incurable; *provided, however*, that in any case where a divorce is granted on the ground of incurable insanity, the granting of such divorce shall not relieve or discharge the plaintiff from any obligation or liability imposed by law upon the plaintiff and existing at the time of the filing of the complaint to provide for the care, support and maintenance of the defendant, and the decree in such action shall so provide; *provided, however*, that no decree of divorce shall be granted on the ground of insanity when such insanity was caused by the act of the plaintiff during the marriage state or is the result of child-birth.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 623—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911, by amending Sections 6, 8, 9, 11, 13, 14 and 18 thereof, and by repealing Section 12 thereof, and by adding a new section to said Act, which section shall be numbered 12, relating to the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of the printed bill, strike out the title and in lieu thereof insert the following: "An Act to amend that certain Act entitled 'An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor,' approved May 1, 1911, by amending Sections 8, 9, 11, 13, 14 and 18 thereof, and by repealing Section 12 thereof and by adding two new sections to said Act, which sections shall be numbered 12 and 12½, relating to the manufacture, sale, adulteration and misbranding

of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases."

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the printed bill, strike out lines 1, 2, 3, 4, 5, 6, 7, 8, and on page 2, of the printed bill, strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

Amendment adopted.

AMENDMENT No. 3.

On page 2, of the printed bill, line 13, strike out "Sec. 2", and insert in lieu thereof "Section 1."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 22, strike out "Sec. 3", and insert in lieu thereof "Section 2."

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 6, strike out "Sec. 4", and insert in lieu thereof "Section 3."

Amendment adopted.

AMENDMENT No. 6.

On page 4, line 17, after the comma, insert the following: "the name and address of the manufacturer, importer, or dealer, the place of manufacture."

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 22, strike out "Sec. 5", and insert in lieu thereof "Section 4."

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 36, strike out "Sec. 6", and insert in lieu thereof "Section 5."

Amendment adopted.

AMENDMENT No. 9.

On page 5, line 30, strike out "Sec. 7", and insert in lieu thereof "Section 6."

Amendment adopted.

AMENDMENT No. 10.

On page 6, line 3, strike out "Sec. 8", and insert in lieu thereof "Section 7."

Amendment adopted.

AMENDMENT No. 11.

On page 6, line 9, strike out "Sec. 9", and insert in lieu thereof "Section 8."

Amendment adopted.

AMENDMENT No. 12.

On page 6, after Section 12, insert a new section, to read as follows:

"Section 9. A new section to be numbered 12½, is hereby added to that certain Act entitled 'An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor,' approved May 1, 1911, which section shall be in the words and figures following, to wit:

SEC. 12½. The provisions of this Act shall not apply to the sale of any of the preparations, drugs and chemicals of the United States Pharmacopœia or National Formulary which conform to the standard and tests prescribed in the latest edition of the United States Pharmacopœia or National Formulary, nor shall the provisions of this Act apply to the sale of any medicinal or toilet preparations or substances

guaranteed under the United States Pure Food and Drugs Act of June 30, 1906, and the California Pure Food and Drugs Act, Statutes of California for 1907, Chapter 187."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, after line 22, insert the following:

"4a. To construct, operate, manage or maintain summer bridges or ferries under such rules and regulations and at such times and places as they may deem necessary; such bridges or ferries to be paid for out of the county general fund."

Amendment adopted.

AMENDMENT No. 2.

On page 3, in line 11, after the comma following the words "historical museum", insert the following: "county free library building, branch library building,".

Amendment adopted.

AMENDMENT No. 3.

On page 3, in line 22, after the comma following the words "historical museum," insert the following: "county free library building, branch library building,".

Amendment adopted.

AMENDMENT No. 4.

On page 4, in line 17, commencing with the word "provided," strike out the balance of that line, all of lines 18, 19, 20, and to, but not including, the word "provided," in line 21.

Amendment adopted.

AMENDMENT No. 5.

On page 5, after line 7, insert the following:

"9a. To purchase, lease, construct or otherwise acquire; own, operate, manage and control, in any county in the state, cement manufacturing plant; and to sell the products of the same in such manner and upon such terms and conditions as to them shall be deemed proper; *provided*, that the State of California and municipal or public corporations of the state shall have a preferred right, at the same price as the products are offered to private persons, to purchase the same; and to purchase, lease, or otherwise acquire real or personal property to be used in connection with such plant; *provided, however*, that no such plant shall be purchased, leased, or otherwise acquired, neither shall said works be constructed on real or personal property purchased or acquired until notice of the intention to make such purchase or construct such works shall have been given for a period of thirty days by publication in a newspaper of general circulation published within the county or, if there be none, then by posting a notice for said period in a conspicuous place in three public places in the county; such notice shall contain a description of the property to be purchased or works to be constructed, a statement of the amount of money to be invested, the terms upon which it is to be invested and the time when the proposition will come before the board of supervisors to be acted upon."

Amendment adopted.

AMENDMENT No. 6.

On page 5, in line 29, strike out the word "other", and insert in lieu thereof the word "order".

Amendment adopted.

AMENDMENT No. 7.

On page 7, in line 8, strike out the period and insert the following: "and the supervisors may attend annual state meetings of the state supervisors' association and shall be allowed their actual traveling expenses, in going to and from attendance upon any such state association meetings."

Amendment adopted.

AMENDMENT No. 8.

On page 8, in line 25, strike out the words "and second", and insert in lieu thereof the following: ", second and third".

Amendment adopted.

AMENDMENT No. 9.

On page 8, in line 26, strike out the word "two", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 10.

On page 8, lines 32 and 33, strike out the words "two-thirds", and insert in lieu thereof the words "four-fifths".

Amendment adopted.

AMENDMENT No. 11.

On page 10, line 23, strike out the word "thereof", and insert in lieu thereof the word "therefor".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 844—An Act to amend Section 2643 of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 10, strike out "which is in excess", also lines 11 and 12.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital at Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the cost and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electric current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1052—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to pro-

vide sheets of certain dimensions and individual towels for the guests of such hotel.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 212—An Act providing for the registration, licensing, use, and operation of motor vehicles, and the registration of chauffeurs; for the disposition and use of funds derived from such licenses; creating the motor vehicle department in the office of Secretary of State, and making an appropriation for the purpose of this Act, and providing for the repeal of an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, and all amendments thereto.

Also: Assembly Bill No. 463—An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act and repealing an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, and all Acts or parts of Acts amendatory thereof.

Also: Assembly Bill No. 1153—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles for compensation; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repairs done thereon; to limit the power of local authorities to enact or maintain ordinances, rules or regulations upon the matters embraced within the provisions of this Act; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

During second reading of the bills, the following substitute was submitted by the committee:

Assembly Bill No. 2095 (committee substitute for Assembly Bills Nos. 212, 463 and 1153)—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon;

to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Mr. Schmitt moved the adoption of the substitute.

The roll was called, and the substitute adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bohnett, Bowman, Byrnes, Canepa, Cary, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Green, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Sutherland, Tulloch, Weisel, White, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Assembly Bills Nos. 212, 463 and 1153 withdrawn, and ordered stricken from the file.

Assembly Bill No. 2095 ordered on file without reference.

Assembly Bill No. 1639—An Act making unlawful the sale or other disposition of alcoholic liquors within a certain distance of any United States, or state, military or naval reservation, with certain exceptions.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 5, of the printed bill, strike out the comma following the word "occupied", and also strike out the words "possessed or", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, strike out the comma following the word "government"; also, strike out the words "or by the State of California" and the comma following those words.

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 10, strike out all following the word "to" and strike out all of line 11, and insert in lieu thereof the words "the territory within one third of a mile from any such land."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 14, strike out the words "within four miles, or within one", and insert in lieu thereof the words "in the vicinity."

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 1 strike out the word "mile" and the comma following it.

Amendment adopted.

AMENDMENT No. 6.

On page 2 insert between lines 7 and 8 the following paragraph:

"Second—The selling and serving of such liquors with meals in any hotel having two hundred or more rooms furnished and used for the entertainment of guests; or the selling and serving of such liquors on the grounds of any exposition aided by funds furnished by this state."

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 8, strike out the word "second", and insert in lieu thereof the word "third".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 20, strike out the word "third", and insert in lieu thereof the word "fourth".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 26, strike out the word "fourth", and insert in lieu thereof the word "fifth".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 35, strike out the word "fifth", and insert in lieu thereof the word "sixth".

Amendment adopted.

AMENDMENT No. 11.

On page 2, between lines 36 and 37, insert the following:

"7. The selling of liquors in quantities of not less than one quart, such liquors to be delivered at the permanent residence of the buyer."

Amendment adopted.

AMENDMENT No. 12.

On page 1, line 5, strike out the word "four", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2045—An Act to provide for a survey of the coastal water of the State of California and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations, and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend title to said Act by striking out the following: "board of fish commissioners of the State of California", and substitute in lieu thereof "Scripps Institute of Biological Research".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 1 and 2, of printed bill, strike out everything after and inclusive of the word "board" in line 1, down to and inclusive of the word "California", in line 2, and substitute therefor the following: "Scripps Institute of Biological Research".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 6, of printed bill, strike out the word "board", and substitute in lieu thereof the word "institute".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 10, of printed bill, strike out the word "board", and substitute in lieu thereof the word "institute".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 11, of printed bill, strike out the word "board", and substitute in lieu thereof the word "institute".

Amendment adopted.

AMENDMENT No. 6.

On page 2, lines 1 and 2, of printed bill, strike out everything after and inclusive of the word "board", in line 1, down to and inclusive of the word "California", in line 16, and substitute in lieu thereof the following: "Scripps Institute of Biological Research".

Amendment adopted.

AMENDMENT No. 7.

On page 2, lines 15 and 16, of printed bill, strike out everything after and inclusive of the word "board", in line 15, down to and inclusive of the word "California", in line 2, and substitute in lieu thereof the following: "Scripps Institute of Biological Research".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 19, of printed bill, strike out the word "board", and substitute in lieu thereof the word "institute".

Amendment adopted.

AMENDMENT No. 9.

Strike out Section 4 in said Act.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 288—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 288 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gelder, Guiberson, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Sutherland, Tulloch, Weisel, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 191—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 191 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Ford, Gelder, Griffin, Guill, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Sutherland, Tulloch, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 533 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gelder, Green, Griffin, Guill, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Tulloch, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 526—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 526 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Ford, Gelder, Green, Griffin, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1940—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1940 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Guiberson, Hayes, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Shannon, Shartel, Simpson, Smith, Tulloch, Weisel, White, Woodley, and Mr. Speaker—42.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1938 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Ferguson, Finnegan, Gelder, Hayes, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Simpson, Smith, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1756 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Gelder, Griffin, Hayes, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

During third reading of the bill, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 32 strike out the word "and" after the word "hundred".

Also: On page 3, line 33, strike out the word "seventy-five".

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Cary, Dower, Ferguson, Finnegan, Gelder, Griffin, Guill, Johnson, Geo. H., Killingsworth, Kingsley, Murray, Polsley, Tulloch, Weldon, White, and Wyllie—18.

NOES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Ford, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Pears, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Woodley, and Mr. Speaker—51.

Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 35, strike out after the word "officers", all of lines 35, 36, 37, and line 1 and "dren" on line 2, of page 4.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Cary, Dower, Ferguson, Finnegan, Gelder, Griffin, Guill, Johnson, Geo. H., Killingsworth, Kingsley, Murray, Polsley, Weldon, White, and Wyllie—17.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Sutherland, Weisel, Woodley, and Mr. Speaker—47.

Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, strike out all of Section 4.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Beck, Bradford, Cary, Ferguson, Finnegan, Ford, Gelder, Griffin, Johnson, Geo. H., Killingsworth, Kingsley, Polsley, Weldon, and White—14.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Woodley, Wyllie, and Mr. Speaker—47.

TIME OF RECESS EXTENDED.

On motion of Mr. Gelder, the hour of recess was extended until the business before the Assembly be disposed of and committee reports read.

During third reading of the bill, Mr. Ambrose moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 17, strike out all after the word "the", and insert in lieu thereof the following: "child or parents of the child."

Motion carried.

The Speaker appointed Mr. Ambrose as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1108, with instructions, do now report that the instructions of the Assembly have been carried out.

AMBROSE, Select Committee.

Report of select committee and amendment adopted.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all after the enacting clause, and insert the following:

SECTION 1. For the partial support of children of women whose husbands are dead, or become permanently disabled for work by reasons of physical or mental infirmity, or whose husbands are prisoners, when such women are poor, and are the mothers of children under the age of fourteen years, and such mothers and children have a legal residence in any county of the state, the juvenile court shall make an allowance to each of such women as follows: Not to exceed fifteen dollars a month, when she has but one child under the age of fourteen years, and if she has more than one child under the age of fourteen years, it shall not exceed fifteen dollars a month for the first child and seven dollars a month for each of the other children under the age of fourteen years. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period, said court may from time to time, extend such allowance for a period of six months, or less, provided the home of such woman has first been visited by a probation officer or other competent person.

SEC. 2. Such allowance shall be made by the juvenile court, only upon the following conditions:

First—The child or children for whose benefit the allowance is made, must be living with the mother of such child or children.

Second—The allowance shall be made only when in the absence of such allowance, the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children, except that she may be absent not more than one day a week for a week.

Third—The mother must, in the judgment of the juvenile court, be a proper person, morally, physically and mentally, for the bringing up of her children.

Fourth—Such allowance shall in the judgment of the court be necessary to save the child or children from neglect and to avoid the breaking up of the home of such woman.

Fifth—It must appear to be for the benefit of the child to remain with such mother.

Sixth—a careful preliminary examination of the home of such mother must first have been made by the probation officer, an associated charities organization, humane society, or such other competent person or agency as the court may direct, and a written report of such examination filed.

SEC. 3. Whenever any child shall reach the age of fourteen years, any allowance made to the mother of such child for the benefit of such child shall cease. The juvenile court may, in its discretion, at any time before such child reaches the age of fourteen years, discontinue or modify the allowance to any mother and for any child.

SEC. 4. Should the fund at the disposal of the court for this purpose be sufficient to permit an allowance to only a part of the persons coming within the provisions of this Act, the juvenile court shall select those cases in most urgent need of such allowance.

SEC. 5. The provisions of this Act shall not apply to any woman, who, while her husband is imprisoned, receives sufficient of his wages to support the child or children.

SEC. 6. Any person or persons attempting to obtain any allowance for a person not entitled thereto, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than five nor more than fifty dollars, or imprisonment in the county jail, for a period of not less than two months, or both.

SEC. 7. In each case where an allowance is made to any woman under the provisions of this Act, a record shall be kept of the proceedings, and any citizen of the county may, at any time, file a motion to set aside, or vacate or modify such judgment and on such motion said juvenile court shall hear evidence, and make a new order sustaining the former allowance, modify or vacate the same, and from such order, error may be prosecuted, or an appeal may be taken as in civil actions. If the judgment be not appealed from, or error prosecuted, or if appealed or error prosecuted, and the judgment of the juvenile court be sustained or affirmed, the person filing such motion shall pay all the costs incident to the hearing of such motion.

SEC. 8. Upon the production of a certified copy of the order of allowance under this Act made by the juvenile court, and after due audit and approval by the state board of control, the controller shall draw his warrant for such amount payable to the party named in said order, upon the fund hereinafter provided for, and the state treasurer shall pay same from said fund.

SEC. 9. The expense of keeping and maintaining a permanent fund for the purpose of this Act, is hereby declared to be one of the items to be included in the tax levy to support the state government. The said fund hereby created shall be known as the "indigent fund for support of dependent children," and the legislature shall provide in the manner now provided by law for raising fund for the support of the state government, the sum of one hundred thousand dollars annually and the same shall be apportioned to said above named fund and the same or so much thereof as shall be necessary shall be used for the purposes of this Act.

SEC. 10. The sum of one hundred thousand dollars, or so much thereof, as may be necessary is hereby appropriated out of any money in the state treasury not otherwise appropriated and is hereby directed to be transferred to the said "indigent fund for support of dependent children," to be used until the incoming of the annual tax herein above provided for.

SEC. 11. The words "juvenile court," and "probation officer," herein used, shall be constructed as having the same meaning as that provided for in "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance, until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction

of such offenses, and repealing inconsistent acts,' approved March 8, 1909,' approved April 5, 1911. And the juvenile court and probation officer therein provided for, shall perform all the duties and functions provided for in this Act.

SEC. 12. This Act shall be construed as supplementary to any law now in force, providing for the support of orphans or half-orphans and shall not be construed as repealing any such statutes.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bradford, Finnegan, Gelder, Kingsley, McCarthy, Polsley, Weldon, and Wyllie—8.

NOES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—51.

RECONSIDERATION.

Mr. Schmitt moved that the vote whereby above motion was lost be reconsidered.

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Also: Assembly Bill No. 1078—An Act making an appropriation to pay the claim of W. J. Burns against the State of California.

Also: Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Frederick Maskew.

Also: Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the Armory Building at Petaluma, California.

Which were re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 572—An Act to amend Section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health—which was re-referred to us from the Committee on Public Health and Quarantine, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek—which was re-referred to us from the Committee on Commerce and Navigation, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Also: Assembly Bill No. 1677—An Act to appropriate the sum of \$361 to pay the claims of the State Board of Health.

Which were re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies, and defining the powers and duties of such officers; and making an appropriation to carry this Act into effect—which was re-referred to us from the Committee on Judiciary, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

FISH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 1112—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts therefor and declarations of the payment or performance thereof, and to authorize their recordation in the office of the Secretary of State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 2039—An Act to prohibit hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from allowing "tips" to be given to the employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 1494—An Act to amend Section 290 of the Civil Code of the State of California, relative to articles of incorporation and what they must set forth—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 1480—An Act declaring persons, firms or corporations operating pipe lines for the transportation of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act—have had the same under consideration, and respectfully report back a committee substitute therefor and recommend that such substitute do pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 2057—An Act to provide for the completion of the armory for the National Guard at Los Angeles and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

HINKLE, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1808—An Act regulating the collection of hospital fees by employers from persons in their employ, defining the duties and liabilities of such employers, and providing penalties for the violation thereof.

Also: Assembly Bill No. 1343—An Act to regulate the construction, operation and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McDONALD, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1484—An Act to regulate the practice of employing special agents, detectives, or so-called "spotters," to investigate and report to an employer information containing accusations against his employees; and providing penalties for the violation of its provisions, and making the employer liable in damages to an employee sustaining thereby—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the

State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At one o'clock p.m., on motion of Mr. Bloodgood, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m. the Assembly reconvened.

Speaker pro tem. Johnstone in the chair.

THIRD READING OF SENATE BILLS.

Senate Bill No. 307—An Act providing for the purchase, for the use of the Department of Agriculture of the University of California, of land and water rights in any of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and for the planting of said lands and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 307 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bradford, Brown, Bush, Byrnes, Cram, Dower, Emmons, Ferguson, Ford, Gabbert, Gates, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Richardson, Roberts, Schmitt, Shannon, Shartel, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, and Woodley—42.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 25—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 25 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bradford, Brown, Bush, Byrnes, Cram, Emmons, Ferguson, Ford, Gates, Gelder, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, and Wyllie—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 51—An Act providing for the construction and equipment of a residence, barns and necessary small buildings for the use of the Department of Agriculture of the University of California, in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 51 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cram, Ellis, Farwell, Ferguson, Finnegan, Gates, Green, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polesley, Richardson, Roberts, Schmitt, Shannon, Slater, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, and Wyllie—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 247—An Act providing for the construction and equipment of one dormitory at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 247 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Gates, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polesley, Richardson, Roberts, Schmitt, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, White, and Wyllie—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 248—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 248 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Emmons, Farwell, Ferguson, Finnegan, Ford, Gates, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polesley, Richardson, Roberts, Schmitt, Shartel, Slater, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 249—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm

and Agricultural School at Davis, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 249 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Brown, Bush, Byrnes, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Hayes, Luman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Stuckenbruck, Wall, Weisel, Weldon, White, Woodley, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 1, line 13, of the printed bill, as amended in Senate April 1, 1913, after the word "rate", insert the words "or price".

Also: On page 2, line 6, of the printed bill, as amended in Senate April 1, 1913, between the word "rate" and the comma following said word, insert the words "or price".

AMENDMENT No. 2.

On page 2, line 5, of the printed bill, as amended in Senate April 1, 1913, strike out the period following the word "operation", and insert in lieu thereof a comma and add the following: "if the rate of selling or furnishing such commodity, product or service is below the cost to the vendor of manufacturing, producing and distributing or furnishing the same."

AMENDMENT No. 3.

On page 2, line 6, of the printed bill, as amended in Senate April 1, 1913, strike out the word "meeting", and insert in lieu thereof the word "making".

AMENDMENT No. 4.

On page 2, line 8, of the printed bill, as amended in Senate April 1, 1913, strike out the period following the word "rates", and insert in lieu thereof a comma and add the following: "and nothing in this Act shall prohibit the sale or furnishing of any commodity, product or service at a rate below the cost to the vendor of manufacturing, producing and distributing or furnishing the same, where such sale or furnishing at such rate below such cost is made in good faith merely to prevent or avoid a loss, and not with the intent to destroy or prevent competition as herein defined, nor shall this Act apply to a sale made under the authority of any order of court."

AMENDMENT No. 5.

Strike out all of Section 3 of the printed bill, as amended in Senate April 1, 1913.

On motion of Mr. Schmitt, consideration of above motion was postponed until next legislative day.

NOTICE OF MOTION TO RECONSIDER.

Mr. Schmitt gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bills Nos. 247, 248 and 249 were this day passed.

Senate Bill No. 863—An Act to amend Sections 1986 and 1991 of the Code of Civil Procedure, both relating to subpœna.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 863 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cram, Ellis, Ferguson, Finnegan, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Ryan, Shannon, Shartel, Simpson, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, and Wyllie—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 568—An Act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 568 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and White—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 580—An Act to amend Sections 6 and 15 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907; relating to the misbranding of drugs, and the times and places of hearings of drug cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 580 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Collins, Cram, Ellis, Emmons, Ferguson, Ford, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Morgenstern, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Stuckenbruck, Tulloch, Weisel, White, and Wyllie—46.

NOES—Messrs. Murray and Shearer—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 673—An Act to regulate the hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 673 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bowman, Brown, Bush, Byrnes, Canepa, Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Ford, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Ryan, Schmitt, Shannon, Shartel, Shearer, Slater, Stuckenbruck, Tulloch, Wall, Weisel, White, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 235—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 422, relating to the valuation of stocks and bonds held by insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 235 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bowman, Bradford, Brown, Bush, Canepa, Ellis, Emmons, Ferguson, Finnegan, Ford, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shearer, Slater, Stuckenbruck, Tulloch, Wall, White, and Wyllie—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1036—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Sections 1, 2, 3, 5, 6, 7 and 8 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1036 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Bush, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Sutherland, Tulloch, Wall, Weisel, Weldon, and Wyllie—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 521—An Act to amend Section 1576 of the Political Code of the State of California, relating to cities constituting separate school districts and to the annexation of additional territory thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 521 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Sutherland, Tulloch, Wall, Weisel, and Wyllie—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 691—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 691 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Sutherland, Tulloch, Weisel, and Wyllie—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 692—An Act confirming and validating the organization of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 692 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Chandler, Clark, Wm. C., Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Shearer, Sutherland, Tulloch, Wall, Weisel, and Wyllie—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 693—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 693 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Polsley, Richardson, Ryan, Shannon, Shartel, Shearer, Slater, Smith, Sutherland, Tulloch, Wall, Weisel, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 919—An Act to provide for the payment of compensation of additional help in the county clerk's office of the various counties throughout the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 919 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Sutherland, Weisel, White, Woodley, and Wyllie—54.

NOES—Messrs. Bradford, Guill, Stuckenbruck, and Wall—4.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Inman gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 919 was this day passed.

Senate Bill No. 488—An Act to amend Section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 488 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Polsley, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The following special order was taken up for consideration.

Senate Bill No. 1954—An Act relating to exterior advertising, as in this Act defined, declaring the prohibition of the use of property for such purpose a public use, providing for the acquisition of such use, and prohibiting exterior advertising on property as to which such use has been acquired.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1954 refused passage by the following vote:

AYES—Messrs. Cary, Cram, Ellis, Emmons, Fish, Gates, Johnstone, W. A., Moorhouse, Peairs, and Wyllie—10.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Collins, Dower, Ferguson, Finnegan, Ford, Gabbert,

Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Mouser, Murray, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Weldon, and White—50.

SPEAKER IN THE CHAIR.

At four o'clock and forty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Brown:

Resolved, That, commencing on Monday, April 21, the Assembly third-reading file be considered from two o'clock to three o'clock p.m.; that from three o'clock to four o'clock and thirty minutes the special file of Senate bills be considered; and that during said session no other business shall be considered except by a three-fourths vote of the Assembly.

Resolution read, and, on motion of Mr. Brown, referred to Committee on Rules.

By Messrs. Shannon and Slater:

WHEREAS, This day marks another anniversary of the greatest calamity this State has ever suffered—namely, the earthquake and fire of 1906; and

WHEREAS, The cities which were devastated by said catastrophe have, in the intervening space of time since April 18, 1906, arisen phoenix-like from their ashes, and have reconstructed and rebuilt themselves in a manner that has aroused the admiration of the whole world at large; therefore, be it

Resolved, That we, the members of the California Assembly, in legislative session assembled, extend our heartiest congratulations to the people of those cities which were so unfortunately ravaged by said catastrophe and for whom the whole world wept; and be it further

Resolved, That we do hereby commend, praise and express our admiration for the wonderful achievements of reconstruction and rebuilding accomplished by these cities that have demonstrated a spirit unparalleled by any other people in the world; and in this manner and by these resolutions do officially testify to the sentiments which fill the breasts of every citizen of our glorious State and of those beyond its bounds.

Resolution read, and on motion unanimously adopted.

STATEMENT BY THE SPEAKER.

The following statement was filed by the Speaker, and ordered printed in the Journal:

To the Assembly:

There has been handed me this day a memorial or petition which has been duly signed and verified by the petitioner, James E. Whinnery, of Alameda County, in which he has charged A. J. Buckles, a judge of the Superior Court of the State of California, in and for the county of Solano, with misdemeanor in office, and has asked for an investigation or an impeachment of this judge, for reasons stated in his petition.

I therefore present these matters to you for your consideration.

MEMORIAL.

To the Honorable the Assembly of the State of California:

This affiant, your petitioner, complains to your honorable body that Hon. A. J. Buckles, a judge of the Superior Court of the State of California, has been guilty of misdemeanor in office, as follows:

I. That on the 23d day of May, 1911, said Buckles wilfully aided and abetted the commission of a criminal fraud in the case of *Whinnery vs. Whinnery*, on trial before said Buckles in the Superior Court of Alameda County; that said Buckles was then and there guilty of browbeating and persecuting this affiant, defendant in said case, without cause, provocation or excuse; that said Buckles then and there wilfully aided and abetted counsel in said case in suppressing the evidence for said

defendant, and in making up a false record to preclude a proper trial of said case in the appellate courts, and knowingly signed a fraudulent decree in said action.

II. Your petitioner avers that since 1894 he has been afflicted with partial deafness; that during said trial he was unable to hear the testimony of the witnesses against him; that three times during said trial he quietly and respectfully protested to that effect; that it was the duty of the court to see that your petitioner's rights in the premises were protected; that the conduct of counsel in said case showed that counsel had plotted to prevent a proper trial of said case; that instead of protecting your petitioner, said Buckles without provocation insulted him and joined with counsel in said plot.

III. That nearly a year prior to said trial your petitioner had employed counsel to make a bona fide defense in said action; that said counsel accepted a retainer in said case; that only two days before said trial said counsel attempted to retire from said case and urged your petitioner to employ another lawyer recommended by said counsel but totally unknown to your petitioner; that your petitioner refused to release said counsel; that said counsel employed said other lawyer to try the case as his substitute without informing said substitute of the facts of the case; that said original counsel remained there present during said trial, but did not inform his substitute of said facts; that both of said lawyers were engaged in a conspiracy; that the conduct of said trial showed that a fraud was being committed, and that said Buckles failed not only to protect your petitioner by exposing said fraud, but aided and abetted it. That both plaintiff and defendant testified that defendant, your petitioner, was guardian in charge of the property involved in said action; that as such guardian defendant knew all the facts in regard to said property and that no one else did; that defendant's counsel failed to ask defendant in regard to said property; that it was said Buckles' duty to call counsel's attention to said omission or to bring out the facts himself; that defendant's counsel throughout the trial acted in the interest of plaintiff; that this was patent to said Buckles and such others as could hear; that instead, said Buckles aided and abetted the fraudulent action of defendant's counsel.

That said Buckles knowingly signed a fraudulent decree in said action, awarding to plaintiff about three fourths of the property in dispute, as her "sole, separate and exclusive property"; that not one word of testimony had been introduced to support said decision, or to that effect; that said action was wilful and fraudulent; that said decree purported to award to defendant a certain policy of insurance on the life of defendant in the Penn Mutual Life Insurance Company; that no such policy ever existed; that defendant was not asked concerning same, and that such action was wilful neglect of duty. That certain county warrants scheduled by defendant and denied by plaintiff were omitted from said decree; that no testimony was taken regarding the same, and that said action was wilful neglect. That the decree in said action was fraudulently prepared, and approved by said Buckles, prior to the introduction of any testimony for defendant. That said Buckles permitted defendant's counsel, without defendant's knowledge, to waive all of defendant's rights, with intent to prevent an appeal, and that said action was wilful neglect. That the record in said action bristles with errors; leading questions, assumptions of fact not sworn to, improper testimony, and improper and insulting remarks by said Buckles, all admitted by counsel without a single exception; that only one exception was noted during the entire trial; that said Buckles' failure to protect defendant was wilful neglect, and that said acts show the patent fraud in said proceedings.

That said Buckles permitted the official stenographer to insert in his transcript questions and answers dictated by counsel which were not asked or answered; and that answers given as having been made by defendant, concerning material matters, were not made by him, and that he never heard of same until he received a copy of the "transcript," for which he paid fifty dollars; that this was done to surreptitiously have important matters held to be *res judicata*.

Plaintiff was accompanied by her brother, two daughters and a woman friend. Buckles, the trial judge, coaxed testimony from her. Defendant, then suspecting no fraud, and then relying on the law, and ethics governing attorneys, was alone, and was browbeaten and insulted by the court. Defendant's counsel throughout acted in the interest of plaintiff and the case was tried upside down, with the connivance of said Buckles. Defendant was the one person who knew all about the property, and he was the one person his own counsel did not ask about it, they instead trying to get the facts from plaintiff who knew little. The court should either have insisted on these facts being gotten from defendant, your petitioner, or asked for them himself.

Your petitioner herewith forwards a copy of an affidavit filed in the Supreme Court, but which was not admissible in said court at the time your petitioner filed the same. A copy of the reporter's transcript will be forwarded if and when desired.

This complaint has not been earlier forwarded, owing to the said case being in the appellate courts.

Wherefore, your petitioner requests an investigation by your honorable body, and such action as is provided by the Constitution and laws of California.

JAMES E. WHINNERY.

STATE OF CALIFORNIA, }
COUNTY OF ALAMEDA. } ss.

James E. Whinnery, being duly sworn, on oath, says that the statements of fact in the above complaint are true.

JAMES E. WHINNERY.

[Duly verified.]

RESOLUTION.

The following resolution was offered:

By Mr. Sutherland:

WHEREAS, James E. Whinnery, of the county of Alameda, State of California, has presented to this Assembly his memorial charging that A. J. Buckles, Judge of the Superior Court of the State of California, in and for the county of Solano, has been guilty of a misdemeanor in office, and requests that this body investigate said charges; and

WHEREAS, If said charges be found to be true, said judge should be dealt with according to law, and if found to be untrue, the judicial character of said judge should be vindicated and said court be relieved from all suspicion; therefore, be it

Resolved, That the Judiciary Committee of this Assembly be and it is hereby authorized to investigate said charges, and to report to this Assembly whether the said judge has so acted in his judicial capacity, or otherwise, as to require the exercise of the constitutional power of this Assembly to present impeachment charges against said judge; and

Resolved, further, That for the purpose of such investigation, the said committee, and such sub-committee as the said committee may appoint, are hereby authorized and empowered to send for persons and papers, to administer oaths, to take testimony, and to employ such clerical help and other assistance as may be necessary, and the said committee, or sub-committee, while so employed, shall have full power to enforce the attendance of witnesses, with a sergeant-at-arms, who shall serve the process of said committee, or sub-committee, and shall execute its orders and shall attend sittings thereof as ordered and directed by said committee; and

Resolved, further, That the expenses of such investigation shall be paid out of the Contingent Fund of the Assembly.

Resolution read, and on motion adopted.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

. ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning, in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma, in Imperial County.

An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Mallibu County road, near Topanga Creek, Los Angeles County; thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Wyllie, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Ellis: Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma in Imperial County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bloodgood: Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Malibu County road near Topanga Creek, Los Angeles County; thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Bill read first time, and referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 230—An Act to amend Section 3748 of the Political Code of the State of California, relating to time and place of payment of the taxes and prohibiting the tax collector from accepting payment of taxes for the current year on any particular lot, piece or parcel of real estate until all delinquent taxes against the same property shall have been paid—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same do pass as amended.

SUTHERLAND, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 234—An Act adding a new section to the Civil Code to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of like insurance.

Also: Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer of such company.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KUCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Assembly Bill No. 814—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 596b, providing for deposits by companies engaged in liability insurance or workman's compensation insurance—have had the same under consideration, and respectfully report the same back, with the recommendation that it do not pass.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 743—An Act to amend an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights,

remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending Section 15 thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof, relating to free and reduced-rate transportation for freight and passengers,' approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act," by amending Section 47 thereof, so as to provide that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county, city and county, incorporated city or town, or municipal water district for the taking in eminent domain proceedings of any existing public utility or lands, property and rights of any character whatsoever connected with such existing public utility, or any part or portion thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

FISH, Chairman.

The above reported bill ordered on file for second reading:

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

Resolved, That there shall be prepared each day by the file clerk, a special urgency file on which each member of the Assembly shall be permitted to place one bill.

Before six o'clock p.m. of each day each member desiring to place a bill on the special urgency file for the succeeding day shall give to the file clerk the number of the bill he desires placed on the special urgency file, together with the number of the same on the file for that day.

The bills shall then be arranged on the special urgency file in the alphabetical order in which the names of the parties placing them on the file appear.

Such file shall be considered at least once each day, commencing on Monday, April 21, 1913. Such file shall be considered before the general third-reading file if that order of business is reached in the morning, and if it is not, then immediately following the consideration of the Senate bills. In the event that the entire urgency file is not completed, the consideration of the same shall be commenced on each succeeding day at the place it was discontinued.

During the consideration of such special urgency file no bill shall be considered if objection thereto has been made by at least seven members of the Assembly. But if the bill is thus objected to by seven members, the member who has placed such bill upon the file shall have the right to call up another bill in its place under the same regulation as to objections. Any bill that appears on such special urgency file which shall be passed or objected to shall be returned to its former place on the Assembly file.

During the consideration of such special urgency file no other business shall be in order except by unanimous consent.

Resolution read, and ordered printed in the Journal.

MOTION.

Mr. Bradford moved that he be allowed to take up Assembly Bill No. 1318, for the purpose of a select committee amendment.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an

appropriation therefor," by adding a new section thereto, to be known as Section 27.

During third reading of the bill, Mr. Bradford moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 9, strike out the words "twelve months after its passage", and insert in lieu thereof the following: "September 3, 1914."

Motion carried.

The Speaker appointed Mr. Bradford as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1318, with instructions, do now report that the instructions of the Assembly have been carried out.

BRADFORD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

During third reading of the bill, Mr. Wall moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 32, strike out the word "ninety", and insert in lieu thereof the words "one hundred".

Motion carried.

The Speaker appointed Mr. Wall as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 909, with instructions, do now report that the instructions of the Assembly have been carried out.

WALL, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

During third reading of the bill, Mr. Woodley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 13, strike out "15th", and insert in lieu thereof "4th".

Motion carried.

The Speaker appointed Mr. Woodley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1855, with instructions, do now report that the instructions of the Assembly have been carried out.

WOODLEY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1251—An Act regulating the employment of women and minors, and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act.

During third reading of the bill, Mr. Roberts moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. There is hereby established a commission, to be known as the industrial welfare commission, hereinafter called the commission. Said commission shall be composed of five persons, at least one of whom shall be a woman, and all of whom shall be appointed by the Governor as follows: two for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years; *provided, however*, that at the expiration of their respective terms, their successors shall be appointed to serve a full term of four years. Any vacancies shall be similarly filled for the unexpired portion of the term in which the vacancy shall occur. Three members of the commission shall constitute a quorum. A vacancy on the commission shall not impair the right of the remaining members to perform all the duties and exercise all the powers and authority of the commission.

SEC. 2. The members of said commission shall draw no salaries but all of said members shall be allowed ten dollars per diem while engaged in the performance of their official duties. The commission may employ a secretary, and such expert, clerical and other assistants as may be necessary to carry out the purposes of this Act, and shall fix the compensation of such employees, and may, also, to carry out such purposes, incur reasonable and necessary office and other expenses, including the necessary traveling expenses of the members of the commission, of its secretary, of its experts, and of its clerks and other assistants and employees. All employees of the commission shall hold office at the pleasure of the commission.

SEC. 3 (a). It shall be the duty of the commission to ascertain the wages paid, the hours and conditions of labor and employment in the various occupations, trades, and industries in which women and minors are employed in the State of California, and to make investigations into the comfort, health, safety and welfare of such women and minors.

(b) It shall be the duty of every person, firm or corporation employing labor in this state:

1. To furnish to the commission, at its request, any and all reports or information which the commission may require to carry out the purposes of this Act, such reports and information to be verified by the oath of the person, or a member of the firm, or the president, secretary, or manager of the corporation furnishing the same, if and when so requested by the commission or any member thereof.

2. To allow any member of the commission, or its secretary, or any of its duly authorized experts or employees, free access to the place of business or employment of such person, firm, or corporation, for the purpose of making any investigation authorized by this Act, or to make inspection of, or excerpts from, all books, reports, contracts, pay rolls, documents, or papers, of such person, firm or corporation relating to the employment of labor and payment therefor by such person, firm or corporation.

3. To keep a register of the names, ages and residence addresses of all women and minors employed.

(c) For the purposes of this Act, a minor is defined to be a person of either sex under the age of eighteen years.

SEC. 4. The commission may specify times to hold public hearings, at which times, employers, employees, or other interested persons, may appear and give testimony as to the matter under consideration. The commission or any member thereof shall have power to subpoena witnesses and to administer oaths. All witnesses subpoenaed by the commission shall be paid the fees and mileage fixed by law in civil cases.

In case of failure on the part of any person to comply with any order of the commission or any member thereof, or any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the commission, it shall be the duty of the superior court or the judge thereof, on the application of a member of the commission, to compel obedience in the same manner, by contempt proceedings, or otherwise, that such obedience would be compelled in a proceeding pending before said court. The commission shall have power to make and enforce reasonable and proper rules of practice and procedure and shall not be bound by the technical rules of evidence.

SEC. 5. If, after investigation, the commission is of the opinion that, in any occupation, trade, or industry, the wages paid to women and minors are inadequate to supply the cost of proper living, or the hours or conditions of labor are prejudicial to the health, morals or welfare of the workers, the commission may call a confer-

ence hereinafter called "wage board," composed of an equal number of representatives of employers and employees in the occupation, trade, or industry in question, and a representative of the commission to be designated by it, who shall act as the chairman of the wage board. The members of such wage board shall be allowed five dollars per diem and necessary traveling expenses while engaged in such conferences. The commission shall make rules and regulations governing the number and selection of the members and the mode of procedure of such wage board, and shall exercise exclusive jurisdiction over all questions arising as to the validity of the procedure and of the recommendations of such wage board. The proceedings and deliberations of such wage board shall be made a matter of record for the use of the commission, and shall be admissible as evidence in any proceedings before the commission. On request of the commission, it shall be the duty of such wage board to report to the commission its findings, including therein:

1. An estimate of the minimum wage adequate to supply to women and minors engaged in the occupation, trade or industry in question, the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The number of hours of work per day in the occupation, trade or industry in question, consistent with the health and welfare of such women and minors.

3. The standard conditions of labor in the occupation, trade or industry in question, demanded by the health and welfare of such women and minors.

SEC. 6. (a) The commission shall have further power after a public hearing had upon its own motion or upon petition, to fix:

1. A minimum wage to be paid to women and minors engaged in any occupation, trade or industry in this State, which shall not be less than a wage adequate to supply to such women and minors the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade or industry in this state; *provided*, that the hours so fixed shall not be more than the maximum now or hereafter fixed by law.

3. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade or industry in this state.

(b) Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and acting upon any matters referred to in sub-section (a) hereof, the commission shall give public notice by advertisement in at least one newspaper published in each of the cities of Los Angeles and Sacramento and in the city and county of San Francisco, and by mailing a copy of said notice to the county recorder of each county in the state, of such hearing and purpose thereof, which notice shall state the time and place fixed for such hearing, which shall be not earlier than fourteen days from the date of publication and mailing of such notices.

(c) After such public hearing, the commission may, in its discretion, make a mandatory order to be effective in sixty days from the making of such order, specifying the minimum wage for women or minors in the occupation in question, the maximum hours (provided that the hours specified shall not be more than the maximum for women or minors in California), and the standard conditions of labor for said women or minors; *provided, however*, that no such order shall become effective until after April 1, 1914. Such order shall be published in at least one newspaper in each of the cities of Los Angeles and Sacramento and in the city and county of San Francisco, and a copy thereof be mailed to the county recorder of each county in the state, and such copy shall be recorded without charge, and to the labor commissioner, who shall send by mail, so far as practicable, to each employer in the occupation in question, a copy of the order, and each employer shall be required to post a copy of such order in the building in which women or minors affected by the order are employed. Failure to mail notice to the employer shall not relieve the employer from the duty to comply with such order. Finding by the commission that there has been such publication and mailing to county recorders shall be conclusive as to service.

SEC. 7. Whenever wages, or hours, or conditions of labor have been so made mandatory in any occupation, trade, or industry, the commission may at any time in its discretion, upon its own motion or upon petition of either employers or employees, after a public hearing held upon the notice prescribed for an original hearing, rescind, alter or amend any prior order. Any order rescinding a prior order shall have the same effect as herein provided for in an original order.

SEC. 8. For any occupation in which a minimum wage has been established, the commission may issue to a woman physically defective by age or otherwise, a special license authorizing the employment of such licensee, for a period of six months, for a wage less than such legal minimum wage; and the commission shall fix a special minimum wage for such person. Any such license may be renewed for like periods of six months.

SEC. 9. Upon the request of the commission, the labor commissioner shall cause such statistics and other data and information to be gathered, and investigations made, as the commission may require. The cost thereof shall be paid out of the appropriations made for the expenses of the commission.

SEC. 10. Any employer who discharges, or threatens to discharge, or in any other manner discriminates against any employee because such employee has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings relative to the enforcement of this Act, shall be deemed guilty of a misdemeanor.

SEC. 11. The minimum wage for women and minors fixed by said commission as in this Act provided, shall be the minimum wage to be paid to such employees, and the payment to such employees of a less wage than the minimum so fixed shall be unlawful, and every employer or other persons who, either individually or as an officer, agent, or employee of a corporation or other person, pays or causes to be paid to any such employee a wage less than such minimum, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment.

SEC. 12. In every prosecution for the violation of any provision of this Act, the minimum wage established by the commission as herein provided shall be prima facie presumed to be reasonable and lawful, and to be the living wage required herein to be paid to women and minors. The findings of fact made by the commission acting within its powers shall, in the absence of fraud, be conclusive; and the determination made by the commission shall be subject to review only in a manner and upon the grounds following: within twenty days from the date of the determination, any party aggrieved thereby may commence in the superior court in and for the city and county of San Francisco, or in and for the counties of Los Angeles or Sacramento, an action against the commission for review of such determination. In such action a complaint, which shall state the grounds upon which a review is sought, shall be served with the summons. Service upon the secretary of the commission, or any member of the commission, shall be deemed a complete service. The commission shall serve its answer within twenty days after the service of the complaint. With its answer, the commission shall make a return to the court of all documents and papers on file in the matter, and of all testimony and evidence which may have been taken before it, and of its findings and the determination. The action may thereupon be brought on for hearing before the court upon such record by either party on ten days' notice of the other. Upon such hearing, the court may confirm or set aside such determination; but the same shall be set aside only upon the following grounds:

(1) That the commission acted without or in excess of its powers.

(2) That the determination was procured by fraud.

Upon the setting aside of any determination the court may recommit the controversy and remand the record in the case to the commission for further proceedings. The commission, or any party aggrieved, by a decree entered upon the review of a determination, may appeal therefrom within the time and in the manner provided for an appeal from the orders of the said superior court.

SEC. 13. Any employee receiving less than the legal minimum wage applicable to such employee shall be entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of suit, notwithstanding any agreement to work for such lesser wage.

SEC. 14. Any person may register with the commission a complaint that the wages paid to an employee for whom a living rate has been established, are less than that rate, and the commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the living wage.

SEC. 15. The commission shall biennially make a report to the governor and the state legislature of its investigations and proceedings.

SEC. 16. There is hereby appropriated annually out of the moneys of the state treasury, not otherwise appropriated, the sum of fifteen thousand dollars, to be used by the commission in carrying out the provisions of this Act, and the controller is hereby directed from time to time to draw his warrants on the general fund in favor of the commission for the amounts expended under its direction, and the treasurer is hereby authorized and directed to pay the same.

SEC. 17. The commission shall not act as a board of arbitration during a strike or lockout.

SEC. 18. (a) Whenever this Act, or any part or section thereof, is interpreted by a court, it shall be liberally construed by such court.

(b) If any section, subsection, or subdivision of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases is declared unconstitutional.

SEC. 19. The provisions of this Act shall apply to and include women and minors employed in any occupation, trade or industry, and whose compensation for labor is measured by time, piece or otherwise.

Motion carried.

The Speaker appointed Mr. Roberts as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1251, with instructions, do now report that the instructions of the Assembly have been carried out.

ROBERTS, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 98—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

During third reading of the bill, Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 7, between lines 26 and 27, insert a new section, to read as follows:

"Sec. 12. This Act shall not be construed to authorize or direct the commission of immigration and housing to induce or encourage immigration into this state or the United States."

Also: On page 7, line 27, strike out the figure "12" and insert in lieu thereof the figure "13".

Also: On page 7, line 30, strike out the figure "13" and insert in lieu thereof the figure "14".

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 98, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motions to reconsider Senate Bills Nos. 1104 and 933 was postponed until the next legislative day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Richardson, Mr. Ed. Richardson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. Dana R. Weller was granted the privilege of the floor of the Assembly for this day.

RECESS.

At four o'clock and forty-five minutes p.m., the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Young in the chair.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal.

By Mr. Slater:

Petition and report of the Committee on Resolutions, Sonoma County Teachers' Institute, Petaluma, April 7, 1913.

WHEREAS, The most important educational legislation to be enacted at the present time is the bill providing for the reorganization of the State Board of Education, because on it rests the future policy of education in this State; and

WHEREAS, We believe the best plan so far presented is the one incorporated in the so-called Boynton-Morgenstern bill; therefore, be it

Resolved, That we, the teachers of Sonoma County in institute assembled, do urge the passage of this bill, which will provide for a non-political, non-professional State Board of Education.

Also:

WHEREAS, Corporations, industrial institutions, municipalities and governments, recognizing the economic significance of the pension system for their employees, are establishing such systems in all parts of the United States and Europe; be it

Resolved, That we, the teachers of Sonoma County, in institute assembled, urge the passage of a bill that will provide an adequate system for retirement salaries or pensions, based on the best economic ideas of the present time.

WHEREAS, Great irregularity now exists in the apportionment of state school funds; be it

Resolved, That we, the teachers of Sonoma County in institute assembled, request that immediate action be taken on the bills now in the hands of Senate and Assembly committees which provide for equality and justice in the distribution of state school funds, regardless of population or class.

By Mr. Polsley:

OFFICE CORNING CHAMBER OF COMMERCE,
CORNING, CALIFORNIA.

RESOLUTION.

WHEREAS, A joint resolution has been introduced in the State Legislature of the State of California, being Resolution No. 29, introduced by Senator Shanahan, indorsing House Resolution No. 28825, introduced in Congress by Hon. John E. Raker, having for its purpose the restoration to the public domain all of the lands heretofore in 1894 reserved; and

WHEREAS, The Pitt River reservoir reservation constitutes a part of the great government reclamation, irrigation and flood control project, which is designed to reclaim and irrigate approximately three million acres of land in the Sacramento Valley; and

WHEREAS, The Iron Canyon project, for which we have worked for many years and have succeeded in interesting ex-Secretary of the Interior James R. Garfield, who, after personally inspecting the site, considered it of national importance and recommended it as the next project to be carried out by the government in its reclamation and irrigation of lands; and

WHEREAS, The restoration of said lands to the public domain would greatly interfere with and hamper the carrying out of said Iron Canyon reclamation and irrigating project; now, therefore, be it

Resolved, That we earnestly protest against the passage of said Joint Resolution No. 29 in the State Legislature and against the said House Resolution No. 28825.

Resolved, further, That copies of this resolution be sent to our representatives in our State Senate and Assembly.

Dated, Corning, Cal., April 15, 1913.

R. A. FOSTER, President.

E. L. RANDALL, Secretary.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and market-

ing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

Also: Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

SPECIAL ORDER SET.

On motion of Mr. Guiberson, the consideration of the above bills were made a special order for Saturday, April 19, 1913, at eleven o'clock a.m.

Assembly Bill No. 804—An Act to add a new section to the Code of Civil Procedure, the said section to be designated 1170a, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 804 refused passage by the following vote:

AYES—Messrs. Cary, Gates, Guill, Hayes, Judson, Schmitt, Slater, Stuckenbruck, Tulloch, and Mr. Speaker—10.

NOES—Messrs. Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Cram, Emmons, Ferguson, Finnegan, Fish, Ford, Gelder, Guiberson, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Shartel, Smith, and Wall—33.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bohnett gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 804 was this day refused passage.

RE-REFERENCE OF BILLS.

On motion of Mr. Brown, Assembly Bill No. 1074 was re-referred to Committee on Ways and Means.

On motion of Mr. Chandler, Assembly Bill No. 930 was re-referred to Committee on Ways and Means.

On motion of Mr. Inman, Assembly Bill No. 1084 was re-referred to Committee on Drainage, Swamp and Overflowed Lands.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for

manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1181 passed by the following vote:

AYES—Messrs. Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Guill, Hayes, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Peairs, Richardson, Roberts, Schmitt, Shartel, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Wall, Woodley, and Mr. Speaker—42.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 15, strike out all of Section 14.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 22 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Mouser, Nelson, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Slater, Strine, Tulloch, Wall, Woodley, and Mr. Speaker—46.
NOES—Messrs. Canepa, Ferguson, Hayes, Murray, and Polsley—5.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Inman gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 22 was this day passed.

RE-REFERENCE OF BILLS.

On motion of Mr. Green, Assembly Bills Nos. 767, 768 and 769 were referred to Committee on Judiciary.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects, of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, etc.

During third reading of the bill, Mr. Cary moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 3, strike out the semicolon after the word "county", and insert a period.

Also: Beginning with the word "provided", in same line, strike out the rest of the section and insert in lieu thereof the following: "It shall be the duty of the state

horticultural commissioner to, and he shall, immediately investigate all applications for establishment of horticultural quarantine between different portions of the state, and no such quarantine which shall restrict the commercial movement of any agricultural or horticultural product between points or districts of the state shall be made or enforced without the written approval of the state horticultural commissioner; and it shall be the duty of said commissioner to forthwith furnish such approval if he shall find reasonable grounds for making or enforcing of any such quarantine."

Motion carried.

The Speaker appointed Mr. Cary as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 412, with instructions, do now report that the instructions of the Assembly have been carried out.

CARY, Select Committee.

Report of select committee and amendments adopted.

Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 10, strike out "the proper" and insert in lieu thereof the following: "at least six days".

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records, approved June 16, 1906, as amended by an Act approved March 6, 1909, as amended by an Act approved February 3, 1911," so as to repeal Section 18 thereof, relating to the time within which actions may be commenced.

Assembly Bill No. 1009—An Act making an appropriation to defray the expense of legislative printing for the fortieth session of the Legislature of the State of California.

Assembly Bill No. 1010—An Act making an appropriation for the pay of officers and clerks of the Assembly for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

And were presented to the Governor this eighteenth day of April, at four o'clock p.m.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 57—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1749, 1750, 1755, and 1756 of the Political Code of the State of California, relating to high school districts.

Assembly Bill No. 147—An Act appropriating money to reconstruct and add to the steam heating system at the Napa State Hospital.

Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act.

Assembly Bill No. 438—An Act to amend Section 1615 of the Political Code of the State of California, relating to school trustees in newly formed school districts.

Assembly Bill No. 446—An Act to amend Section 1566 of the Political Code of the State of California, relating to trustees meetings.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Assembly Bill No. 524—An Act appropriating money for the purchase of live stock at the state prison at Folsom.

Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Assembly Bill No. 663—An Act to regulate the practice or occupation of steam engineering in the State of California: providing for the registration and licensing of persons to carry on such practice or occupation; providing for a board of examiners and a clerk thereof, to be under the supervision and management of the Commissioner of the Bureau of Labor Statistics; fixing the terms, compensation, powers and duties of the clerk and the members of the said board of examiners: fixing the fees to be paid by persons authorized to practice under the provisions of this Act; and creating a fund to be kept by the State Treasurer for the purposes of this Act.

Assembly Bill No. 1364—An Act to amend Section 4251 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

Assembly Bill No. 1430—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 635*b*, relating to the protection of fish and game.

Assembly Bill No. 1434—An Act to amend Section 628*d* of the Penal Code of the State of California.

Assembly Bill No. 1448—An Act to amend Section 626*e* of the Penal Code of the State of California, relating to the protection and preservation of game.

Assembly Bill No. 1453—An Act to amend Section 637 of the Penal Code of the State of California, relating to the protection of fish.

Assembly Bill No. 1454—An Act to amend Section 629 of the Penal Code of the State of California, relating to the protection of fish.

Assembly Bill No. 1666—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

Assembly Bill No. 1903—An Act to amend Section 4300*e* of the Political Code, relating to justices of the peace fees.

Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Assembly Bill No. 1920—An Act to amend Sections 1094, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards.

Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

Assembly Bill No. 2069—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign-born resident of this State, and providing punishment therefor, and providing for disposition of such shotguns or rifles.

Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital at Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the cost and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electric current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Assembly Bill No. 1023—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant, equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

Assembly Bill No. 1194—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds, to be known as "state building bonds," to provide a fund for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a commission to determine the amount to be expended for furnishing and equipping said buildings and accepting a suitable site, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation therefor, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

ADJOURNMENT.

At ten o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, April 19, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Palmer, Pears, Polesley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—70.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Ferguson, Mr. Fitzgerald was granted leave of absence for the day.

On motion of Mr. Bradford, Mr. Inman was granted leave of absence for the day.

On motion of Mr. Weldon, Mr. Griffin was granted leave of absence for the day.

On motion of Mr. Slater, Mr. Nelson was granted leave of absence for the day.

On motion of Mr. Byrnes, Mr. Morgenstern was granted leave of absence for the day.

On motion of Mr. McDonald, Messrs. Walsh, Collins, Nolan, Richardson and McCarthy were granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Roberts:

WHEREAS, The duplication of tax-paying places, requiring separate visits to the city tax collector and to the county tax collector, and the further inconvenience of compelling all of the residents of incorporated cities outside of the county seat to visit that place at the tax-paying period, in addition to paying city taxes at home, is the cause of much useless trouble and expense; therefore, be it

Resolved by the Los Angeles County Press Association, That the members of the Legislature from this county be urgently requested to provide in the Los Angeles County Government Act a provision requiring the appointment in each incorporated city of a deputy tax collector, preferably the tax collector of such city, who shall receive payment of all county taxes throughout the year.

Passed by the Los Angeles County Press Association, March 10, 1913.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Hinkle:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory.

Referred to Committee on Introduction of Bills.

By Mr. Bloodgood:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 925 of the Penal Code, relating to proceedings before the grand jury, the persons who may be present at the sessions of such jury, the record of testimony taken at such sessions, and providing for the appointment of a prosecuting officer in certain cases, and the fixing of his compensation.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF ASSEMBLY CONCURRENT RESOLUTION.

The following Assembly concurrent resolution was introduced, and referred as indicated:

By Mr. Chandler: Assembly Concurrent Resolution No. 29—Relating to salaries paid by the State to the employees in various state institutions.

Read, and referred to Committee on Ways and Means.

GOVERNOR'S MESSAGE.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, April 19, 1913.

To the Legislature of the State of California:

Upon the question of legislation concerning the ownership of land by aliens, I am this morning in receipt of a telegram from Mr. Bryan, Secretary of State, expressing the views of the President.

The telegram is as follows:

"WASHINGTON, D. C., April 18, 1913.

"Governor Hiram Johnson, Sacramento, Cal.:

"The President desires me to say that, while he fully recognizes the right of the people of California to legislate according to their judgment on the subject of land tenure, he feels it his duty to urge a recognition of the international character of such legislation. Being anxious to preserve and strengthen the long standing friendly relations existing between this country and the nations of the Orient, he very respectfully but most earnestly advises against the use of the words 'ineligible to citizenship.' He asks that you bring this view to the attention of the Legislature. He believes the Senate bill as telegraphed to the Department of State is greatly to be preferred. That bill limited ownership to citizens and to be (those) who had declared their intention to become citizens.

"W. J. BRYAN."

Respectfully,

HIRAM W. JOHNSON, Governor.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Bill read second time.

Assembly Bill No. 1677—An Act to appropriate the sum of three hundred and sixty-one dollars to pay the claims of the State Board of Health.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend title to said Act by striking out the words "three hundred and sixty-one dollars", and insert in lieu thereof the following: "three hundred and fifty-eight and 50/100 dollars".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, of printed bill, strike out everything from and inclusive of the word "three", down to and inclusive of the numerals "(\$361)", and insert in lieu thereof the following: "three hundred and fifty-eight and 50/100 dollars (\$358.50)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 2091—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 10, of printed bill, insert the following:

"SEC. 2. This appropriation is made contingent upon the city of San Rafael raising and furnishing, by bond issue or otherwise, a like sum to be used in conjunction with the aforesaid appropriation in the prosecution of the work herein described; said sum so raised and furnished by the city of San Rafael to be available on or before the first of January, 1915, and to be subject to the provisions of this Act."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 11, of printed bill, strike out the numeral "2", and insert in lieu thereof the numeral "3".

Amendment adopted.

Bill read second time.

Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of the printed bill, lines 2 and 3, strike out everything after and inclusive of the word "state", in line 2, down to and inclusive of the word "appropriated", in line 3, and substitute therefor the following: "San Francisco harbor improvement fund".

Amendment adopted.

AMENDMENT No. 2.

On page 1 of the printed bill, line 7, strike out the period after the word "Francisco", and add the following: "and the Board of State Harbor Commissioners is hereby authorized and directed to draw its draft in the amount named, in favor of said company."

Amendment adopted.

AMENDMENT No. 3.

On page 1 of the printed bill, line 9, insert the word "usual" between the words "the" and "current".

Amendment adopted.

Bill read second time.

Assembly Bill No. 572—An Act to amend Section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Bill read second time.

Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Frederick Maskew.

Bill read second time.

Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California.

Bill read second time.

Assembly Bill No. 2093—An Act to repeal an Act entitled "An Act to create the office of attorney for the State Board of Health and the board of health of the city and county of San Francisco," approved March 31, 1891.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2092—An Act to repeal Section 2568½ of the Political Code of the State of California, relating to the employment of an attorney by the Board of Harbor Commissioners of the port of Eureka.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1808—An Act regulating the collection of hospital fees by employers from persons in their employ, defining the duties and liabilities of such employers and providing penalties for the violation thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1343—An Act to regulate the construction, operation, and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1484—An Act to regulate the practice of employing special agents, detectives or so-called "spotters" to investigate and report to an employer information containing accusations against his employees; and providing penalties for the violation of its provisions and making the employer liable in damages to an employee sustaining thereby.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 9 and 10, strike out the words, "which is detrimental to the interests of the employee", and insert in lieu thereof the following: "which report involves a question of integrity, honesty or a breach of rules of the employer."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 12, after the comma following the word "accused", insert the following: "when requested by said employee."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 34, strike out "six", and insert in lieu thereof "seven".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 35, after the semicolon following the word "month", insert the following: "one deputy at a salary of ninety dollars per month; four copyists at a salary of seventy-five dollars each per month; one deputy, who shall be a filing clerk, at a salary of seventy-five dollars per month;"

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 32, strike out the words "twenty-nine", and insert in lieu thereof the words "thirty-nine".

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 1, strike out the words "one matron", and insert in lieu thereof the words "two matrons".

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 2, insert the word "each" after the word "dollars".

Amendment adopted.

AMENDMENT No. 6.

On page 4, line 29, strike out the word "nineteen", and insert in lieu thereof the word "twenty-six".

Amendment adopted.

AMENDMENT No. 7.

On page 5, line 26, after the semicolon following the word "month", insert the following: "three deputies, who shall be assistant bookkeepers, at a salary of one hundred dollars each per month; one deputy, who shall be a filing clerk, at a salary of seventy-five dollars per month".

Amendment adopted.

AMENDMENT No. 8.

On page 6, line 10, strike out the period after the word "month", and insert the following: "; one deputy who shall be a stenographer and bookkeeper at a salary of one hundred dollars per month".

Amendment adopted.

AMENDMENT No. 9.

On page 7, line 14, strike out the words "one deputy who shall be a stenographer", and insert in lieu thereof the following: "two deputies who shall be stenographers".

Amendment adopted.

AMENDMENT No. 10.

On page 7, line 15, strike out "per month; eighty-five", and insert in lieu thereof "each per month; eighty-seven".

Amendment adopted.

AMENDMENT No. 11.

On page 7, strike out all of lines 19, 20, 21 and 22, and the words "after the year 1911", in line 23.

Amendment adopted.

AMENDMENT No. 12.

On page 9, line 11, strike out the word "eighty", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT No. 13.

On page 9, line 17, strike out the word "nine", and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT No. 14.

On page 9, in line 21, strike out the word "three", and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT No. 15.

On page 11, line 30, strike out the word "two", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT No. 16.

On page 11, line 34, strike out the word "three", and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT No. 17.

On page 4, line 1, strike out the word "fifteen", and insert in lieu thereof the word "twenty-five".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1494—An Act to amend Section 290 of the Civil Code of the State of California, relative to articles of incorporation and what they must set forth.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2039—An Act to prohibit hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from allowing "tips" to be given to the employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Bill read second time.

Assembly Bill No. 230—An Act to amend Section 3748 of the Political Code of the State of California, relating to time and place of payment of taxes and prohibiting the tax collector from accepting payment of taxes for the current year on any particular lot, piece or parcel of real estate until all delinquent taxes against the same property shall have been paid.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 13, strike out the semicolon following the word "delinquent", and insert in lieu thereof the following: "since July 1, 1907;".

Amendment adopted.

AMENDMENT No. 2.

On page 2, beginning in line 1, strike out all after the word "taxes", and also all of lines 2, 3, 4 and 5, and insert in lieu thereof the following: ", subsequent to July 1, 1907, on the said property, shall have been paid in full and until the property shall have been redeemed from any tax sales for such delinquencies; nor shall he accept payment of the second installment of taxes unless the first installment shall have been previously paid."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 3, strike out the word "Section".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 743—An Act to amend an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund,' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending Section 15 thereof relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof, relating to free and reduced-rate transportation for freight and passengers,' approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act," by amending Section 47 thereof, so as to provide that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county, city and county, incorporated city or town, or municipal water district for the taking in eminent domain proceedings of any existing public utility or lands, property and rights of any character whatsoever connected with such existing public utility, or any part or portion thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 5, line 28, of the printed bill, after the word "domain", insert the following: "*Provided, however,* that in any case where the law governing any such county, city and county, incorporated city or town, or municipal water district permits such county, city and county, incorporated city or town, or municipal water district to commence and prosecute such proceedings in eminent domain prior to any such vote being had by the people, then the said county, city and county, incorporated city or town, or municipal water district whose legislative or other governing body has so filed such a petition with the commission, as above described, may, within sixty days after the commission shall have certified, in accordance with Section 70, its findings as to the just compensation that should be so paid for such existing public utility and the lands, property and rights thereof, or any such part or portion thereof, commence an action in a court of competent jurisdiction and in a manner and in accordance with the provisions of law, to take under eminent domain proceedings said existing public utility and the lands, property and rights thereof, or any such parts or portions thereof, the value of which has been so fixed and determined as herein provided, unless the owner of such existing public utility and the lands, property and rights thereof, or any such parts or portions thereof, shall file a written stipulation consenting and agreeing to accept the compensation so fixed by the commission to be paid by said county, city and county, incorporated city or town, or municipal water district for the taking of said existing public utility and the lands, property and rights thereof, or any such parts or portions thereof. Said county, city and county, incorporated city or town, or municipal water district, shall not be required to delay for more than twenty days after the said commission shall have so certified its findings in accordance with said Section 70, before commencing such proceedings in eminent domain."

Amendment adopted.

AMENDMENT No. 2.

On page 10, line 1, of the printed bill, after the word "review", insert the following: "Any such county, city and county, incorporated city or town, or municipal water district must pay at such times and in such amounts as may be directed by said railroad commission any extra costs which it might be necessary for said railroad commission to incur in order to comply with the requirements of this section. And the court, upon rendering any judgment in eminent domain, as herein provided for, may include therein the allowance of such costs as between the parties as is provided for in the law of eminent domain of this state.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 814—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 596*b*, providing for deposits by companies engaged in liability insurance or workman's compensation insurance.

Bill read second time, and ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1677, 8 and 2027.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 1677, 8 and 2027 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 1677, 8 and 2027, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment, and on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1481, 572, 1180, 1168 and 1605.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 1481, 572, 1180, 1168 and 1605 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 1481, 572, 1180, 1168 and 1605, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 402*f*, providing that certain buildings shall be provided with fire escapes.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 9, of the printed bill, insert the following after the word "building.": "An exposed side of a building is defined to be the front or rear thereof, or any other principal side of such building where provision can reasonably be made for descent to a place of safety in case of fire. The provisions of this Act shall not apply to buildings having a frame of steel or reinforced concrete and in which all the structural parts, including staircases and floors, are of incombustible material and the walls are of brick, stone or reinforced concrete."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1487—An Act authorizing the board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 137—An Act to add a new section to the Civil Code, to be numbered 1314, relating to the nomination of guardians by persons who may afterward become insane or incompetent.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 138—An Act to amend Sections 1763 and 1764 of the Code of Civil Procedure, in relation to the appointment of guardians of insane and incompetent persons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotelkeepers on property of guests for charges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 631—An Act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 683—An Act to amend Section 271*a* of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 687—An Act to amend Section 1183 of the Civil Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 947—An Act to amend Section 3898 of the Political Code, relating to the distribution of proceeds of sale of property acquired by the State for delinquent taxes and thereafter sold, and relating to the execution and delivery of deeds for said property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof", approved March 23, 1901, by adding thereto a new section, to be numbered Section 3*a*, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of text-books for use in the public schools of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 93—An Act appropriating money for remodeling north pay cottage at Napa State Hospital.

Bill read second time.

Senate Bill No. 94—An Act appropriating money for construction and equipment of a laundry building at Napa State Hospital.

Bill read second time.

Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Bill read second time.

Senate Bill No. 97—An Act appropriating money to construct and add to the steam heating system at Napa State Hospital.

Bill read second time.

Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies G and E at Veterans' Home of California.

Bill read second time.

Senate Bill No. 102—An Act appropriating money for painting buildings at Veterans' Home of California.

Bill read second time.

Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department at Stockton State Hospital.

Bill read second time.

Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Bill read second time.

Senate Bill No. 485—An Act appropriating money for the construction of a laundry building and the equipment of the same at Folsom State Prison.

Bill read second time.

Senate Bill No. 486—An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison.

Bill read second time.

Senate Bill No. 1112—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts therefor and declarations of the payment or performance thereof, and to authorize their recordation in the office of the Secretary of State.

Bill read second time.

Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, in line 5 of the title, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "by amending Sections 1, 2, 3, 4, 5 and 6 thereof, and by adding a new section thereto, to be numbered Section 7".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the first word "An," and insert in lieu thereof the following words: "Section 1 of an".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, of the printed bill, strike out the words "and each section thereof".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 6, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "1".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 1, of the printed bill, strike out words "motor or power car", and insert in lieu thereof the word "train".

Amendment adopted.

AMENDMENT No. 6.

On page 2, after the paragraph ending on line 9, of the printed bill, insert the following paragraph:

"SEC. 2. Section 2 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 10, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 21, of the printed bill, strike out the words "motor or power car", and insert in lieu thereof the word "train".

Amendment adopted.

AMENDMENT No. 9.

On page 3, after the paragraph ending on line 2, of the printed bill, insert the following paragraph:

"SEC. 3. Section 3 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 3, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 14, of the printed bill, strike out the words "power or motor car", and insert in lieu thereof the word "train".

Amendment adopted.

AMENDMENT No. 12.

On page 3, after the paragraph ending on line 20, of the printed bill, insert the following paragraph:

"SEC. 4. Section 4 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 13.

On page 3, line 21, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT No. 14.

On page 4, of the printed bill, strike out all the words beginning with the word "Sec." in line 1, and ending with the period in line 4 thereof.

Amendment adopted.

AMENDMENT No. 15.

On page 4, of the printed bill, after the paragraph ending on line 4, insert the following paragraph:

"SEC. 5. Section 5 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 16.

On page 4, line 5, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT No. 17.

On page 4, after the paragraph ending on line 8, of the printed bill, insert the following paragraph:

"SEC. 6. Section 6 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT No. 18.

On page 4, line 9, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT No. 19.

On page 4, after the paragraph ending on line 12, of the printed bill, insert the following:

"SEC. 7. A new section is hereby added to said Act, to be numbered Section 7, and to read as follows:

SEC. 7. Nothing contained in this Act shall be construed or be held to apply to gasoline motor cars operated exclusively on branch lines nor to trains of less than three cars propelled by electricity."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 234—An Act adding a new section to the Civil Code, to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer of such company.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 487—An Act to amend Section 4261 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof, and prescribing the penalties for the violation of any of the provisions thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 9, strike out the period, and insert in lieu thereof a semicolon and also add the following: "or to associations of merchants formed for the purpose of dealing with the affairs of embarrassed and insolvent debtors and engaged as such in the collection of debts for their members or other parties".

Amendment adopted:

Bill read second time, and ordered to reprint and on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 93, 94, 95, 97, 100, 102, 111, 197, 485, and 486.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 93, 94, 95, 97, 100, 102, 111, 197, 485 and 486 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 93, 94, 95, 97, 100, 102, 111, 197, 485, and 486, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading:

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

During third reading of the bill, Mr. Alexander moved that the Speaker appoint a select committee of one to amend the bill as follows:

After the word "thousand", line 21, page 3, insert the words "four hundred".
Also: After the word "education", in line 28, page 3, insert the words "or otherwise".

Also: Add the letter "s" to word "justice", in line 34, page 3.

Also: After the word "them", in line 37, page 3, strike out the balance of said line, and on page 4, line 1, strike out "inal matters".

Also: After the words "(one hundred)", on page 4, line 2, insert the word "twenty-five".

Also: After the word "be", line 5, page 4, strike out the word "seventy-five", and insert in lieu thereof "one hundred".

Also: After the word "sixty", in line 7, page 4, insert the word "five".

Also: After the word "fifty", in line 9, page 4, insert the word "five".

Also: After the word "forty", in line 11, page 4, insert the word "five".

Also: After the word "all", in line 16, page 4, insert "fees and".

Also: On page 4, line 16, strike out everything after the word "him", and all of lines 17, 18, 19, and 20.

Also: In lines 22 and 23, page 5, after the word "supervisors", insert the word "by".

Motion carried.

The Speaker appointed Mr. Alexander as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 554, with instructions, do now report that the instructions of the Assembly have been carried out.

ALEXANDER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1574—An Act to provide for a trial by jury in certain cases of contempt of court.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out the title of the Act after the words "An Act", and insert in lieu thereof the following: "To add a new section to the Code of Civil Procedure of the State of California, to be numbered Section 1218a, providing for a jury trial in certain cases of contempt."

Also: Strike out lines 1, 2 and 3, of the amended printed bill, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Code of Civil Procedure, to be numbered Section 1218a and to read as follows:".

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1574, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SENATE MESSAGES.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 662—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Senate Bill No. 805—An Act making an appropriation to pay the claim of the California Highway Construction Company against the State of California.

Also: Senate Bill No. 1206—An Act appropriating money for the purpose of preservation, protection and improvement of the old theatre building and grounds, at Monterey.

Also: Senate Bill No. 1249—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Also: Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 890—An Act adding a new section to the Penal Code of the State of California, to be numbered 508a, relating to embezzlement.

Also: Senate Bill No. 1460—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 604a, providing for the formation of religious corporations.

Also: Senate Bill No. 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County between said county and El Dorado County.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1327—An Act to appropriate twelve thousand dollars to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Also: Senate Bill No. 1191—An Act appropriating the sum of five thousand dollars for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Also: Senate Bill No. 657—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Also: Senate Bill No. 658—An Act to amend Section 4278 of the Political Code, relating to salaries and fees of officers of counties of the forty-ninth class.

Also: Senate Bill No. 659—An Act to amend Section 4281 of the Political Code, relating to salaries and fees of officers of counties of the fifty-second class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 711—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Also: Senate Bill No. 1513—An Act to amend Section 1243 of the Code of Civil Procedure of the State of California, relating to the county in which all proceedings under Title VII of Part III of the Code of Civil Procedure may be commenced and tried.

Also: Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by a court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Also: Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III of the Code of Civil Procedure.

W. N. PARRISH, Secretary of Senate
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons.

Also: Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, by adding a new section thereto, to be numbered thirty-six, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

Also: Senate Bill No. 788—An Act to provide for the indicating of the net quantity of food stuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Also: Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 880—An Act to repeal Sections 1923, 1935 and 1966 of the Political Code of the State of California, and to amend Sections 1966, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1953, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code to be known as Sections 1928a, 1928b, 1928c and 1928d, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Also: Committee Substitute for Senate Bill No. 588—An Act to amend Sections 1, 2, 3, 4, 6, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district to be called 'Reclamation District No. 831' and providing for the control and management thereof," approved April 8, 1911.

Also: Senate Bill No. 503—An Act to amend Section 1731 of the Political Code of the State of California, relating to the election of members of high school boards.

Also: Senate Bill No. 935—An Act to amend Section 384 of the Penal Code, relating to forest fires, approved May 1, 1911.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1745—An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity

the description of that portion of the north boundary of El Dorado County between said county and Placer County.

Also: Senate Bill No. 1603—An Act authorizing boards of supervisors to levy taxes for the purchase of an ambulance for use in townships.

Also: Senate Bill No. 457—An Act to amend Sections 1712, 1713 and 1714 of the Political Code, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and expended for such libraries.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Also: Senate Bill No. 127—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Also: Senate Bill No. 103—An Act appropriating money for general repairs to buildings at Veterans' Home of California.

Also: Senate Bill No. 225—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

Also: Senate Bill No. 478—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Also: Senate Bill No. 660—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 144—An Act to amend Sections 3, 5, 6, 7, 9, 27 and 66 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and adding a new section thereto to be numbered 82a, relating to reassessment by a court of competent jurisdiction.

Also: Senate Bill No. 13—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1917, but not thereafter.

Also: Committee Substitute for Senate Bill No. 376—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

Also: Senate Bill No. 705—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 277—An Act to add a new section to the Penal Code of the State of California, to be known as Section 532a, relating to the making and use of false statements for the purpose of obtaining property or credit, and prescribing the punishment therefor.

Also: Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places and providing for the punishment for violation of this Act.

Also: Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

Also: Senate Bill No. 1651—An Act to regulate the use of common towels in the State of California and providing punishment for the violation of this Act.

Also: Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered fifteen hundred ninety-sixa.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1240—An Act to amend Sections 10c, 10g, 10n and 10r of and to add four new sections, to be numbered 10j, 10o, 10p and 10q to an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 662 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 805 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1206 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1249 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 408 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 890 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1460 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1746 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1327 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1191 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 657 read first time, and referred to Committee on County Government.

Senate Bill No. 658 read first time, and referred to Committee on County Government.

Senate Bill No. 659 read first time, and referred to Committee on County Government.

Senate Bill No. 711 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1513 read first time, and referred to Committee on Judiciary.

Senate Bill No. 702 read first time, and referred to Committee on Judiciary.

Senate Bill No. 708 read first time, and referred to Committee on Judiciary.

Senate Bill No. 206 read first time, and referred to Committee on Hospitals and Asylums.

Senate Bill No. 1221 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 788 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1538 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 880 read first time, and referred to Committee on Military Affairs.

Committee Substitute for Senate Bill No. 588 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1287 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 503 read first time, and referred to Committee on Education.

Senate Bill No. 935 read first time, and referred to Committee on Conservation.

Senate Bill No. 144 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 13 read first time, and referred to Committee on Judiciary.

Committee Substitute for Senate Bill No. 376 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 705 read first time, and referred to Committee on Judiciary.

Senate Bill No. 70 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 127 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 103 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 225 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 478 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 660 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1745 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1603 read first time, and referred to Committee on County Government.

Senate Bill No. 457 read first time, and referred to Committee on Education.

Senate Bill No. 277 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 362 read first time, and referred to Committee on Corporations.

Senate Bill No. 1004 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 1651 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 177 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 1240 read first time, and referred to Committee on Public Charities and Corrections.

Senate Constitutional Amendment No. 17 read, and re-referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 987—An Act to amend Section 634 of the Civil Code, relating to building and loan associations.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

Also: Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office and fixing their salaries.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 1201 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Also: Assembly Bill No. 19—An Act to amend Section 3658a of the Political Code of the State of California, relating to maps for assessment purposes.

Also: Assembly Bill No. 2034—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1690"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1690, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1690.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1371?"

AMENDMENT No. 1.

On page 1, line 6, after the word "for" and before the word "current", insert the word "usual".

AMENDMENT No. 2.

On page 1, line 5, strike out the word and figure "Sec. 2.", and insert in lieu thereof "Sec. 3."

AMENDMENT No. 3.

Amend by inserting a new section, to be numbered Section 2, to read as follows: "SEC. 2. The State Controller is hereby authorized and directed to draw his warrant on the state treasury for the amount herein appropriated, and the State Treasurer is hereby directed to pay the same."

The roll was called, and Senate amendments to Assembly Bill No. 1371 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Byrnes, Cary, Chandler, Clarke, Geo. A., Ellis, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Murray, Palmer, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2034?"

AMENDMENT No. 1.

Strike out, commencing with the period in line 11, to and including the period in line 26, Section 1, page 2.

AMENDMENT No. 2.

Strike out Section 2, and in lieu thereof insert the following:

"SEC. 2. The management and control of said reclamation district is hereby made subject to the provisions of the Political Code and other laws of the State of California relative to reclamation districts formed under the provisions of said Political Code. The management and control of said Reclamation District No. 1600 shall be vested in three trustees. A. A. Merkley, A. M. Mull and Louis Caffaro are hereby appointed as trustees of the said reclamation district, to act until their successors are elected and qualified. An election of three trustees shall be held in said district on the third Tuesday in October, 1918, and on the same date every two years thereafter, and the term of office shall be two years, and until their successors are elected and qualified. In case of any vacancy in the office of trustee of said district, the board of supervisors of the county of Yolo shall appoint a qualified person as trustee, who shall hold said office for the date of said unexpired term. The office of said district shall be in the city of Woodland and in such place as the board of trustees thereof may from time to time fix. The board of supervisors of the county of Yolo shall have jurisdiction of all matters concerning said district to the same extent as if the said district was formed under the provisions of the said Political Code of the State of California. All funds of said district shall be deposited in the county treasury of said county of Yolo and shall be disbursed by the treasurer of said county in payment of the warrants of said district."

AMENDMENT No. 3.

Strike out Section 4.

The roll was called, and Senate amendments to Assembly Bill No. 2034 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 19?"

On page 1, line 10, strike out the word "shall", and insert in lieu thereof the word "may".

The roll was called, and Senate amendment to Assembly Bill No. 19 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bradford, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Murray, Palmer, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 12, 1913, adopted Committee Substitute for Senate Joint Resolution No. 25—Relative to memorializing Congress regarding the citrus fruit industry of the State of California and requesting our Senators and Representatives in Congress to use all honorable means to prevent a reduction in duties on citrus fruits below the point where the difference in the cost of production of the same would be equalized.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

RULES SUSPENDED.

Mr. Sutherland moved that the rules be suspended and Senate Joint Resolution No. 25 be taken up for consideration.

Motion carried.

Senate Joint Resolution No. 25—Relative to the protection of the citrus fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use their best efforts in preventing any reduction in the duties on citrus fruits.

During the reading of the resolution, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out of page 1, lines 8 and 9, and insert in lieu thereof the following: "Whereas, that while a reduction of the duties will bring increased revenue; and".

Motion lost.

Also:

Strike out on page 2, lines 4, 5, and 6.

Motion lost.

Mr. Killingsworth moved that the Speaker appoint a select committee of one to amend the resolution as follows:

On page 1, strike out all after the word "equalized" and substitute therefor the following:

WHEREAS, The Congress of the United States has been convened in extraordinary session to revise the tariff downward, in pursuance of the overwhelming mandate of the people; and

WHEREAS, The President of the United States, in his message read to Congress, said: "We must abolish everything that bears even the semblance of privilege or of any kind of artificial advantage, and put our business men and producers under the stimulation of a constant necessity to be efficient, economical and enterprising, masters of competitive supremacy, better workers and merchants than any in the world. Aside from the duties laid upon articles which we do not, and probably cannot, produce, therefore, and the duties laid upon luxuries and merely for the sake of the revenues they yield, the object of the tariff duties henceforth laid must be effective competition, the whetting of American wits by contest with the wits of the rest of the world; and

WHEREAS, It is practically certain that a tariff law will be enacted along the line of the principles above enunciated by the President of the United States; therefore, be it

Resolved, That the Senate and Assembly of the Legislature of the State of California do hereby respectfully request that the Congress of the United States, in considering reduction in the present tariff rate on citrus fruits, do take into careful

consideration all of the facts in relation to this great California industry, which facts, it is understood, are now in the possession of the Congress. The Senate and Assembly of the Legislature of the State of California desire, in this connection, to draw the special attention of members of Congress to:

(1) The long and expensive railroad haul over the mountains and deserts by which the California citrus fruit grower is able to reach the market.

(2) The difference in the cost of labor in California and in the competing foreign countries.

(3) The uncertain nature of the business, rendered so by the extreme perishability of the fruit, weather conditions, costly refrigeration, pests, etc.

Further, that none of the industries of California, we believe, now ask, expect or should receive any "semblance of privilege or of any kind of artificial advantage," but on the contrary, that only equality of opportunity be afforded by the fixing of tariff rates that will be just in relation to all the surrounding facts.

Resolved, further, That a copy of this resolution be telegraphed to the President and to each of our Senators and Representatives in the Congress of the United States.

During the consideration of the amendment, Mr. Killingsworth moved that the question be postponed until Monday, April 21, 1913.

ROLL CALL REGULARLY DEMANDED.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bradford, Dower, Finnegan, Ford, Gelder, Guiberson, Guill, Killingsworth, Kingsley, Libby, Palmer, Polsley, Shannon, Stuckenbruck, Tulloch, Wall, and Weldon—20.

NOES—Messrs. Ambrose, Benedict, Bohnett, Brown, Bush, Byrnes, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Moorhouse, Mouser, Murray, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Smith, Sutherland, Woodley, Wyllie, and Mr. Speaker—34.

The question being on the adoption of the amendment.

The roll was called, and amendment lost by the following vote:

AYES—Messrs. Alexander, Beck, Bradford, Dower, Finnegan, Ford, Guill, Killingsworth, Kingsley, Libby, Palmer, Polsley, Shannon, Shearer, Slater, Stuckenbruck, Tulloch, Wall, and Weldon—19.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Mouser, Murray, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Smith, Strine, Sutherland, Weisel, Woodley, and Mr. Speaker—40.

The question being upon the adoption of the Senate joint resolution.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Sutherland moved a call of the House.

Motion carried.

Time, eleven o'clock and fifty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifty-eight minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Sutherland.

The roll of absentees was called, and Senate Joint Resolution No. 25 adopted by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A.,

Judson, Kuck, McDonald, Moorhouse, Mouser, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Smith, Strine, Sutherland, Weisel, Woodley, Wylie, and Mr. Speaker—41.

NOES—Messrs. Alexander, Beck, Bowman, Bradford, Dower, Finnegan, Ford, Gelder, Guiberson, Guill, Killingsworth, Kingsley, Libby, Palmer, Polsley, Shannon, Shearer, Slater, Stuckenbruck, Tulloch, Wall, and Weldon—22.

Senate joint resolution ordered transmitted to the Senate.

RESOLUTION CONSIDERED.

Mr. Bohnett asked unanimous consent to take up the following resolution offered by him on Friday, April 18, 1913:

Resolved, That there shall be prepared each day by the file clerk a special urgency file, on which each member of the Assembly shall be permitted to place one bill.

Before six o'clock p.m. of each day each member desiring to place a bill on the special urgency file for the succeeding day shall give to the file clerk the number of the bill he desires placed on the special urgency file, together with the number of the same on the file for that day.

The bills shall then be arranged on the special urgency file in the alphabetical order in which the names of the parties placing them on the file appear.

Such file shall be considered at least once each day, commencing on Monday, April 21, 1913. Such file shall be considered before the general third-reading file if that order of business is reached in the morning, and if it is not, then immediately following the consideration of the Senate bills. In the event that the entire urgency file is not completed, the consideration of the same shall be commenced on each succeeding day at the place it was discontinued.

During the consideration of such special urgency file no bill shall be considered if objection thereto has been made by at least seven members of the Assembly. But if the bill is thus objected to by seven members, the member who has placed such bill upon the file shall have the right to call up another bill in its place under the same regulation as to objections. Any bill that appears on such special urgency file which shall be passed or objected to shall be returned to its former place on the Assembly file.

During the consideration of such special urgency file no other business shall be in order except by unanimous consent.

On motion of Mr. Bohnett, the above resolution was referred to Committee on Rules.

WITHDRAWAL OF BILL.

Mr. Woodley asked for and was granted unanimous consent to withdraw Assembly Bill No. 995.

Bill withdrawn, and ordered stricken from the file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 1482—An Act to amend an Act entitled "An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be known as Sections 3a and 3b, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality and crime in this State, the collection, compilation, and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, without recommendation.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Senate Bill No. 1172—An Act to amend Section 2 of an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, as amended by Act approved May 1, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 101—An Act appropriating money for building barracks at Veterans' Home of California.

Also: Senate Bill No. 92—An Act appropriating money for the purchase of bakery, kitchen and dining-room equipment at Napa State Hospital.

Also: Senate Bill No. 91—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Senate Bill No. 90—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also: Senate Bill No. 89—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Also: Senate Bill No. 88—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Also: Senate Bill No. 104—An Act appropriating money for repairs to plumbing at Veterans' Home of California.

Also: Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Also: Senate Bill No. 128—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Also: Senate Bill No. 126—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Also: Senate Bill No. 1701—An Act to make an appropriation for improving, repairing and protecting the water supply system of the Preston School of Industry.

Also: Senate Bill No. 750—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

Also: Senate Bill No. 268—An Act appropriating five thousand five hundred dollars for the construction of septic tanks, and making such repairs, alterations and additions, as may be necessary, to the present sewer system at the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Also: Senate Bill No. 269—An Act appropriating twenty thousand dollars therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Also: Senate Bill No. 1725—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol building and making an appropriation therefor.

Also: Senate Bill No. 98—An Act appropriating money for building a dairy and cow barns at Veterans' Home of California.

Also: Senate Bill No. 99—An Act appropriating money for building an amusement, assembly and library building at Veterans' Home of California.

Also: Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 954—An Act for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading:

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1852—An Act appropriating money to assist in paying expenses for encampment of the United Spanish War Veterans—which was re-referred to us from the Committee on Military Affairs, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Also: Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Which were re-referred to us from the Committee on Prisons and Reformatories, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass, as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school—which was re-referred to us from the Committee on Normal Schools, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also

repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof, approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof, and by adding three new sections to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering, and making certain acts a misdemeanor, and repealing Section 14 of said Act"—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1741—An Act to provide for removing obstructions in Pitt River above the mouth of Hat Creek so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor—which was re-referred to us from the Committee on Fish and Game, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1250—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College, and making appropriations therefor—which was re-referred to us from the Committee on Normal Schools, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years—which was re-referred to us from the Committee on Fish and Game, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2086—An Act to define investment companies, investment brokers, contractors and agents, etc.—which was re-referred to us from the Committee on Judiciary, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Also: Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Also: Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Also: Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same, and making an appropriation for that purpose.

Which were re-referred to us from the Committee on Prisons and Reformatories, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2080—An Act to provide for a general system, based upon investi-

gation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission and to make an appropriation therefor—which was re-referred to us from the Committee on Civil Service, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article XIII thereof, relating to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 880—An Act to repeal Sections 1923, 1935 and 1966 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1953, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111, 2112, of the Political Code of the State of California, and to add four new sections to said Code, to be known as Sections 1928a, 1928b, 1928c and 1928d, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HINKLE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

HINKLE, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1111—An Act to amend Sections 4285 of the Political Code, relating to the salaries and compensation of officers of counties of the fifty-sixth class.

Also: Assembly Bill No. 200—An Act to amend Section 4250 of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class. (Santa Cruz County.)

Also: Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Also: Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Also: Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the eighteenth class.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1214—An Act to repeal an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and all acts amendatory thereof or supplemental thereto.

Also: Senate Bill No. 487—An Act to amend Section 284 of the Code of Civil Procedure of the State of California, relating to change of attorneys.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 493—An Act to amend an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893.

Also: Assembly Bill No. 362—An Act to provide for a day of rest from labor for all employees of the state, counties, cities, cities and counties, municipal corporations, and townships.

Also: Assembly Bill No. 241—An Act to amend the Penal Code by adding a new chapter to Title IX of Part I thereof; to preserve one day in the week as a day of rest, and to promote health, morals and the public welfare.

Have had the same under consideration, and respectfully report the same back, and recommend that the following committee substitute bill be adopted with the recommendation that it do pass.

NELSON, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, APRIL 17, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1349—An Act to add a new section to the Penal Code, to be known as Section 626g, relating to the killing of bear—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILLE, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, APRIL, 19, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 55—An Act to amend Section 264 of the Penal Code, relating to the punishment for the crime of rape.

Also: Senate Bill No. 203—An Act to amend Section 1773 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 205—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 357—An Act to amend Section 607e of the Civil Code, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Also: Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 511—An Act to amend Section 599a of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Also: Senate Bill No. 548—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Also: Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

Also: Senate Bill No. 1339—An Act to add a new section to the Penal Code to be numbered Section 527, making it a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theater or other place of indoor amusement and fixing penalty thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 881—An Act to amend Sections 1917, 1918, 1919 and 1920 of the Civil Code, and to add a new section to said code, to be designated as Section 1921, relating to the loan of money, and the rate of interest to be allowed and charged therefor.

Also: Assembly Bill No. 1103—An Act to amend Section 607f of the Civil Code of the State of California, relating to appointment, qualification, duties and powers of humane officers.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 204—An Act to amend Section 1774a of the Code of Civil Procedure of the State of California, relating to guardians—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1—An Act to amend Section 25 of the Civil Code, relating to who are minors—have had the same under consideration, and respectively report the same back, and recommend that it do not pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1206—An Act to amend Section 102b of the Code of Civil Procedure of California, relating to salary of justices, justices' clerks, assistant justices' clerks and deputy justices' clerks in townships having a population between 250,000 and 400,000.

Also: Assembly Bill No. 1207—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerks, assistant and deputy justices' clerks in justices courts in townships having a population between 250,000 and 400,000.

Also: Assembly Bill No. 1218—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having population between 250,000 and 400,000.

Also: Assembly Bill No. 1219—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships between 250,000 and 400,000.

Also: Assembly Bill No. 1220—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Also: Assembly Bill No. 1381—An Act to amend Section 16 of that certain Act of the Legislature of the State of California entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof—which was re-referred to us from the Committee on Live Stock and Dairies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 514—An Act to amend Section 559e of the Penal Code of the State of California, relating to old, diseased or disabled animals—which was re-referred to us from the Committee on Public Health and Quarantine, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to whom was referred Senate Bill No. 1307—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a new section, to be numbered 13, relating to the collection of fees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BYRNES, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 1065—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JUDSON, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 1263—An Act to provide for the payment of pensions to public school teachers of this State, creating a public school teacher's pension fund, and providing for the administration of such fund.

Also: Assembly Bill No. 1285—An Act to amend Section 1577 of the Political Code of the State of California with reference to the formation of new petition for changing boundaries of old joint districts.

Also: Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WYLLIE, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 746—An Act providing for the commemoration as "Gold Discovery Day" in all departments of the public school system of the State of California, of the twenty-fourth of January, the date of the discovery of gold in California, by James W. Marshall.

Also: Senate Bill No. 1072—An Act to amend Section 1734 of the Political Code of the State of California, relating to the annexation of school districts to high school districts, and to the exclusion of school districts from union or joint union high school districts.

Also: Senate Bill No. 1695—An Act to amend Section 1779 of the Political Code of the State of California, relating to the establishment of post-graduate grammar school course for certain schools.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WYLLIE, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Concurrent Resolution No. 8—Relative to the training and education of orphan children, and instructing the State Board of Education to investigate the training and education now received by orphan children and the feasibility of extending the public school system of the State to provide for their training and education, and to report thereon to the forty-first session of the Legislature of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

WYLLIE, Chairman.

The above reported Senate concurrent resolution ordered on file for adoption.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 29—An Act to amend Sections 2643, 2651, 2654 and 2655 of the Political Code of the State of California, relating to the levy and apportionment of road tax, and to the acquisition, construction and maintenance of roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 277 and Assembly Bill No. 662—have had the same under consideration, and respectfully report that Senate Bill No. 277 is not identical with Assembly Bill No. 662.

MOORHOUSE, Chairman.

Senate Bill No. 277 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 70 and Assembly Bill No. 156—have had the same under consideration, and respectfully report that Senate Bill No. 70 is identical with Assembly Bill No. 156.

MOORHOUSE, Chairman.

Senate Bill No. 70 ordered on file, without reference.

Assembly Bill No. 156 withdrawn, and ordered stricken from the file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 805 and Assembly Bill No. 832, have had the same under consideration, and respectfully report that Senate Bill No. 805 is not identical with Assembly Bill No. 832.

MOORHOUSE, Chairman.

Senate Bill No. 805 referred to Committee on Ways and Means.

RECESS.

At twelve o'clock and thirty minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motions to reconsider Senate Bills Nos. 1104 and 933 was postponed until the next legislative day.

SPECIAL ORDERS RESET.

On motion of Mr. Guiberson, the consideration of Assembly Bill No. 536 was postponed until Monday, April 21, 1913, at eleven o'clock and thirty minutes a.m.

On motion of Mr. Johnstone, the consideration of Assembly Bill No. 79 was postponed until Monday, April 21, 1913, at one o'clock and thirty minutes p.m.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Rules recommended the adoption of the following special rules:

SPECIAL RULE No. 3.

Resolved, That there shall be prepared each day by the file clerk, a special urgency file on which each member of the Assembly shall be permitted to place one bill.

Before six o'clock p.m. of each day each member desiring to place a bill on the special urgency file for the succeeding day shall give to the file clerk the number of the bill he desires placed on the special urgency file, together with the number of the same on the file for that day.

The bills shall then be arranged on the special urgency file in the alphabetical order in which the names of the parties placing them on the file appear.

Such file shall be considered at each night session, commencing on Monday, April 21, 1913. In the event that the entire urgency file is not completed, the consideration of the same shall be commenced on each succeeding night session at the place it was discontinued.

SPECIAL RULE No. 4.

That, commencing on Monday, April 21, the Assembly third-reading file be considered from two o'clock to three o'clock p. m.; that from three o'clock to four o'clock and thirty minutes the special file of Senate bills be considered: and that during said session no other business shall be considered except by a three-fourths vote of the Assembly.

BROWN, Chairman.

Mr. Brown moved the adoption of the report and resolutions.

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Brynes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—60.

NOES—None.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego, and making available and reappropriating certain moneys for the purchase of said armory.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Hinkle: Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory.

Bill read first time, and referred to Committee on Military Affairs.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1011—An Act to provide for the purchase of certain California state text-books now in the hands of the dealers and providing for the proper distribution of such books.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1011 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H.,

Killingsworth, McDonald, Mouser, Murray, Palmer, Polsley, Ryan, Shartel, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—42.
NOES—Mr. Roberts—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410a, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 843 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Killingsworth, Kingsley, McDonald, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Scott, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 524—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 524 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Chandler, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Killingsworth, Kingsley, McDonald, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1666—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1666 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Green, Guill, Hayes, Johnson, Geo. H., Judson,

Killingsworth, Kingsley, McDonald, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shearer, Slater, Smith, Strine, Tulloch, Wall, Weisel, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1920—An Act to amend Sections 1094, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1920 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Guill, Hayes, Johnson, Geo. H., Judson, Killingsworth, Kingsley, McDonald, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shearer, Slater, Smith, Strine, Tulloch, Wall, Weisel, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

During third reading of the bill, the following amendments were submitted by the committee:

Strike out everything after the words "An Act", and in lieu thereof insert the following:

To provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

The people of the State of California do enact as follows:

SECTION 1. There is hereby created the office of state inspector of weighing and measuring instruments and the person holding such office is hereinafter designated "inspector." The inspector shall be appointed by the governor and the first appointment shall be made within thirty days after this Act becomes effective. The inspector shall always be removable at the pleasure of the governor, and shall be the same person as holds the office of labor commissioner. He shall draw no salary as inspector.

SEC. 2. Before entering upon his duties, the inspector shall execute a bond to the state in the sum of five thousand (5,000) dollars conditional upon the faithful performance of his duties.

SEC. 3. The inspector may appoint such deputies as he may deem advisable, not to exceed six in number, who shall be competent to perform the duties of inspectors of weighing and measuring instruments. Such deputies shall give bond in the sum of twenty-five hundred (2,500) dollars and shall have a salary of fifteen hundred (1,500) dollars per annum, to be paid in the same manner and at the same time as the salaries of state officers. They shall at all times be subject to removal at the pleasure of the inspector or the governor.

SEC. 4. The inspector and his deputies shall be allowed their actual traveling expenses, to be approved by the state board of control in the same manner as other claims against the state. The inspector shall also be allowed necessary office expenses to be approved by the state board of control in the same manner as other claims against the state.

SEC. 5. The standard weights and measures received from the United States under a resolution of congress approved June 14, 1836, and such new weights and measures as shall be received from the United States as standard weights and measures in

addition thereto or renewal thereof, and such as shall be procured by the state in conformity therewith and certified by the national bureau of standards, shall be the state standards for all purposes of this Act.

SEC. 6. The standards referred to in the preceding section shall be kept by the inspector in a safe and suitable place in his office from which they shall not be removed except for repairs, certification and use. He shall maintain such standards in good order and shall submit them at least once in ten years to the national bureau of standards for certification. Upon demand the secretary of state shall deliver to the inspector all standards now in the possession or under the control of the secretary of state. The inspector shall thereupon submit such standards received from the secretary of state to the national bureau of standards for certification, and the inspector shall replace such standards as are defective or incorrect and purchase such additional standards as shall be necessary to make up a suitably complete set of standard weights and measures for the purposes of this Act. Additional copies shall be purchased for the use of said deputies and boards of supervisors, as herein-after provided, which copies may be made of cheaper material than the standards of the state, kept in the inspector's office.

SEC. 7. The inspector shall place a copy of the state standards of weights and measures in the custody of the board of supervisors of every county, and city and county in the state, but said copies shall remain the property of the state, and the inspector or one of his deputies shall compare the same with the state standards at least once in five years.

SEC. 8. It shall be the duty of boards of supervisors to receive the copies referred to in the preceding section, and keep them in a safe and suitable place from which they shall not be removed except for repairs, certification, or use, and to perform such other duties as are required of them to be performed by this Act. When requested in writing by any person, firm or corporation to make examinations of any weighing or measuring instrument said board of supervisors shall send some competent person to make such examination and the person making the request shall pay all expenses including a per diem of five dollars and actual traveling expenses of the person making the examination. The person making the examination shall file with the board of supervisors a report showing the number and kind of instruments examined, the condition in which they were found and the name of the person making the request for such examination; said report to be filed within ten days after any examination is made.

SEC. 9. Any person who, by himself, or his employee or agent, or the employee or agent of another, shall use in the dealing with any merchandise, manufactured articles or commodities, any false weight or measure or weighing or measuring instrument, or use any weight or measure or weighing or measuring instrument calculated to falsify any weight or measure as tested by such standards, or who shall prepare or offer for sale, or sell, or deliver any merchandise or commodity, previously measured or weighed and placed by himself, or his employee or agent, or as the employee or agent of another, in wrappers, bags, cartons or other containers, that shall fall short of the represented or purported weight or measure of said merchandise or commodity (reasonable allowance being made for natural shrinkage, according to the lapsed time since said merchandise or commodity was weighed or measured); or who shall, in weighing or measuring merchandise or commodities, either in buying, or receiving for purposes of storage, or for shipping, or as a common weigher or measurer, make or give out to the party in interest any false statement as to the weight or quantity thereof, shall be guilty of a misdemeanor.

SEC. 10. Any person may have any weighing or measuring instrument tested by making a request in writing to the board of supervisors of the county, or city and county, in which he resides or by applying to the inspector and paying the expenses of making such test.

SEC. 11. There shall be allowed a tolerance or variation from the state standards of one fourth of one per cent, and no more, for the purposes of this Act.

SEC. 12. It shall be the duty of the inspector and his deputies to inspect weighing and measuring instruments used in this state for dealing in merchandise, manufactured articles and commodities, and they shall from time to time weigh or measure packages or amounts of commodities or merchandise, of whatsoever kind, previously weighed or measured and placed in wrappers, bags, cartons or other containers, and kept for the purpose of sale, or sold, or in process of delivery, in order to determine whether the same contain the quantity or amount represented and whether they are being offered for sale or sold in accordance with law, and in the general performance of such duties and without formal warrant, may at any reasonable time and place make such inspection.

SEC. 13. The inspector and his deputies shall keep a record in detail of the places visited, parties concerned, and of the weighing and measuring instruments tested by them and the inspector shall annually on or before the first day of January each year, and at such other times as the governor may require, make report to the governor, with any recommendations or suggestions necessary or advisable for the better working of his office and the efficient enforcement of this Act and the carrying out of its purposes.

SEC. 14. The inspector and his deputies in the performance of their official

duties, shall have the same powers as are possessed by peace officers of this state, and are authorized and empowered to arrest without formal warrant for any violation of this Act.

SEC. 15. If the inspector or any of his deputies, in the performance of their duties under the provisions of this Act, shall find any weighing or measuring instrument of any kind in use for dealing with any merchandise, manufactured articles or commodities that does not correspond with the state standards of weights and measures, he may immediately take possession of said instrument and shall notify the owner or person in charge of said weighing or measuring instrument that it does not correspond with the state standards, and the owner of said weighing or measuring instrument may within fifteen days thereafter bring an action against the inspector in the superior court of the county wherein such possession was so taken, for the purpose of recovering said instrument and of proving that said instrument at the time such possession was so taken corresponded with the state standards or that neither said owner nor person in charge knew or could with reasonable care have known that said instrument did not correspond with said standards. If such action is not brought within fifteen days, or in the event such action is brought and is decided in favor of the inspector, the inspector or his deputy shall file with the recorder of the county, or city and county, where the possession of said instrument was so taken, a notice stating that said instrument was examined and found different from the state standards of weights and measures and in what respects and giving the name and location of the place where used and the name, if known, of the owner. The recorder of such county, or city and county, shall file such notice and index same in a book kept by him for such purpose, entitled "Records of False Weights and Measures." All such notices shall remain on file and indexed for a period of not less than ten nor more than twelve months, at the expiration of which time the recorder shall remove and destroy said notice and efface said index. For such filing and destruction of notices, no fee shall be charged. If such suit is brought, the district attorney of said county shall defend the same and take and keep possession of said instrument for use as evidence in such suit. If judgment is rendered in favor of the inspector, or in event owner does not bring suit within said fifteen days, said measuring and weighing instrument shall be forfeited to the State of California.

SEC. 16. Any person who shall hinder or obstruct in any way the inspector or any of his deputies in the performance of their official duties, or shall refuse or wilfully neglect to exhibit any weighing or measuring instrument of any kind, or appliance or accessory connected therewith which is in his possession or under his control, to the inspector or such deputy, for the purpose of allowing the same to be inspected as in this Act provided, is guilty of a misdemeanor.

SEC. 17. Any inspector making any false report or failing to perform his duties as herein set forth is guilty of a misdemeanor.

SEC. 18. Nothing in this Act shall prevent any person, firm or corporation from procuring at his own expense and keeping copies of state or other standards of weights and measures.

SEC. 19. Immediately after the appointment of inspector and upon his qualifying for his official duties, he shall cause the complete text of this Act to be published once a week for four consecutive weeks in a newspaper of general circulation in each for his official duties, he shall cause the complete text of this Act to be published

SEC. 20. Chapter 211 of the Statutes of the State of California for 1911, being an Act to establish a standard of weights and measures in the State of California, etc., approved March 18, 1911, also all Acts and parts of Acts in conflict with this act are hereby repealed.

SEC. 21. There is hereby appropriated out of the general fund not otherwise appropriated the sum of twenty-five thousand dollars for the purchase of standards of weights and measures and for carrying into effect the provisions of this Act.

Amendment adopted.

Bill ordered to reprint, re-engrossment and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Assembly Bill No. 418—An Act relating to the furnishing of pure drinking water and individual drinking cups on passenger trains of railroad corporations; and providing penalties for violation of this Act.

Assembly Bill No. 491—An Act repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor.

Assembly Bill No. 79—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Assembly Bill No. 897—An Act to amend Section 1408 of the Penal Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in each county, providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 272—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants by the Board of Regents of the University of California, and to provide penalties for violation thereof."

Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, and Sacramento, under the control and management of the Commissioner of the Bureau of Labor Statistics and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof.

Assembly Bill No. 572—An Act to amend Section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Assembly Bill No. 814—An Act to amend the Political Code of the State of California by adding a new section thereto to be numbered Section 596b, providing for deposits by companies engaged in liability insurance or workman's compensation insurance.

Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California.

Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Frederick Maskew.

Assembly Bill No. 1343—An Act to regulate the construction, operation and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics, and providing for a penalty for violation thereof.

Assembly Bill No. 1378—An Act providing for the organization of water districts by the board of supervisors of the different counties of the state upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the state superintendent of banks in case said investigation is favorably reported, and that thereafter said bonds may be lawfully purchased or received in pledge as security for any money or deposits or for the performance of any act by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another, and providing for the dissolution of said districts for non-user of corporate power.

Assembly Bill No. 1477—An Act to amend Sections 655, 678, 683 and 686 of the Political Code, relating to the state board of control and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claim of the state board of health.

Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels in innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

Assembly Bill No. 1808—An Act regulating the collection of hospital fees by employers from persons in their employ, defining the duties and liabilities of such employers and providing penalties for the violation thereof.

Assembly Bill No. 2039—An Act to prohibit hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from allowing "tips" to be given to the employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same.

Assembly Bill No. 2092—An Act to repeal Section 2568½ of the Political Code of the State of California, relating to the employment of an attorney by the Board of Harbor Commissioners of the port of Eureka.

Assembly Bill No. 2093—An Act to repeal an Act entitled "An Act to create the office of attorney for the State Board of Health and the board of health of the city and county of San Francisco," approved March 31, 1891.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Ferguson, Mr. C. R. Benedict and daughter were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stuckenbruck, Mr. H. A. Hawk was granted the privilege of the floor of the Assembly for this day.

On motion of Mr. Gelder, the privilege of the floor of the Assembly for this day was extended to the history students of the Berkeley High School, their names to be printed in the Journal and copies of the same sent to them.

HISTORY STUDENTS BERKELEY HIGH SCHOOL.

Misses Elvah Ames, Rosabelle Ames, Tillie Appleton, Phyllida Ashley, Constance Ardley, Thelma Anthony, Ruth Annis, Helen Baer, Angele Bailey, Ruth Brunton, Mildred Campbell, Grace Carson, Mae Chalmers, Ruth Collins, Lillian Cook, Margaret Cornwall, Lorraine Connor, Anne Crewers, Carrie Crewers, Marjorie Flynn, Bertha Galloway, Ruth Goodsell, Jean Hoeck, Mercedes Howell, Dorothy Haggins, Edith Hull, Merodeen Keeler, Hyldred Knapp, Ruth Lange, Elizabeth McCabe, Doris McEntyre, Madeline Muldoon, Edith McKay, Mary Moore, Dorothy Morris, Marguerite Nichols, Alice Noble, Gladys Page, Dorothy Persons, Irene Sebastian, Beatrice Stephens, Marjorie Tuft, Rosselet Wallace, Hazel Warren, Dorothy Wetmore, Dorothy Wood, Fannie Young.

Messrs. Ezra Albright, Arth. Anderson, Bradf. Bosley, Ernest Carmper, Kenneth Caldwell, Oliver Carlson, Will Clow, Lloyd Cornwall, Donald Dunn, Ben Edwards, Dwight Grady, Floyd Haynes, Joe Harville, Holabird, J. Hoffman, B. Huskinson, Chas. Lindsay, George Lindsay, Chas. Mapel, Maxwell, Alberto Montijo, Duncan Montgomery, Muldoon, William Murray, Willis McElroy, Clifford Orear, Myron Penfield, Edwin Pillsbury, Clayton Restenfact, Donald Roach, Gus Saph, Chester Stutt, Fagan Simonton, Warren, Geo. White, Fred Witman, A. Wood, Elwood Wright.

Accompanied by members of the faculty, friends and relatives—Principal C. L. Beedenbach and Mrs. Berder, Miss Fannie W. McLean, Miss Annie Edmonds, Miss

Jennie Miller, Mr. A. W. Barnhart, Mrs. W. H. Wier, Miss Farrington, Mrs. J. D. Galloway, Mr. and Mrs. Wetmore, Miss Ruth Dyche, Miss Stella Howell, Miss Gretchen Jensen, Mr. George Jensen, Miss Rubelle Russell, William John Cooper.

Through the courtesy of Mr. Killingsworth, the freshmen and sophomore classes, Vacaville High School were granted the privilege of the floor of the Assembly for this day, and copies of the day's Journal ordered sent to their school.

Miss Ethel Campbell, instructress; Misses Hazel Merchant, Nona Palmer, Ruth Fotheringham, Mary Chase, Pearl Hinman, Lutie Stanford, Nonie Randall, Goldie Randall, Marjory Allen, Elma Mahler, Mildred Johnson, Kyrle Newport, Loa Reninger, Zuella Miller, and Mr. Douglas Killingsworth.

ADJOURNMENT.

At three o'clock p.m., on motion of Mr. Smith, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, April 21, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C.; Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—74.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Weldon, Mr. Griffin was granted leave of absence for the day.

On motion of Mr. Chandler, Mr. Wyllie was granted leave of absence for the day.

On motion of Mr. Byrnes, Mr. Morgenstern was granted leave of absence for the day.

On motion of Mr. McDonald, Mr. Walsh was granted leave of absence for the day.

At the suggestion of the Speaker, Mr. Gates was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ferguson, the further reading was dispensed with.

REQUEST FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented.

By Mr. Cram:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend an Act entitled "An Act to provide for the formation, organization, and classification of new counties, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended March 8, 1909.

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making an appropriation for the location, survey, construction and improving of a state highway from the city of San Bernardino in San Bernardino County, thence in a northeasterly direction by the most feasible route to Needles in San Bernardino County.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced, and referred as indicated:

By Mr. Schmitt: Assembly Concurrent Resolution No. 30—Relative to the publication and distribution of a supplement to the Blue Book, and making an appropriation therefor.

Read, and referred to Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 1, strike out the words "thirty-one hundred" and insert in lieu thereof the words "eighteen thousand one hundred".

Amendment adopted.

AMENDMENT No. 2.

In line 2, Section 1, strike out the figures "\$3,100" and insert in lieu thereof the figures "\$18,100".

Amendment adopted.

AMENDMENT No. 3.

In line 5, strike out the words "of minor" and insert in lieu thereof the words "and general".

Amendment adopted.

Bill read second time.

Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Bill read second time.

Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Bill read second time.

Assembly Bill No. 793—An Act appropriating money for building and furnishing cottage at Preston School of Industry.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, line 1, strike out the word "ten" and insert in lieu thereof the word "twenty-three".

Amendment adopted.

AMENDMENT No. 2.

In line 1, Section 1, strike out the figures "\$10,000)" and insert in lieu thereof the figures "\$23,000)".

Amendment adopted.

AMENDMENT No. 3.

On line 5, after the word "cottages", insert the words "and dormitories".

Amendment adopted.

Bill read second time.

Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Bill read second time.

Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose.

Bill read second time.

Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Bill read second time.

Assembly Bill No. 1852—An Act appropriating money to assist in paying expenses for encampment of the United Spanish War Veterans.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, in the title to said Act, strike out everything after the words "An Act" and substitute in lieu thereof the following: "to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this state, to be held in the year 1915."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, strike out everything from and inclusive of the word "the," in line 1, down to and inclusive of the word "San Francisco," in line 7, and substitute in lieu thereof, the following:

"SECTION 1. There is hereby appropriated out of the moneys in the treasury not otherwise appropriated, the sum of twenty-five thousand dollars, to be expended in the discretion of the governor, for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this state during the year 1915."

On page 1, after line 7, add two new sections as follows:

"SEC. 2. The governor of the state shall immediately upon the passage of this Act, demand from the state controller and the controller is hereby authorized and instructed upon such demand to draw his warrant in favor of the governor of the state for the sum of twenty-five thousand dollars to be expended by him as above provided, and the treasurer is hereby authorized and directed to pay the same; *provided*, that the governor in his discretion, may arrange for the expenditure of said money through the general committee having the management of the national encampment of the United Spanish War Veterans to be held in California in the year 1915, and which committee is organized under the auspices of the United Spanish War Veterans of this state.

"SEC. 3. This Act is hereby exempted from the provisions of section six hundred and seventy-two of the Political Code."

Amendment adopted.

Bill read second time.

Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Bill read second time..

Assembly Bill No. 1741—An Act to provide for removing obstruction in Pitt River above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of the title, after the words "An Act", strike out everything down to the words: "The people of the State of California do enact as follows:", and insert in lieu thereof the following: "To appropriate the sum of thirty-five hundred dollars for the purpose of clearing obstructions from the Pitt River and its tributaries."

Amendment adopted.

AMENDMENT No. 2.

Strike out everything after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. The sum of thirty-five hundred (\$3500) dollars is hereby appropriated from funds in the state treasury not already appropriated, for the use of the fish commissioners, to be used by them in clearing and removing obstructions from the Pitt River and its tributaries, in order to allow fish, during their spawning season, to reach the headwaters of said streams."

Amendment adopted.

Bill read second time.

Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority, and, in that behalf, to create a state civil service commission, and to make an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Insert in the title after the word "commission" a comma and thereafter the following words: "to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act,".

Amendment adopted.

AMENDMENT No. 2.

In line 18, on page 4, strike out the word "amend".

Amendment adopted.

AMENDMENT No. 3.

In line 19, on page 4, insert after the word "effect" the words "and from time to time amend and repeal the same".

Amendment adopted.

AMENDMENT No. 4.

In line 25, on page 9, after the word "also", insert the words "the attorney and".

Amendment adopted.

AMENDMENT No. 5.

In line 29, on page 9, insert after the words "attorney general" the words "and all special attorneys for boards and officers".

Amendment adopted.

AMENDMENT No. 6.

In line 16, on page 10, insert after the word "hold" a comma and immediately thereafter the words "during the tenure of office of said appointing power".

Amendment adopted.

AMENDMENT No. 7.

Between lines 20 and 21, on page 10, insert the following sentence: "Upon such appointee ceasing to hold such office by reason of the termination of the tenure of office of said appointing power, said appointee shall be restored to place upon the eligible lists in accordance with such rules and regulations as the commission may prescribe in that behalf."

Amendment adopted.

AMENDMENT No. 8.

On page 11, line 10, after the words "appointing power," strike out the words "selecting from" and insert "as follows;". Also, strike out lines 11, 12, 13 and the line 14 to and including the word "service," and insert "Said appointing power shall notify the commission of any vacancy to be filled, stating the duties of the position. The commission shall then certify to the appointing power the names and addresses of the three persons standing highest on the eligible list for the class or grade to which the position belongs; but in case there be less than three on such eligible list, the commission shall certify the number thereon; and the appointing power shall fill the position by the appointment of one of the persons certified by the commission therefor."

Amendment adopted.

AMENDMENT No. 9.

Insert in line 25, page 4, the words "by the appointing power, unless otherwise directed by the commission, and".

Amendment adopted.

AMENDMENT No. 10.

In line 19, on page 14, insert after the word "act," the words "or of the rules or regulations of the commission".

Amendment adopted.

AMENDMENT No. 11.

In line 17, on page 20, insert after the word "repealed" the words "in so far as they are inconsistent with the provisions of this Act".

Amendment adopted.

AMENDMENT No. 12.

In lines 35 and 36, on page 2, fill in the blank as follows: "three thousand".

Amendment adopted.

AMENDMENT No. 13.

In lines 18 and 19, on page 20, fill in the blank as follows: "fifty thousand dollars".

Amendment adopted.

AMENDMENT No. 14.

On page 2, lines 19 and 20, strike out the words "by the governor".

Amendment adopted.

AMENDMENT No. 15.

On page 2, lines 22 to 26, strike out the sentence beginning with the word "except" and ending with the word "legislature," and insert in lieu thereof the following: "The governor shall appoint all commissioners, including those to fill unexpired terms."

Amendment adopted.

AMENDMENT No. 16.

On page 2, lines 28 to 35, strike out the sentence beginning with the word "if" and ending with the word "legislature."

Amendment adopted.

Bill read second time.

Assembly Bill No. 2086—An Act to define investment companies, investment brokers, contractors and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation hereof; and making an appropriation therefor.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 791, 792, 794, 1517, 313 and 2086.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 791, 792, 794, 1517, 313, and 2086 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 791, 792, 794, 1517, 313, and 2086, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 790, 793, 1461, 1852, and 2080.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 790, 793, 1461, 1852 and 2080 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 790, 793, 1461, 1852, and 2080, and do now report the same back, and recommend they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

Assembly Bill No. 1111—An Act to amend Section 4285 of the Political Code, relating to the salaries and compensation of officers of counties of the fifty-sixth class.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2 of the printed bill, line 19, strike out the words "three hundred", and insert in lieu thereof the following: "seven hundred and twenty."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 200—An Act to amend Section 4250 of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class (Santa Cruz County).

During second reading of the bill, the following amendments were submitted by the committee:

On page 2, line 19, after the word "recorder" and before the word "hundred", strike out the word "twenty-one" and insert in lieu thereof the word "twenty-four".

Amendment adopted.

Also: On page 1, line 8, after the word "thousand" and before the word "hundred" strike out the word "three" and insert in lieu thereof the word "five".

Amendment adopted.

Also: On page 2, Subdivision 6, strike out all of lines 30 to 36, inclusive, and insert in lieu thereof the following:

"6. The tax collector, twenty-seven hundred and fifty dollars per annum; *provided*, that in lieu of the clerk now allowed this office for six months during each year, the said tax collector is hereby allowed one deputy for the entire year who shall receive a salary of nine hundred dollars per annum; said salary to be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid. The provisions herein applying to the appointment and the salary of said deputy shall go into effect ninety days after the approval of this Act."

Amendment adopted.

Also: On page 3, line 8, after the word "month" and before the word "and," insert a comma.

Amendment adopted.

Also: On page 3, line 10, after the word "draftsmen" and before the word "herein," insert a comma.

Amendment adopted.

Also: On page 3, line 10, after the word "for" and before the word "shall," insert a comma.

Amendment adopted.

Also: On page 3, subdivision 8, line 15, strike out the period after the word "annum" and add the following: ", and one deputy for the district attorney is hereby provided for at the discretion of the board of supervisors expressed by resolution."

Amendment adopted.

Also: On page 4, line 14, strike out after the word "by" and before the word "the" the word "five" and insert in lieu thereof the word "three".

Amendment adopted.

Also: On page four, line 28, after the word "class" and before the word "dollars," strike out the word "twenty-five" and insert in lieu thereof the word "forty".

Amendment adopted.

Also: On page 4, line 29, strike out the word "fifteen" after the word "class" and before the word "dollars" and insert in lieu thereof "twenty-five".

Amendment adopted.

Also: On page 4, line 30, strike out "five" at the beginning of the line and before the word "dollars" and insert in lieu thereof the word "fifteen".

Amendment adopted.

Also: On page 5, line 6, strike out the word "twenty-five" after the word "class" and before the word "dollars" and insert in lieu thereof the word "forty".

Amendment adopted.

Also: On page 5, line 7, strike out the word "fifteen" after the word "class" and before the word "dollars" and insert in lieu thereof the word "twenty-five".

Amendment adopted.

Also: On page 5, line 8, strike out the word "five" after the word "class" and before the word "dollars" and insert in lieu thereof the word "fifteen".

Amendment adopted.

Also: On page 6, line 16, strike out the period after the word "fifteen" and add the following: ", except as herein otherwise provided."

Amendment adopted.

Also: On page 6, line 7, after the word "recorder" and before the word "and," insert the following: ", district attorney".

Amendment adopted.

Also: On page 6, line 10, after the word "three" and before the word "and," insert the following: ", eight".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all that part of the Act which follows the enacting clause and insert in lieu thereof the following:

SECTION 1. Section four thousand two hundred forty-eight of the Political Code of the State of California is hereby amended to read as follows:

4248. In counties of the nineteenth class, the county officers shall receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

1. The county clerk, four thousand five hundred dollars per annum; *provided*, that in years when a great register of voters is required by law to be made, the county clerk shall receive in addition to his regular salary the sum of twelve hundred dollars for such service. The said clerk may appoint one chief deputy clerk, which said office of chief deputy clerk is hereby created. The salary of such chief deputy clerk is hereby fixed at twelve hundred dollars per annum, such salary to be paid at the same time and in the same manner as the salary of county officers is paid.

2. The sheriff, six thousand dollars per annum.

3. The recorder, three thousand two hundred dollars per annum. The recorder shall also be allowed one copyist to be appointed by himself at a salary of seventy-five dollars per month, to be paid at the same time and in the same manner as the salary of county officers is paid.

4. The auditor, one thousand five hundred dollars per annum.

5. The treasurer, two thousand dollars per annum.

6. The tax collector, three thousand dollars per annum.

7. The assessor, three thousand five hundred dollars per annum, and the fees and commissions now or hereafter allowed by law. The assessor shall also be allowed the following deputies, to be appointed by him, viz: One deputy for each bona fide increase of two hundred real estate statements made for assessment purposes over and above three thousand of such statements, and not to exceed in all five deputies. Each of such deputies shall receive a monthly compensation of one hundred dollars, for the months of March, April, May and June of each year; the salary of such deputies to be paid in the same manner, and out of the same fund as the assessor, upon the presentation of a certificate that services have been performed, and signed by the assessor.

8. The district attorney, twenty-four hundred dollars per annum; assistant district attorney, fifteen hundred dollars per annum; *provided*, that in counties of this class the district attorney may appoint a stenographer, which office of stenographer to the district attorney is hereby created, and such stenographer shall receive as compensation for his or her services the sum of six hundred dollars per annum, to be paid in equal monthly installments in the same manner, at the same time and out of the same fund as the salary of other county officers is paid.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, two thousand dollars per annum, and his actual traveling expenses when visiting schools, not to exceed ten dollars per district; *provided*, that the said superintendent of schools may appoint one deputy superintendent of schools, which office of deputy superintendent of schools is hereby created, and such deputy shall receive compensation for his or her services the sum of seven hundred twenty dollars per annum, to be paid in equal monthly installments in the same manner, at the same time and out of the same fund as the salary of other county officers is paid.

12. The surveyor, such fees as are now or may be hereafter allowed by law.

13. In counties of this class the township officers shall receive the following compensation, to wit:

(a) In townships having a population of forty-five hundred, or more, each justice of the peace shall receive a salary of one hundred twenty-five dollars per month, and each constable a salary of ninety dollars per month.

(b) In townships having a population of two thousand, or more, and less than forty-five hundred, each justice of the peace shall receive a salary of fifty dollars per month, and each constable a salary of sixty dollars per month.

(c) In townships having a population of nineteen hundred twenty-five, or more, and less than two thousand, each justice of the peace shall receive a salary of forty dollars per month, and each constable a salary of fifty dollars per month.

(d) In townships having a population of eighteen hundred, or more, and less than nineteen hundred twenty-five, each justice of the peace shall receive a salary of thirty dollars per month, and each constable a salary of forty dollars per month.

(e) In townships having a population of seven hundred thirty, or more, and less than eighteen hundred, each justice of the peace shall receive a salary of twenty dollars per month, and each constable a salary of twenty-five dollars per month.

(f) In townships having a population of less than seven hundred thirty, each justice of the peace shall receive a salary of five dollars per month, and each constable a salary of five dollars per month.

The above named salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases: *provided*, that each constable shall be allowed and paid the actual expense of transporting prisoners, after conviction, to the county jail, which said expense shall be audited and allowed by the board of supervisors and paid out of the county treasury. Said justices of the peace and constables may receive and retain for their own use such fees as are now or may hereafter be allowed by law for all services rendered by them in civil actions. The salaries of township officers as herein provided for shall be paid in the same manner, at the same time, and out of the same funds that county officers are paid. For the purposes of this subdivision the population of the several judicial townships is hereby determined to be the population of said townships as shown by the federal census taken in the year A. D. nineteen hundred and ten.

14. Each member of the board of supervisors, twelve hundred dollars per annum, and mileage when acting as road commissioner, twenty-five cents per mile one way; *provided*, the amount of mileage shall not exceed the sum of three hundred dollars in any one year.

15. Members of the board of education, each the sum of five dollars per day for actual service, together with mileage at ten cents per mile.

16. In counties of this class grand jurors and trial jurors in criminal cases in the superior court shall each receive for each day's attendance the sum of three dollars and the mileage allowed by law.

17. Sections eight, eleven, thirteen and sixteen hereof shall become operative as soon as this Act takes effect and shall apply to incumbents in office.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 7, after the word "clerk," strike out the words "three thousand" and insert in lieu thereof "two thousand seven hundred."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, after the word "thousand," strike out the word "five" and insert in lieu thereof the word "three."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 11, after the words "per annum," insert the following: "*and provided, further*, in the event that the governor of the State of California shall designate and appoint one extra superior judge to hold court in said county, then he shall be allowed one extra clerk to preside as clerk of said extra court and be allowed compensation therefor in the sum of four dollars (\$4) per day."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 17, after the words "per annum," insert the following: "*and provided, further*, in the event that the governor of the State of California shall designate and appoint one extra superior judge to hold court in said county, then he shall be allowed one extra deputy whose salary shall be fixed at four dollars (\$4) per day."

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 22, after the word "recorder," strike out the words "three thousand" and insert in lieu thereof the words "two thousand seven hundred."

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 25, after the word "-sand," strike out the word "five", and insert in lieu thereof the word "three."

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 3, after the word "thousand," strike out the word "five" and insert in lieu thereof the word "three."

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 17, after the word "treasurer," strike out the words "three thousand" and insert in lieu thereof the words "two thousand seven hundred."

Also: On page 3, line 21, after the word "-sand," strike out the words "two hundred."

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 26, after the word "collector", strike out the words "three thousand", and insert in lieu thereof the words "two thousand seven hundred".

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 33, after the word "thousand", strike out the words "two hundred".

Amendment adopted.

AMENDMENT No. 11.

On page 3, line 36, after the word "thousand", strike out the words "five hundred".

Amendment adopted.

AMENDMENT No. 12.

On page 4, line 9, after the word "assessor", strike out the words "three thousand" and insert in lieu thereof the words "two thousand seven hundred".

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 15, after the word "thousand", strike out the word "five" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT No. 14.

On page 4, line 16, after the word "of", strike out the words "nine hundred" and insert in lieu thereof the words "seven hundred eighty".

Amendment adopted.

AMENDMENT No. 15.

On page 4, line 20, after the word "of," strike out the word "four" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 16.

On page 5, lines 6 and 7, after the word "of", in line 6, strike out the word "one", and in line 7 strike out the words "thousand two" and insert in lieu thereof "nine".

Amendment adopted.

AMENDMENT No. 17.

On page 5, line 8, after the word "of", strike out the words "nine hundred" and insert in lieu thereof the words "one thousand".

Amendment adopted.

AMENDMENT No. 18.

On page 5, line 31, after the word "of", strike out the word "nine" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT No. 19.

On page 5, line 32, after the words "per annum", insert the words "and one deputy at nine hundred dollars per annum".

Amendment adopted.

AMENDMENT No. 20.

On page 6, line 18, after the word "month", strike out all of lines 18, 19, 20 and up to and including the word "office" in line 21.

Amendment adopted.

AMENDMENT No. 21.

On page 8, line 12, after the word "every", strike out the words "succeeding two years thereafter" and insert in lieu thereof the words "odd numbered year".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 15, after the word "of," strike out the word "nine" and insert in lieu thereof the word "twelve."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 17, after the word "of," strike out the word "such" and insert in lieu thereof the word "which."

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 6, after the word "assessor," strike out the word "three" and insert in lieu thereof the word "four."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 6, strike out the word "provided."

Amendment adopted.

AMENDMENT No. 5.

On page 3, strike out lines 7, 8, 9, 10 and 11.

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 12, strike out the words "poll tax."

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 27, after the word "thousand," insert the words "four hundred."

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 32, after the word "of," strike out the word "twelve" and insert in lieu thereof the word "nine."

Amendment adopted.

AMENDMENT No. 9.

On page 4, after line 30, after the word "hundred," strike out the word "eighty" and insert in lieu thereof the words "one hundred."

Amendment adopted.

AMENDMENT No. 10.

On page 5, line 19, after the word "month," insert the following: "the salaries herein allowed are in full compensation for all duties performed by either principals or their deputies and all fees of every kind collected by each officer or his deputy shall be paid into the county treasury as prescribed by law."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1480—An Act declaring persons, firms or corporations operating pipe lines for the transportation of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 6, line 17, after the word "cases," insert "and in cases of dependent and delinquent persons."

Amendment adopted.

AMENDMENT No. 2.

Add a new section to be known as section 18, as follows:

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1482—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be known as Sections 3a and 3b, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality, and crime in this State, the collection, compilation, and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1349—An Act to add a new section to the Penal Code, to be known as Section 626*g*, relating to the killing of bear.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title of the Act by striking out "626*g*", and inserting in lieu thereof the following: "627*e*."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2, strike out "626*g*", and insert in lieu thereof the following: 627*e*.

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, strike out "626*g*", and insert in lieu thereof the following: "627*e*."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 5, strike out the words "first day of November", and insert in lieu thereof the following: "fifteenth day of October."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 881—An Act to amend Sections 1917, 1918, 1919 and 1920 of the Civil Code, and to add a new section to said code, to be designated as Section 1921, relating to the loan of money, and the rate of interest to be allowed and charged therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the word "six", and insert in lieu thereof the word "seven."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 20, strike out the word "debt", and insert in lieu thereof the word "interest."

Amendment adopted.

AMENDMENT No. 3.

On page 2, beginning in line 20, strike out the words "to the" and in line 21 the following: "school fund of the county where such suit is brought," and insert in lieu thereof the word "for".

Amendment adopted.

AMENDMENT No. 4.

On page 2, beginning in line 25, strike out the word "state" and all the balance of the line, and in line 26 strike out the words "fund of such county", and insert in lieu thereof the word "plaintiff".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 26, strike out the word "for", and insert in lieu thereof the word "without".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 26, strike out the comma after the word "suit", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 7.

On page 2, strike out all of line 27.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1103—An Act to amend Section 607*f* of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, beginning in line 7, strike out the following: "and who have been such members for not less than six months next preceding."

Amendment adopted.

AMENDMENT No. 2.

On page 1, beginning in line 12, strike out the following: "has been a member of such corporation for not less than six months as aforesaid and".

Amendment adopted.

AMENDMENT No. 3.

On page 3, in line 2, strike out the word "class", and insert in lieu thereof the following: "and first and one half classes".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1—An Act to amend Section 25 of the Civil Code, relating to who are minors.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1206—An Act to amend Section 102*b* of the Code of Civil Procedure of California, relating to salary of justices, justices' clerks, assistant justices' clerks and deputy justices' clerks in townships having population between 250,000 and 400,000.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1207—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued, and the duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1218—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having a population between 250,000 and 400,000.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1219—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships between 250,000 and 400,000.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1220—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1381—An Act to amend Section 16 of that certain Act of the Legislature of the State of California entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1263—An Act to provide for the payment of pensions to public school teachers of this State, creating a public school teachers' pension fund, and providing for the administration of such fund.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 2 of the title, of the printed bill, strike out the word "pensions" and insert in lieu thereof the words "retirement salaries".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4 of the title, of the printed bill, strike out the word "pension" and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 1, of the printed bill, strike out the word "pension".

Amendment adopted.

AMENDMENT No. 4.

On page 1 of the printed bill, beginning on line 1 and ending on line 2 thereof, strike out the words "for public school teachers of the State of California".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 3, of the printed bill, after the word "as" insert the word "the".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 3, of the printed bill, strike out the word "pension" and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 7.

On line 1 of the printed bill, strike out all of subdivision 3, Section 1, beginning on line 9, page 1, and ending on line 2, page 2, and insert in lieu thereof the following:

"(3) Five per cent of the taxes collected during each fiscal years hereafter, under

the succession and inheritance tax laws of this State, which said amount shall be and is hereby appropriated and set aside to constitute part of the public school teachers' retirement salary fund, and shall, at the beginning of each fiscal year, be deposited in the state treasury to the credit of said fund;"

Amendment adopted.

AMENDMENT No. 8.

On page 2 of the printed bill, strike out all of Section 2, beginning at line 8 and ending on line 15 thereof, and insert the following:

"SEC. 2. The public school teachers' retirement salary fund shall be divided into two parts. One part shall be known as the permanent fund, and the other part shall be known as the distribution fund. The permanent fund shall consist of moneys set apart for the purpose of investment by the public school teachers' retirement salary fund board hereinafter provided for. The distribution fund shall consist of all other moneys paid into said public school teachers' retirement salary fund."

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 16, of the printed bill, strike out the word "said", and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 16, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 11.

On page 2, line 17, of the printed bill, strike out the word "fifty", and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT No. 12.

On page 2, line 19, of the printed bill, after the word "shall", insert a comma and the words "in the judgment of the board."

Amendment adopted.

AMENDMENT No. 13.

On page 2, line 21, of the printed bill, strike out the word "pensions", and insert in lieu thereof the words "retirement salaries".

Amendment adopted.

AMENDMENT No. 14.

On page 2, line 25, of the printed bill, strike out the word "pensions", and insert in lieu thereof the words "retirement salaries".

Amendment adopted.

AMENDMENT No. 15.

On page 2 of the printed bill, strike out all of Section 5, beginning on line 26 and ending on line 33, and insert in lieu thereof the following:

"SEC. 5. There shall be deducted monthly from the salary of every teacher subject to the burdens of this Act, one dollar, and every official whose duty it is to pay said teacher's salary shall make said deduction at the time of payment and shall, at the end of each quarter, draw a warrant in favor of the state treasurer for the amounts deducted. The amounts thus deducted shall be deposited in the state treasury to the credit of the public school teachers' retirement salary fund, and shall constitute part thereof."

Amendment adopted.

AMENDMENT No. 16.

On page 2, line 36, of the printed bill, strike out the word "pensions", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 17.

On page 3, line 8, strike out the word "pension".

Amendment adopted.

AMENDMENT No. 18.

On page 3, line 11, strike out the word "month", and insert in lieu thereof the word "year".

Amendment adopted.

AMENDMENT No. 19.

On page 3, line 13, strike out the word "pension", and insert the words "retirement salary".

Amendment adopted.

AMENDMENT No. 20.

On page 3, line 15, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 21.

On page 3, line 16, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "last mentioned".

Amendment adopted.

AMENDMENT No. 22.

On page 3, line 19, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 23.

On page 3, line 22, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 24.

On pages 3 and 4, of the printed bill, strike out all of Section 8, beginning on line 23, on page 3, and ending at line 8, page 4, and insert in lieu thereof the following: "SEC. 8. The public school teachers' retirement salary fund board, subject to the provisions of this Act, shall have power, and it shall be its duty:

(1) To approve and allow retirement salaries of public school teachers entitled to the same under the provisions of this Act;

(2) Through its president or other officers designated by it for that purpose, to audit all claims and demands for money expended or authorized to be expended by it, and certify all claims and demands against the public school teachers' retirement salary fund, including all retirement salary demands, to the state controller, who shall draw his warrant therefor upon the state treasurer, payable out of said fund; *provided*, that no demand shall be allowed except after resolution duly passed at a meeting of the board by a majority of its members, which adoption shall be attested by the secretary;

(3) To require the boards of education, school trustees and other public authorities, and all officers having duties to perform in respect to the contributions by teachers to said fund, to report to the board from time to time as to such matters pertaining to the payment of such contributions, as it may deem advisable;

(4) To invest the moneys in the permanent fund in securities, and collect the income therefrom and interest and dividends thereon: to deposit such securities with the state treasurer, and to make sale of such securities, when, in its judgment, such sale will be advisable;

(5) To prescribe the duties of the secretary and other officers of the board;

(6) To conduct investigations in all matters relating to the operation of this Act, and to subpoena witnesses and compel their attendance to testify before it in respect to such matters."

Amendment adopted.

AMENDMENT No. 25.

On page 4, line 9, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 26.

On page 4, line 14, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 27.

On page 4, line 19, of the printed bill, strike out the word "or", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT No. 28.

On page 4, line 19, of the printed bill, strike out the comma.

Amendment adopted.

AMENDMENT No. 29.

On page 4, line 25, of the printed bill, strike out the word "transactions", and insert in lieu thereof the word "operation".

Amendment adopted.

AMENDMENT No. 30.

On page 4, line 29, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 31.

On page 4, line 30, of the printed bill, strike out the word "expenditures", and insert in lieu thereof the following words: "disbursements for and on account of said fund;"

Amendment adopted.

AMENDMENT No. 32.

On page 4 of the printed bill, strike out the words "by pensioners and officers having duties to perform", beginning on line 32 and ending on line 33 thereof.

Amendment adopted.

AMENDMENT No. 33.

On page 4, line 34, of the printed bill, strike out the words "the board", and insert in lieu thereof the word "boards".

Amendment adopted.

AMENDMENT No. 34.

On pages 4 and 5 of the printed bill, strike out the words "this Act, in respect to the contribution by teachers to the pension", and insert in lieu thereof the following: "this Act, in respect to the contributions by teachers to the public school teachers' retirement salary", beginning on page 4, line 36, and ending on page 5, line 1.

Also: On page 5, line 1, of the printed bill, strike out the word "deduction", and insert in lieu thereof the word "deduction".

Amendment adopted.

AMENDMENT No. 35.

On page 5 of the printed bill, strike out all of lines 6 to 11, inclusive, and insert in lieu thereof the following: "applying for and obtaining retirement salaries provided for in this Act, and for the method or methods of determining the right of each applicant to such retirement salary; *provided, however,* that in all cases legal proof of all necessary facts shall be required and kept on file."

Amendment adopted.

AMENDMENT No. 36.

On page 5 of the printed bill, strike out all of Section 12, beginning on line 12 and ending on line 21 thereof, and insert in lieu thereof the following:

"SEC. 12. The superintendent of public schools of each city, county and consolidated city and county shall report to the superintendent of public instruction, before the fifteenth day of July of each year, the amount that will be needed for the following fiscal year to pay the retirement salaries to be paid in each city, county, or consolidated city and county, and said superintendent of public instruction shall

determine from said reports the entire amount required to pay said retirement salaries during said following fiscal year. He shall report his determination to the state controller annually, before the first day of August of each year. The amount of said estimate the state controller shall certify to the state treasurer."

Amendment adopted.

AMENDMENT No. 37.

On page 5, of the printed bill, strike out all of lines 24 and 25, and in lieu thereof insert the following: "have served, as a legally qualified teacher, in public day or evening schools, or partly as such teacher and partly as super-".

Amendment adopted.

AMENDMENT No. 38.

On page 5, line 26, of the printed bill, strike out the word "executor", and insert in lieu thereof the word "executive".

Amendment adopted.

AMENDMENT No. 39.

On page 5, line 29, of the printed bill, after the comma, insert the words "under a legal certificate".

Amendment adopted.

AMENDMENT No. 40.

On page 5, of the printed bill, strike out all of line 35, and insert in lieu thereof the following: "be entitled to receive, during life, an annual retirement salary of five hundred dol-".

Amendment adopted.

AMENDMENT No. 41.

On page 6, of the printed bill, strike out all the words beginning with the word "pension" in line 1 and ending with the period in line 2 thereof, and insert in lieu thereof the following: "salary shall be made within two years after the last month of service, except in cases where said public school teacher has been absent from service on leave duly granted by the board of education, board of trustees, or other public school authorities employing such teacher."

Amendment adopted.

AMENDMENT No. 42.

On page 6, line 6, of the printed bill, strike out all of line 6, and insert in lieu thereof the following: "School teachers' annuity and retirement fund in the several counties, and cities and counties in the state, and".

Amendment adopted.

AMENDMENT No. 43.

On page 6, of the printed bill, strike out all of lines 7 and 8, and insert in lieu thereof the following: "Acts amendatory thereof, shall be entitled to an annual retirement salary of five hundred dollars, payable in installments quarterly".

Amendment adopted.

AMENDMENT No. 44.

On page 6 of the printed bill, strike out all of Section 14, beginning at line 10 and ending on line 32 thereof, and insert in lieu thereof the following:

"SEC. 14. Any public school teacher who shall have complied with all of the requirements of this Act and who shall have served as a legally qualified teacher for at least fifteen years in the public schools of this state, and who shall have by reason of bodily or mental infirmity become physically or mentally incapacitated for further school service, under a legal certificate, shall be entitled to retire, or may, by the board of education, school trustees or other school authorities employing such teacher, be compelled to retire. Upon retirement, voluntary or involuntary, such teacher shall be entitled to receive during the period of such disability an annual retirement salary, payable in installments quarterly, which shall be the same fraction of the maximum retirement salary of five hundred dollars as said teacher's time of service is of thirty years; *provided*, that application for such retirement salary shall be made within two years of the last month of service. Each teacher who, by reason of incapacity due to bodily or mental infirmity, shall have retired under the aforesaid Act, approved March 26, 1895, and Acts amendatory thereof, after fifteen years'

service, shall receive upon the taking effect of this Act and during the period of disability, an annual retirement salary which shall be the same fraction of the maximum retirement salary of five hundred dollars as said teacher's time of service is of thirty years."

Amendment adopted.

AMENDMENT No. 45.

On page 6, of the printed bill, after Section 14, which ends on line 32, insert the following new section:

"SEC. 15. Service of a teacher, with or without a certificate, in a state normal school, shall be equivalent to service under legal certificate in a day or evening school, and the time of such service in a state normal school shall be reckoned in determining the right to retirement salaries under the provisions of sections thirteen and fourteen of this Act."

Amendment adopted.

AMENDMENT No. 46.

On page 6, line 33, of the printed bill, strike out the figures "15", and insert in lieu thereof the figures "16".

Amendment adopted.

AMENDMENT No. 47.

On page 7, line 4, of the printed bill, strike out the figures "16," and insert in lieu thereof the figures "17".

Amendment adopted.

AMENDMENT No. 48.

On page 7, of the printed bill, strike out all of line 6, and insert in lieu thereof the following: "approval of this Act, as shall, on or before January 1, 1914, sign and".

Amendment adopted.

AMENDMENT No. 49.

On page 7, line 8, of the printed bill, after the first word, "of", insert the word "public".

Amendment adopted.

AMENDMENT No. 50.

On page 7, line 9, of the printed bill, strike out the words "public schools".

Amendment adopted.

AMENDMENT No. 51.

On page 7, line 12, of the printed bill, strike out the figures "17", and insert in lieu thereof the figures "18".

Amendment adopted.

AMENDMENT No. 52.

On page 7, line 14, of the printed bill, after the word "Act", insert a comma.

Amendment adopted.

AMENDMENT No. 53.

On page 7, line 15, of the printed bill, after the first word "of", insert the word "the".

Amendment adopted.

AMENDMENT No. 54.

On page 7, line 17, of the printed bill, strike out the figures "16", and insert in lieu thereof the figures "17".

Amendment adopted.

AMENDMENT No. 55.

On page 7, of the printed bill, strike out all of Section 18, beginning on line 18 and ending on line 25 thereof, and insert the following:

"SEC. 19. If any teacher retired under the provisions of this Act shall be re-employed in the public schools of this state, such teacher's retirement salary shall cease,

and if any teacher having qualified under section fourteen hereof returns to service in the public schools of the state and thereafter qualifies under section thirteen hereof, there shall be deducted from the retirement salary received by such teacher under the provisions of section thirteen hereof the amount of retirement salary, theretofore actually received by such teacher under the provisions of section fourteen hereof, such amount to be so deducted in equal quarterly installments until the whole amount so received under said section fourteen shall have been deducted; *provided, however*, that no quarterly payment made to such teacher under said section thirteen shall be less than ninety dollars."

Amendment adopted.

AMENDMENT No. 56.

On page 7, line 26, of the printed bill, strike out the figures "19", and insert in lieu thereof the figures "20".

Amendment adopted.

AMENDMENT No. 57.

On page 7, line 27, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 58.

On page 7, line 31, of the printed bill, strike out the figures "20", and insert in lieu thereof the figures "21".

Amendment adopted.

AMENDMENT No. 59.

On page 7, line 32, of the printed bill, after the first word "county", insert a comma.

Amendment adopted.

AMENDMENT No. 60.

On page 7, line 36, of the printed bill, strike out the word "pension", and insert in lieu thereof the words "retirement salary".

Amendment adopted.

AMENDMENT No. 61.

On page 8, line 3, of the printed bill, strike out the figures "21", and insert in lieu thereof the figures "22".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1285—An Act to amend Section 1577 of the Political Code of the State of California, with reference to the formation of new petition for changing boundaries of old joint districts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out the following: "Formation of new school districts".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7, strike out the words "census children", and insert in lieu thereof the following: "children between the ages of five and seventeen years as shown by the petition".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 16, strike out the words "census children", and insert in lieu thereof the following: "children between the ages of five and seventeen years, residents of a district or districts containing more than two hundred children in average daily attendance in the elementary schools of said district or districts as

shown by the report of teacher or principal of said school or schools on file in the office of the county superintendent of schools for the school year immediately preceding."

Amendment adopted.

AMENDMENT No. 4.

On page 2, strike out all of lines 1, 2 and 3.

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 22, strike out the words "census children", and insert in lieu thereof the following: "children between the ages of five and seventeen years as shown by the petition".

Amendment adopted.

AMENDMENT No. 6.

On page 2, lines 31 and 32, strike out the following: "census children residents of districts any one of which contains more than three hundred census children," and insert in lieu thereof the following: "children between the ages of five and seventeen years as shown by the petition, residents of school district or districts containing an average daily attendance of two hundred or more in the elementary schools of said district or districts as shown by the reports on file in the office of the superintendent of schools for the school year immediately preceding".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 4, strike out the word "superintendent", and insert in lieu thereof the word "superintendents".

Amendment adopted.

AMENDMENT No. 8.

On page 3, strike out all of line 15.

Amendment adopted.

AMENDMENT No. 9.

On page 3, strike out all of line 22.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

During second reading of the bill, the following amendment was submitted by the committee:

Between the enacting clause and line 1, on page 1, insert the following:

"SECTION 1. The Political Code of the State of California is hereby amended by adding a new section thereto, to be numbered 1738½, and to read as follows:"

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 29—An Act to amend Sections 2643, 2651, 2654 and 2655 of the Political Code of the State of California, relating to the levy and apportionment of road tax, and to the acquisition, construction and maintenance of roads.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, first line of the title, strike out the words "two thousand six hundred and forty-three,".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6 of the title, strike out the comma after the word "tax", and insert in lieu thereof a period, and strike out remainder of the title.

Amendment adopted.

AMENDMENT No. 3.

Strike out all of Section 1.

Amendment adopted.

AMENDMENT No. 4.

On page 5, line 3, strike out "SEC. 2.", and insert in lieu thereof the following: "SEC. 1."

Amendment adopted.

AMENDMENT No. 5.

On page 6, line 9, strike out "SEC. 3.", and insert in lieu thereof the following: "SEC. 2."

Amendment adopted.

AMENDMENT No. 6.

On page 6, line 20, strike out "SEC. 4.", and insert in lieu thereof the following: "SEC. 3."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 246—An Act to amend Section 627 of the Penal Code of the State of California, relating to the protection and preservation of game.

During second reading of the bill, the following amendments were submitted by Mr. Polsley:

AMENDMENT No. 1.

On page 1 of the printed bill, strike out the word "amend" in the title and insert in lieu thereof the following: "repeal".

Amendment lost.

AMENDMENT No. 2.

On page 1, line 2, strike out the words "amended to read as follows" and insert in lieu thereof the word "repealed".

Amendment lost.

AMENDMENT No. 3.

On page 1, strike out all of lines 3, 4, 5, 6, 7, 8, 9, 10 and 11.

Amendment lost.

AMENDMENT No. 4.

On page 1, line 9, strike out the word "maliciously".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 9, after the word "deer", insert the words "and every person".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 493—An Act to amend an Act entitled “An Act to provide for a day of rest from labor,” approved February 27, 1893.

Assembly Bill No. 1362—An Act to provide for a day of rest from labor for all employees of the state, counties, cities, cities and counties, municipal corporations, and townships.

Assembly Bill No. 241—An Act to amend the Penal Code by adding a new chapter to Title IX of Part 1 thereof; to preserve one day in the week as a day of rest, and to promote health, morals and the public welfare.

During second reading of the bills, the following substitute was submitted by the committee:

“An Act to provide for one day of rest in seven for employees in the State of California.”

The roll was called, and the substitute adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gelder, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shartel, Strine, Weisel, Woodley, and Mr. Speaker—45.

NOES—Messrs. Ryan, Scott, and Simpson—3.

MOTION TO RECONSIDER.

Mr. Schmitt moved that the vote whereby the above substitute was adopted be reconsidered.

Motion duly seconded.

QUESTION POSTPONED.

On motion of Mr. Schmitt, the above substitute was ordered printed in the Journal and the question of reconsideration postponed until next legislative day.

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILLS NOS. 493, 1362, 241.

An Act to provide for one day of rest in seven for employees in the State of California.

The people of the State of California do enact as follows:

SECTION 1. Every person employed in any occupation of labor shall have one day's rest therefrom in every seven consecutive days, and it shall be unlawful for any employer of labor to cause or permit his employees, or any of them, to work more than six days in any seven consecutive days; *provided, however*, that the provisions of this section shall not apply to any case of extraordinary emergency, or the harvesting, handling or preserving of green or perishable crops, or the caring for live animals or dairies, or to any person whose total hours of labor during said seven consecutive days do not exceed fifty-four hours. Danger to life, property, public safety, or public health only shall be considered cases of extraordinary emergency within the meaning of this section.

SEC. 2. For the purpose of this Act, the term “day's rest” shall mean and apply to all cases, whether the employee is engaged by the hour, day, week, month, or year, and whether the work performed is done in the day or night time.

SEC. 3. Every employer of labor engaged in carrying on any factory or mercantile establishment in this state shall post in a conspicuous place on the premises a schedule containing a list of his employees and designating the day of rest for each. No employee shall be required or allowed to work on the day of rest so designated for him. Copies of such schedules shall be filed with the commissioner of the bureau of labor statistics on the fifteenth day of each calendar month.

SEC. 4. Every employer shall keep a time book showing the names and addresses of all employees and the hours worked by each.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improve-

ments in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1024 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

In the first line of the title, strike out "Section 1160", and insert in lieu thereof "Sections 1160 and 1164".

Also: In lines 3 and 4, on page 1, strike out the figure "7", and insert in lieu thereof in each place the word "seven".

Also: In line 5, on page 1, strike out the period, and insert in lieu thereof the following: "except as provided in Section 1164 of this code."

Also: Add a new section as follows:

"SEC. 2. Section 1164 of the Political Code is hereby amended to read as follows: 1164. When the polls are closed, that fact must be proclaimed aloud at the place of election: and after such proclamation, no ballot must be received: *provided, however*, that if at the hour of closing there are any other voters in the polling place, or in line at the door, who are qualified to vote and have not been able to do so since appearing, the polls shall be kept open a sufficient time to enable them to vote. But no one who shall arrive at the polling place after seven o'clock in the afternoon shall be entitled to vote, although the polls may be open when he arrives."

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1183, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting" in municipal elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1923 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Finnegan, Fish, Gabbert, Gelder, Green, Guiberson, Guill, Hinkle, Inman,

Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Shartel, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—48.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XII thereof, to be numbered Section 23a, in relation to the power of the Railroad Commission to fix the just compensation to be paid for the taking of any property of any public utilities in eminent domain proceedings.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 87 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Nelson, Palmer, Peairs, Roberts, Scott, Shartel, Slater, Strine, Sutherland, Wall, Weisel, White, Woodley, and Mr. Speaker—54.

NOES—Messrs. Dower, Murray, Polsley, Schmitt, and Weldon—5.

Assembly constitutional amendment ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 87.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XII thereof, to be numbered Section 23a, in relation to the power of the railroad commission to fix the just compensation to be paid for the taking of any property of any public utilities in eminent domain proceedings.

The legislature of the State of California at its regular session commencing on the sixth day of January, 1913, two thirds of all of the members elected to each of the two houses of the said legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California by adding a new section to Article XII thereof to be numbered Section 23a of Article XII, to read as follows:

SEC. 23a. The railroad commission shall have and exercise such power and jurisdiction as shall be conferred upon it by the legislature to fix the just compensation to be paid for the taking of any property of a public utility in eminent domain proceedings by the state or any county, city and county, incorporated city or town, or municipal water district, and the right of the legislature to confer such powers upon the railroad commission is hereby declared to be plenary and to be unlimited by any provision of this constitution. All Acts of the legislature heretofore adopted, which are in accordance herewith, are hereby confirmed and declared valid.

Assembly Bill No. 524—An Act appropriating money for the purchase of live stock at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 524 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 529—An Act appropriating money for the construction of farm buildings at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 529 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Palmer, Peairs, Roberts, Schmitt, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 839 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Mouser, Peairs, Roberts, Schmitt, Scott, Slater, Strine, Sutherland, Tulloch, Weisel, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1481 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Scott, Shartel, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article XIII thereof, relating to revenue and taxation.

During the consideration of the constitutional amendment, the following amendment was submitted by the committee:

On page 2, line 9, strike out the period and insert in lieu thereof the following: *"and provided, further, that all property belonging to any county, city and county, or municipal corporation not exempt from taxation shall be assessed by the assessor*

of the county, city and county, or municipal corporation in which such property is located and said assessment shall be subject to review and adjustment by the state board of equalization."

Amendment adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Bill No. 1934—An Act to amend Section 1104 of the Political Code, relating to the registration of voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1934 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kuck, Libby, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Scott, Shartel, Slater, Smith, Strine, Tulloch, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1935—An Act to amend Section 1105 of the Political Code, relating to the cancellation of registrations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1935 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Finnegan, Gabbert, Gelder, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Polsley, Roberts, Schmitt, Scott, Shartel, Strine, Tulloch, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1936 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Roberts, Ryan, Schmitt, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock and thirty minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

On motion of Mr. Schmitt, the further consideration was postponed until after recess.

RE-REFERENCE OF BILLS.

On motion of Mr. Inman, Senate Bill No. 1327 was recalled from the Committee on Ways and Means, and referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1322.

SPECIAL ORDER RESET.

On motion of Mr. Sutherland, the consideration of Assembly Bill No. 642 was postponed until one o'clock and forty-five minutes p.m. of this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester, and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the state forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the state board of forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations or corporations and for agreements between the state board of forestry and the federal government; declaring certain fires to be public nuisances and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the Laws of 1905, as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act—which was re-referred to us from the Committee on Conservation, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County; appointing a commission therefor, and providing an appropriation to carry this Act into effect.

Also: Assembly Bill No. 1994—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Also: Assembly Bill No. 2057—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Assembly Bill No. 2048—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Which were re-referred to us from the Committee on Military Affairs, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School—which was re-referred to us from the Committee on Normal Schools, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1312—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station, in El Dorado County, to McKinney's, in Placer County—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1672—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—which was re-referred to us from the Committee on Labor and Capital, have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 37—An Act to establish the Yolo and Lake state highway; to define its course; to provide for its survey and construction, repair and maintenance, and to make an appropriation therefor—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 797—An Act to provide for the establishment of a state hospital for the insane, and providing for commitment thereto and management thereof, and making an appropriation therefor—which was re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 605—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor—which was re-referred to us from the Committee on Military Affairs, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1078—An Act making an appropriation to pay the claim of W. J. Burns against the State of California—which was re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Also: Assembly Bill No. 1828—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating seven thousand five hundred dollars therefor.

Which were re-referred to us from the Committee on Military Affairs, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 103—An Act appropriating money for general repairs to buildings at the Veterans' Home of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Also: Senate Bill No. 225—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like, or greater sum for the same purpose—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school, at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

Also: Assembly Bill No. 111—An Act appropriating two thousand dollars for the completing of the restoration and rebuilding of the Mission San Francisco de Solano of the city of Sonoma, California.

Also: Assembly Bill No. 86—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Also: Assembly Bill No. 1948—An Act appropriating money for building and furnishing an observatory at San Francisco.

Also: Assembly Bill No. 567—An Act to create a "state bureau of criminal identification and investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer; fixing the compensation of said managers, directors, clerks, and stenographer; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau and making an appropriation therefor.

Also: Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants and the salaries of the deputy and assistants.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 16—Relative to the historic liberty bell and requesting the common council of the city of Philadelphia to permit the exhibition of the same at the Panama-Pacific International Exposition.

Also: Senate Joint Resolution No. 23—Relative to the establishment of a government owned line of steamships to operate between Pacific and Atlantic ports.

Also: Senate Joint Resolution No. 27—Relative to the purchase by the United States of the Tioga road.

Also: Senate Joint Resolution No. 30—Relative to memorializing the Congress of the United States to initiate proceedings therein for the preparation of and submission to the several states of an amendment to the Constitution of the United States placing women and men on an equality with respect to citizenship and the exercise of the elective franchise.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above reported Senate joint resolutions ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 27—Relative to the right and title of the State to the water of streams.

Also: Assembly Joint Resolution No. 28—Relative to requesting the President of the United States to take action in the matter of the development of the deposits of Alaska.

Also: Assembly Joint Resolution No. 29—A joint resolution asking the Congress of the United States to enact a pension bill for the benefit of the veterans of the several Indian wars.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above reported Assembly joint resolutions ordered on file for adoption.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

HINKLE Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1277—An Act to amend Section 2445 of the Political Code, in relation to powers and duties of boards of pilot commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to section six of article eleven of the Constitution of the State of California, relating to municipal corporations.

The question being on the adoption of the constitutional amendment. The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Clark moved a call of the House.

Motion carried.

Time, two o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—69.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and twenty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Bohnett.

The roll of absentees was called, and Assembly Constitutional Amendment No. 81 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Nolan, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—55.

NOES—Messrs. Benedict, Bloodgood, Brown, Emmons, Farwell, Fish, Ford, Griffin, Libby, Murray, Palmer, Peairs, Polsley, Schmitt, Simpson, Weldon, White, and Woodley—18.

Assembly Constitutional Amendment No. 81 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Ambrose gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Constitutional Amendment No. 81 was this day adopted.

SPECIAL ORDERS.

The special orders heretofore set for this time were taken up for consideration.

Assembly Bill No. 79—An Act to amend Section 607*e* of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Bill read third time.

The question being on the adoption of the emergency clause.

The roll was called, and the emergency clause adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—60.

NOES—Mr. Schmitt—1.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 79 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—61.

NOES—Messrs. McDonald and Schmitt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or,

upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 3, of title, strike out "five", and insert in lieu thereof "ten".

Also: On page 9, line 17, strike out "five", and insert instead "ten".

Also: On page 8, line 2, strike out ", professional".

Also: On page 10, line 34, insert before the word "cost", the word "reasonable".

Also: On page 10, line 37, strike out "the".

Also: On page 11, line 1, strike out "investments in the original and the new work", and insert "such cost".

Also: On page 11, line 9, insert a semicolon after the word "purposes".

Also: On page 12, line 2, strike out comma, "in its discretion," comma.

Also: On line 7, page 12, before the word "after", insert "the commission specifically so finds."

Also: On page 12, line 29, strike out "may in its discretion", and insert "shall".

Also: On page 13, line 36, strike out the semicolon, insert a period, strike out the remainder of the section and insert in lieu thereof the following: "provided, that, before granting such permission, such applicant must establish, to the satisfaction of the state water commission, and such commission must so find, that such change in the place of diversion will not operate to the injury of any other appropriator or legal user of such waters before permitting such change in the place of diversion. Upon receipt of application for permission to make such change and diversion, the commission shall, by order, fix a time within which any person interested may appear in opposition to such application, and such applicant shall cause to be published at least once a week for four consecutive weeks, in a newspaper or newspapers, of general circulation in the county in which is situated both the old and new points of diversion, a copy of said order. Proof of such publication shall be by affidavit of the publisher of such newspaper. Should any objection be made to the change in point of diversion so applied for, the state water commission shall fix a time for the hearing of said application and of the objection thereto, which time shall be not less than thirty days nor more than sixty days after the period of said publication, and upon such hearing the said commission shall grant or refuse, as the facts shall warrant, such permission to change place of diversion."

Also: On page 18, line 23, after the word "price", strike out the remainder of the sentence to and including the word "works", on line 29, and insert in lieu thereof the following: "Said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings."

Also: On page 18, line 35, before the words "shall file", insert "or miners".

Also: On page 20, line 31, strike out the words "The use of water", etc., to the end of the section, and insert in lieu thereof the following: "The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time."

Also: On page 21, line 5, insert a period after the word "proceedings", and strike out the remainder of the section.

Also: On page 22, line 4, after the word "second", insert a new sentence reading as follows: "provided, however, that no annual charge shall be made when the appropriation is made for use for irrigation purposes upon lands, not exceeding one hundred and sixty acres in area, to be actually occupied by such appropriator and cultivated in whole or in part by him, or for use for mining purposes upon a mining claim not exceeding twenty acres in area owned or occupied and mined by such appropriator."

Also: On page 24, line 31, strike out the comma after the word "cause".

Also: On page 25, line 14, insert before the words "the rights", the words "and specific findings upon".

Also: On page 25, line 17, insert after the word "ascertainment" the words "and specific findings".

Also: On page 25, line 24, insert before the word "and" the words "specific findings", and after the word "ascertainment" insert the word "as".

Also: On page 25, line 26, insert after the word "facts" a comma and the words "specific findings".

Also: On page 25, line 31, insert before the words "and ascertainment", the words "specific findings".

Also: On page 25, line 35, insert after the words "made the", the words "specific findings and".

Also: On page 26, line 22, after the word "information", insert the words "specific findings".

Also: On page 26, line 26, after the word "such", insert "specific findings and".

Also: On page 27, line 15, insert after the word "ascertainment", the words "and specific findings".

Also: On page 27, line 16, after the word "ascertainment", insert the words "or specific findings".

Also: On page 27, line 28, strike out the word "shall", and insert the word "may".

Also: Strike out all of Section 37.

Also: Renumber Section 38 to read "Sec. 37."

Also: Strike out Section 39, and in lieu thereof insert the following:

"Sec. 38. The diversion or use of water subject to the provisions of this Act other than as is in this Act authorized is hereby declared to be a trespass, and the state water commission is hereby authorized to institute in the superior court in and for any county wherein such diversion or use is attempted appropriate action to have such trespass enjoined."

Also: Change the number of Section 40 to 39.

Also: On page 29, line 36, after the word "thereof", strike out all of the section to and including the word "that", on line 3, page 30, and put a capital letter on the word "water".

Also: Insert after line 10, page 30, a new section, to be numbered Section 40, to read as follows:

"Sec. 40. The state water commission is also authorized and empowered to investigate any natural situation available for reservoirs or reservoir systems for gathering and distributing flood or other waters not under beneficial use in any stream, stream system or lake or other body of water, and to ascertain the feasibility of such projects, including the supply of water that may thereby be made available, the extent and character of the areas that may be thereby irrigated, and make estimate of the cost of such project."

Also: After Section 42, insert a new section, to read as follows:

"Sec. 43. Nothing in this Act shall be construed as depriving any person, firm, association or corporation of the right of appeal conferred under the laws of this state."

Also: Renumber Section 43 as 44, number 44 as 45, and number 45 as 46.

Also: On page 30, line 20, after the word "water", insert the words "or water".

SPECIAL ORDER SET.

On motion of Mr. Johnstone, consideration of the above amendments was made a special order for Tuesday, April 22, 1913, at ten o'clock and thirty minutes a.m.

SPEAKER PRO TEM. IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities, and cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption therein, and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practicable method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

During third reading of the bill, Mr. Fish moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, commencing with line 30, strike out all of paragraph "(c)".

Also: On page 5, strike out all of paragraph "(d)".

Also: On page 6, line 3, after the word "charge", strike out the balance of the paragraph, to wit: the balance of line 3 and all of line 4.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote.

AYES—Messrs. Ambrose, Benedict, Collins, Cram, Emmons, Fish, Ford, Hinkle, Inman, Johnstone, W. A., Kuck, McDonald, Mouser, Roberts, Ryan, and Weisel—16.

NOES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Ferguson, Finnegan, Gabbert, Gelder, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, and Woodley—46.

SUSPENSION OF RULES.

At three o'clock and fifty-five minutes p.m., Mr. Johnston demanded the regular order of business.

Mr. Bagby moved that the rules be suspended, and the business before the House be proceeded with.

Roll call regularly demanded.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Simpson moved a call of the House.

Motion carried.

Time, four o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Messrs. Dower and Farwell were brought to the bar of the House, and, on motion, excused.

At four o'clock and ten minutes p.m., Mr. McDonald moved that further proceedings under call of the House be dispensed with.

Motion lost.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and fifteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Ryan.

The roll of absentees was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ferguson, Finnegan, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson,

Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Woodley—54.

NOES—Messrs. Bohnett, Bradford, Brown, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Fish, Gelder, Inman, Johnston, T. D., Johnstone, W. A., Kuck, Smith, Sutherland, and Mr. Speaker—18.

SPEAKER IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

During the further consideration of the bill, Mr. Roberts moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 12, strike out all of Section 8.

Motion lost.

Mr. Weisel moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 20, between Section 16 and Section 17, insert the following:

"SEC. 17. Nothing herein contained shall be construed as prohibiting or preventing the enactment by any city or county, or city and county, of any legislation whatever imposing further or additional regulations or restrictions upon the sale, marketing or vending of milk, cream, butter, cheese or other product or products mentioned in this Act, or any legislation whatever regarding the operation, regulation or maintenance of dairies, or the requirement of any particular scientific test or tests to ascertain the physical condition of any cow or cows."

Also: On page 20, line 17, strike out the number "17", and insert in lieu thereof the number "18."

Also: On page 20, line 25, strike out the number "18," and insert in lieu thereof the number "19."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 535 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ferguson, Finnegan, Ford, Gabbert, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Murray, Nelson, Palmer, Polsley, Richardson, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, and White—50.

NOES—Messrs. Ambrose, Bloodgood, Bradford, Collins, Ellis, Emmons, Farwell, Fish, Johnston, T. D., Johnstone, W. A., Kuck, Mouser, Roberts, Ryan, Weisel, Woodley, and Mr. Speaker—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and contagious abortion in and from the dairy herds of the State; and to appropriate money therefor.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

Amend Section 13, subdivision (b), by striking out beginning with the word "that", in line 35, on page 11, to and including the word "fat", in line 1, on page 12, and substituting the words "as shall be set forth in the standard of purity of con-

densed or evaporated milk proclaimed and established by the secretary of the department of agriculture of the United States."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 536 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ferguson, Finnegan, Gabbert, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—49.

NOES—Messrs. Fish, Ryan, and Weisel—3.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to amend an Act entitled "An Act to provide for the formation, organization, and classification of new counties, for locating county seats, for the election and appointment of officers, and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended March 8, 1909.

An Act making an appropriation for the location, survey, construction and improving of a state highway from the city of San Bernardino in San Bernardino County, thence in a northeasterly direction by the most feasible route to Needles in San Bernardino County.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cram: Assembly Bill No. 2099—An Act to amend an Act entitled "An Act to provide for the formation, organization, and classification of new counties, for locating county seats, for the election and appointment of officers, and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended March 8, 1909.

Bill read first time, and referred to Committee on County Government.

By Mr. Cram: Assembly Bill No. 2100—An Act making an appropriation for the location, survey, construction, and improving of a state highway from the city of San Bernardino in San Bernardino County, thence in a northeasterly direction by the most feasible route to Needles in San Bernardino County.

Bill read first time, and referred to Committee on Roads and Highways.

AMENDMENT OF ASSEMBLY BILL—(OUT OF ORDER).

Assembly Bill No. 550—An Act to amend Section 4028 of the Political Code of the State of California.

During third reading of the bill, Mr. Clarke moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all after the words "An Act", and insert in lieu thereof the following: To amend Section 4286 of the Political Code of the State of California, relating to county and township officers in counties of the fifty-seventh class.

The people of the State of California do enact as follows:

SECTION 1. Section 4286 of the Political Code is hereby amended to read as follows:

Section 4286. In counties of the fifty-seventh class the county and township officers shall, respectively, receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries and compensation, to wit:

1. The county clerk, twelve hundred dollars per annum.

2. The sheriff, twenty-six hundred dollars per annum.

3. The recorder, six hundred dollars per annum. In counties of this class the recorder may appoint a copyist for the service in his office, which office of copyist for the county recorder is hereby created, and said copyist shall receive as compensation for his services fifty per cent of the amount collected in said office during his period of service for filing and recording mining locations and affidavits of assessment work.

4. The auditor, two hundred dollars per annum.

5. The treasurer, one thousand dollars per annum.

6. The tax collector, five hundred dollars per annum.

7. The assessor, twelve hundred dollars per annum.

8. The district attorney, twelve hundred dollars per annum.

9. The coroner may, for his own use, collect the following fees, and no others: For general services in holding an inquest, ten dollars. For each witness subpoenaed, twenty-five cents. For each mile necessarily traveled in going to the place of the inquest, twenty-five cents. For directing or attending the interment of each body upon which an inquest has been held, two dollars; which fees shall be all that he shall be entitled to charge. When acting as or in the place of the sheriff, the same fees as are allowed the sheriff for like services.

10. The public administrator, when no compensation is provided by the will, or the executor renounces all claims thereto, must be allowed commissions upon the amount of the estate accounted for by him as follows: For the first thousand dollars, at the rate of seven per cent; for the next nine thousand dollars, at the rate of four per cent; for the next ten thousand dollars, at the rate of three per cent; for the next thirty thousand dollars, at the rate of two per cent; for the next fifty thousand dollars, at the rate of one per cent, and for all above one hundred thousand dollars, at the rate of one half of one per cent. If there are two or more executors the compensation shall be apportioned among them by the court according to the services actually rendered by them respectively. The same commissions shall be allowed to the administrators. In all cases, such further allowance may be made as the court may deem just and reasonable for any extraordinary service, but the total amount of such extra allowance must not exceed one half the amount of commission allowed by this section. Where the property of the estate is distributed in kind, and involves no labor beyond the custody and distribution of the same, the commissions shall be computed on all the estate above the value of twenty thousand dollars, at one half of the rates fixed in this section. All contracts between an executor or administrator and an heir, devisee or legatee, for a higher compensation than that allowed by this section, shall be void.

11. The superintendent of schools, four hundred dollars per annum.

12. The surveyor shall receive such compensation as the board of supervisors may allow, not to exceed ten dollars per day for all work performed for the county, and in addition thereto, all necessary expenses and transportation on work performed in the field.

13. Justices of the peace, in townships having a population of fifteen hundred, or more, four hundred dollars per annum; in townships having a population of seven hundred and fifty or less than fifteen hundred, three hundred dollars per annum;

in townships having a population of three hundred or less than seven hundred and fifty, two hundred dollars per annum; in townships having a population of one hundred or less than three hundred, one hundred and fifty dollars per annum; and in townships having a population less than one hundred, one hundred dollars per annum.

14. Constables, in townships having a population of fifteen hundred, or more, four hundred dollars per annum; in townships having a population of seven hundred and fifty or less than fifteen hundred, three hundred dollars per annum; in townships having a population of three hundred, or less than seven hundred and fifty, two hundred dollars per annum; in townships having a population of one hundred, or less than three hundred, one hundred and fifty dollars per annum; and in townships having a population less than one hundred, one hundred dollars per annum.

15. Each member of the board of supervisors, six dollars per day during session, and thirty cents per mile one way to board meeting; three dollars per day (no mileage) as road commissioner when actually engaged in road business.

16. In counties of this class, the official reporter of the superior court shall receive, as full compensation for taking notes in civil and criminal cases tried in said court, and for preliminary examinations in justices' courts, a per diem of eight dollars; and for transcription of said notes, when required during the progress of the trial, he shall receive the sum of twenty cents per folio for the original and five cents per folio for one copy; but if such transcription is not required until after conclusion of trial, then he shall receive the sum of ten cents per folio for original, and three cents per folio for copies required; said compensation for transcription in criminal cases to be audited and allowed by the board of supervisors as other claims against the county, and paid out of the county treasury, and in civil cases, to be paid by the party ordering the same, or, when ordered by the judge, by either party, or jointly by both parties, as the court may direct.

17. Jurors' fees in criminal cases shall be as follows: For attending as a grand juror or a trial juror in the superior court, in criminal cases only, for each day's attendance, per day, three dollars; for each mile actually traveled in attending court as such juror under summons or under order of court, in criminal cases, in going only, per mile, thirty cents, and the county clerk shall certify to the auditor the number of days' attendance and number of miles traveled by each juror, and the auditor shall draw his warrant therefor and the treasurer shall pay the same.

Motion carried.

The Speaker appointed Mr. Clarke as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 550, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARKE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act.

During third reading of the bill, Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

In the enacting clause, strike out the comma following "California" and all words to and including the comma following "Assembly".

Also: On page 2, line 29, after the comma following the word "pressure", add the following: "and portable boilers used for agricultural purposes, and boilers on automobiles."

Also: On page 3, at the end of line 9, strike out the period, and insert in lieu thereof the following: "*provided, however*, that in any plant, establishment or other place wherein two or more boilers may be inspected at the same time only 75 per centum of the fees herein prescribed shall be charged and paid for the inspection of such boilers."

Also: On page 3, line 22, after the word "created" insert the following: "to be under the supervision and control of the commissioner of the bureau of labor statistics, hereinafter designated as the labor commissioner."

Also: Strike out the word "governor," wherever said word occurs in the printed bill, and insert in lieu thereof the words "labor commissioner", to wit: on page 3, in lines 24 and 30.

Also: On page 4, lines 23 and 24, strike out the following: "from the State of California."

Also: On page 4, strike out Section 11, or lines 31 to 34, inclusive, and in lieu thereof insert the following: "Section 11. The labor commissioner shall appoint a clerk of the said board of inspectors, who shall keep all records and perform such other services as may be required by said board and the labor commissioner. The salary of such clerk shall be \$1500 a year. All of the salaries and expenses authorized under the provisions of this Act shall be paid out of the special fund herein-after created. It shall be the duty of the said board of inspectors to make monthly reports to the labor commissioner, or as often as required by the latter, concerning their work and proceedings hereunder, and it shall be the duty of the labor commissioner to summarize and combine such reports and incorporate same into his biennial report to the legislature."

Also: On page 5, strike out from Section 12 the last sentence, commencing with the word "any", on line 5, and lines 6, 7 and 8.

Also: On page 5, strike out of Section 13 the last sentence, commencing with the last word "any", on line 18, and all of lines 19, 20 and 21.

Also: On page 5, strike out Section 14, of the printed bill, consisting of lines 22 to 29, inclusive, and insert in lieu thereof a new section reading as follows:

"SEC. 14. One half of all fines, and all fees collected under the provisions of this Act shall be paid to the state treasurer and kept by him in a special fund, which is hereby created and designated as the 'boiler inspection fund'. All claims against said fund shall be approved by the chief inspector, the labor commissioner and the board of control, and it shall be the duty of the controller to draw his warrants from time to time in favor of the persons designated in such claims, and the treasurer is hereby authorized and directed to pay the same."

Also: On page 5, after line 37, add the following: "Whenever there shall accumulate in said fund any moneys exceeding the amount estimated as required to carry out the provisions of this Act, the state treasurer shall, upon approval of the labor commissioner and the board of control, transfer any such moneys to the general fund until said fund shall be reimbursed for any appropriation made for the purposes of this Act."

Motion carried.

The Speaker appointed Mr. McDonald as such select committee:

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 232, with instructions, do now report that the instructions of the Assembly have been carried out.

McDONALD, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1194—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 28, strike out "from the date of said unexpired term" and insert in lieu thereof the following: "for the remainder of said unexpired term".

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1194, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 321—An Act to amend an Act entitled “An Act to add a new section to the Political Code, to be known as Section 1665a, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools, in which shall be taught the French, Italian and German languages in connection with the English branches,” approved March 18, 1909, relating to cities of the first and first and one half classes.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

In line 4 of the title, after the word “half”, insert the word “second”.

Also: On page 1, line 3, after the word “first”, insert the word “and”.

Also: On line 4, page 1, strike out “and second and one half”.

Motion carried.

The Speaker appointed Mr. Inman as such select committee:

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 321, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 717—An Act to add a new section to the Penal Code to be known as Section 402f, regulating the packing, preparing and shipping for sale within the State of California of any fruit or vegetables infected with insect pests or disease injurious to trees, shrubs, plants, fruits or vegetables; and providing a penalty for the violation thereof.

During third reading of the bill, Mr. Libby moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, lines 10 and 11, strike out the words “or vegetables”.

Also: On page 1, line 11, after the word “plants”, insert the word “or”.

Also: In the title, line 4, after the word “fruit”, strike out the word “or”; in line 5, strike out the word “vegetables”; in line 6, after the word “fruits”, strike out the word “vegetables”; in line 6, after the word “plants”, insert the word “or”.

Motion carried.

The Speaker appointed Mr. Libby as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 717, with instructions, do now report that the instructions of the Assembly have been carried out.

LIBBY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motions to reconsider Senate Bills Nos. 1104 and 933 was postponed until the next legislative day.

Assembly Bill No. 881—An Act to amend Sections 1917, 1918, 1919 and 1920 of the Civil Code, and to add a new section to said code, to be designated as Section 1921, relating to the loan of money, and the rate of interest to be allowed and charged therefor.

During further consideration of the bill, the following amendment was submitted by Mr. Brown:

Amend by striking out Section 3, line 26, the words "and against the plaintiff."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

RECESS.

At five o'clock and twenty minutes p.m., on motion of Mr. Brown, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Young in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 818—An Act appropriating money for repairing and improving Sutter's Fort.

Also: Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Also: Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park, in the city of Sacramento.

Also: Senate Bill No. 483—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Also: Senate Bill No. 1717—An Act relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for advertising, exploiting and making known the resources of the counties, which tax hereby authorized to be levied shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collecting, preparing and maintaining exhibits at domestic and foreign expositions.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 956—An Act to amend Section 321b of the Civil Code of the State of California, relating to the meetings of stockholders, who may vote thereat, and proxies.

Also: Senate Bill No. 952—An Act to amend Section 345 of the Civil Code of the State of California, relating to the extension of time of delinquent sale of stock in corporations.

Also: Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Also: Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street, between Twenty-sixth and Twenty-seventh streets, in the city of Sacramento, and bordering on a portion of the property belonging to the State of California known as Sutter's Fort.

Also: Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1156—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1155—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1185—An Act to amend Section 4131 of the Political Code of the State of California, relating to the duties of county recorders.

Also: Senate Bill No. 1236—An Act to amend Section 1496 of the Political Code, relating to the admission of pupils from other states to the normal schools of this State.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 352—An Act appropriating money for the purchase of school equipment for the California Institute for the Deaf and the Blind.

Also: Senate Bill No. 351—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Also: Senate Bill No. 1092—An Act to amend Section 1765 of the Code of Civil Procedure of the State of California, relating to the powers and duties of guardians of insane and incompetent persons.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1284—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

Also: Senate Bill No. 512—An Act to amend Section 607f, of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

Also: Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Also: Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1093—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to a decedent's estate.

Also: Senate Bill No. 1467—An Act to amend Section 850 of the Code of Civil Procedure of the State of California, relating to the requisites for notice of hearing in justices' courts.

Also: Senate Bill No. 1497—An Act to amend Section 1097 of the Code of Civil Procedure of the State of California, relating to the recovery of damages and awarding of costs in mandate proceedings, and said section as hereby amended providing for the recovery of damages and the awarding of costs against the state, counties, and municipal corporations in certain cases.

Also: Senate Bill No. 1369—An Act creating the California historic landmarks commission, providing for its appointment and defining its powers and duties.

Also: Senate Bill No. 1604—An Act authorizing board of supervisors to levy taxes for the purchase or building, improvement or enlargement of a township hall.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor.

Also: Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article to be designated and numbered Article IXa, of Chapter III, of Article III of Part III of said code, relating to elementary and secondary schools.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 17, 1913, passed Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

Also: Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered 618, relating to membership in cemetery corporations and the rights of members to the assets thereof.

Also: Senate Bill No. 326—An Act to amend Section 613 of the Civil Code of the State of California, relating to the title to cemetery lots.

Also: Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 17, 1913, passed Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate.

Also: Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 28—Relative to request of farmers of Seventeenth Senatorial District to Board of Prison Directors to be released from contracts for purchase of grain bags.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Concurrent Resolution No. 28 ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 1076 ordered to enrollment.

Senate Bill No. 818 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 202 read first time, and referred to Committee on Hospitals and Asylums.

Senate Bill No. 404 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 483 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1717 read first time, and referred to Committee on County Government.

Senate Bill No. 956 read first time, and referred to Committee on Judiciary.

Senate Bill No. 952 read first time, and referred to Committee on Judiciary.

Senate Bill No. 820 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 819 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 96 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1156 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1155 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1185 read first time, and referred to Committee on County Government.

Senate Bill No. 1236 read first time, and referred to Committee on Normal Schools.

Senate Bill No. 353 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 352 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 351 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 170 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1092 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1284 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 512 read first time, and referred to Committee on Public Charities and Corrections.

Senate Bill No. 701 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1630 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1093 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1467 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1497 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1369 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1604 read first time, and referred to Committee on County Government.

Senate Bill No. 166 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 18 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 11 read first time, and referred to Committee on Education.

Senate Bill No. 386 read first time, and referred to Committee on Judiciary.

Senate Bill No. 327 read first time, and referred to Committee on Judiciary.

Senate Bill No. 326 read first time, and referred to Committee on Judiciary.

Senate Bill No. 325 read first time, and referred to Committee on Judiciary.

Senate Bill No. 324 read first time, and referred to Committee on Judiciary.

Senate Bill No. 323 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1327—An Act to appropriate twelve thousand dollars to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento—have had the same under consideration, and respectfully report that Senate Bill No. 1327 is identical with Assembly Bill No. 1322, and recommend that Assembly Bill No. 1322 be withdrawn.

MOORHOUSE, Chairman.

Senate Bill No. 1327 ordered on file.

Assembly Bill No. 1322 ordered withdrawn, and stricken from the file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

Assembly Bill No. 2091—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

And report that the same have been correctly engrossed.

AMBROSE, Vice-Chairman.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1135 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Collins, Ellis, Ferguson, Finnegan, Ford, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Kingsley, Libby, Mouser, Murray, Nelson, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Killingsworth gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1135 was this day passed.

Assembly Bill No. 1120—An Act to amend Section 1696 of the Political Code of the State of California, relating to making report, transfer, attendance in the public schools of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1120 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Cary, Cram, Ferguson, Finnegan, Ford, Gabbert, Green, Griffin, Libby, McCarthy, Mouser, Nolan, Richardson, Slater, Smith, Wall, Weisel, Woodley, and Mr. Speaker—23.

NOES—Messrs. Alexander, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Gelder, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, McDonald, Murray, Nelson, Polsley, Schmitt, Scott, Shartel, Simpson, Sutherland, Tulloch, and White—31.

Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore, and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site, and appropriating money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill 986 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Hayes, Hinkle, Libby, McCarthy, Murray, Nelson, Nolan, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—49.

NOES—Messrs. Gelder, Griffin, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, McDonald, Mouser, Polsley, Shearer, Simpson, and Slater—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1204—An Act to amend Title V of Part III of the Political Code by adding and enacting new chapters to be designated Chapters 1, 1*a*, 1*b*, 1*c*, 1*d* and 1*e*, relating to and creating a state board of administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the appointment and duties of an advisory board to be known as the state board of charities and corrections; providing for the government and management by said board of administration of the state hospitals for the insane and other incompetent persons, the state schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said Title V of Part III of the Political Code by renumbering Chapter 1*c* thereof, relating to the Woman's Relief Corps Home of California, and designating said Chapter as Chapter 1*f*, and to repeal Chapter 1 of Title V of Part III of the Political Code, relating to the State Commission in Lunacy, state hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and Chapter 1*b* of Title V of Part III of the Political Code, relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto, and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for the United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct

and management thereof, and to make an appropriation therefor," approved April 24, 1911, in so far as the provisions of said Act conflict with this Act; and to repeal all Acts and parts of Acts in conflict with this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1204 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, and Mr. Speaker—63.

NOES—Messrs. Ford and Griffin—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1099—An Act to amend Section 1599 of the Political Code of California, relating to the election of school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1099 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1912 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—48.

NOES—Messrs. Bagby, Ford, Griffin, Murray, Richardson, and White—6.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Polsley gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1912 was this day passed.

Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1635 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Kuck, Libby, McCarthy, McDonald, Mouser, Nolan, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under Title XVI thereof to be numbered 681, prohibiting the use of cruel and unusual punishments in state prisons and reformatory institutions.

Bill passed to unfinished business.

Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1191 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nolan, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund

for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1604 passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Nolan, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—Messrs. Alexander, Ambrose, Bagby, Cary, Clarke, Geo. A., Emmons, Farwell, Fish, and Murray—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1291 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Mouser, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1815—An Act to repeal an Act entitled “An Act to authorize the establishment of the California state trades and training school for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor,” approved April 14, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1815 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, Woodley, and Mr. Speaker—52.

NOES—Mr. Fish—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

During third reading of the bill, Mr. Peairs moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An Act to create a legislative drafting bureau, to establish a legislative reference department in the state library, and to make an appropriation therefor."

Also: Strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. There is hereby created a bureau to be known as the legislative drafting bureau.

SEC. 2. The bureau shall be under the direction of an employee to be known as the chief draftsman, who shall be employed without reference to party affiliations and solely on the ground of fitness to perform the duties of the office, by the legislative drafting bureau board, which is hereby created. The legislative drafting bureau board shall consist of the governor, two members of the senate and two members of the assembly. The two members of the board representing the senate shall be elected by the senate for a term of four years subject to the power of the senate at any time to change such representatives. The two members of the board representing the assembly shall be elected by the assembly for a term of two years subject to the power of the assembly at any time to change such representatives. The members of the board representing the senate shall not be of the same political party. The members of the board representing the assembly shall not be of the same political party. Vacancies on the board occurring during the interim between sessions of the legislature shall be filled by the governor, subject to the above restrictions as to the political affiliations of the appointees. Said appointees shall hold office until the next session of the legislature, at which time their successors shall be elected as above provided.

SEC. 3. The salary of the chief draftsman shall be fixed by the legislative drafting bureau board. There shall be in the bureau such assistants as the legislature may from session to session provide. They shall be appointed by the chief draftsman solely with reference to their fitness for their particular duties, subject to confirmation or removal by the legislative drafting bureau board.

SEC. 4. Legislative bills and resolutions shall be drafted or revised by the bureau on request of a member of the legislature or of any other state officer. The board shall prescribe rules and regulations for the conduct of the bureau, including provision for drafting and revision upon such other requests as may be deemed advisable. The chief draftsman shall also act as legislative counsel and shall perform such other duties during the sessions of the legislature and during the interim between sessions as the appointing board may prescribe.

SEC. 5. The board of trustees of the state library is hereby authorized and directed to establish in the state library a department to be known as the legislative reference department of the state library, and to employ competent persons therein to gather, classify, and make available in translations, indexes, digests, compilations and bulletins and otherwise for or bearing on legislation and to render such data serviceable to the legislature and committees and members thereof and to the legislative drafting bureau.

SEC. 6. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of twenty thousand dollars for carrying out the provisions of this Act, of which amount not to exceed ten thousand dollars shall be used for the purchase of books and periodicals to be added to the collection of the state library and especially as additions to the legislative reference department of the state library. Said purchases of books and periodicals shall be made by the state library.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bowman, Bradford, Bush, Clarke, Geo. A., Emmons, Farwell, Fish, Ford, Inman, Kingsley, Libby, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shartel, Strine, and Weldon—25.

NOES—Messrs. Beck, Bohnett, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Dower, Ellis, Ferguson, Finnegan, Gabbert, Gelder, Guiberson, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, McDonald, Mouser, Scott, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, White, Woodley, and Mr. Speaker—35.

Bill read third time.

The question being on the adoption of the bill.

The roll was called, and Assembly Bill No. 970 refused passage by the following vote:

AYES—Messrs. Bagby, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Ferguson, Finnegan, Fish, Gabbert, Guiberson, Guill, Hinkle, Johnson, T. D., Johnstone, W. A., Kuck, McDonald, Mouser, Roberts, Scott, Shannon, Slater, Smith, Sutherland, Tulloch, Weisel, White, and Mr. Speaker—31.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Dower, Emmons, Farwell, Ford, Gelder, Green, Inman, Killingsworth, Kingsley, Libby, Murray, Nolan, Peairs, Polsley, Richardson, Ryan, Schmitt, Shartel, Strine, Stuckenbruck, Weldon, and Woodley—32.

NOTICES OF MOTION TO RECONSIDER.

Mr. Bohnett gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 970 was this day refused passage.

Mr. Smith gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 970 was this day refused passage.

UNFINISHED BUSINESS.

Assembly Bill 598—An Act to add two new sections to the Political Code of the State of California, to be known and designated as section two thousand six hundred ninety-seven and section two thousand six hundred ninety-eight, relating to the abandonment of highways.

On motion of Mr. Brown, consideration of above Assembly bill postponed until Monday, April 28, 1913.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1937—An Act to amend Section 1115 of the Political Code, relating to affidavits of registration—and report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor, and fixing a penalty for violations of this Act—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 98—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit

trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, prescribing his duties and powers.

Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into seven fish and game districts," approved March 21, 1911, by adding a new section thereto.

Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Also: Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 13 of Article XX, relating to elections.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1—An Act to amend Section 25 of the Civil Code, relating to who are minors.

Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving, and dredging the channel of San Rafael Creek.

Assembly Bill No. 93—An Act in relation to fences and other structures erected to annoy, and for the abatement of nuisances.

Assembly Bill No. 136—An Act appropriating money for general repairs to buildings at Veterans' Home of California.

Assembly Bill No. 201—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 636½, to prevent the use of paranzella or trawl nets and providing the penalty therefor.

Assembly Bill No. 230—An Act to amend Section 3748 of the Political Code of the State of California, relating to time and place of payment of taxes and prohibiting the tax collector from accepting payment of taxes for the current year on any particular lot, piece or parcel of real estate until all delinquent taxes against the same property shall have been paid.

Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Assembly Bill No. 564—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be known as Section 581b, relating to the dismissal of actions for the want of prosecution after change of place of trial.

Assembly Bill No. 623—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911, by amending Sections 8, 9, 11, 13, 14 and 18 thereof, and by repealing Section 12 thereof and by adding two new sections to said Act, which sections shall be numbered 12 and 12½, relating to the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases.

Assembly Bill No. 662—An Act to add a new section to the Penal Code of the State of California to be known as Section 532a, relating to the making and use of false statements for the purpose of obtaining property on credit, and prescribing the punishment therefor.

Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Assembly Bill No. 813—An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration.

Assembly Bill No. 844—An Act to amend Section 2643 of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

Assembly Bill No. 918—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots and fools, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded Children, and of convicts in the state prisons," approved April 26, 1909.

Assembly Bill No. 996—An Act to amend Section 1 of an Act entitled "An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands; to define the duties of the State Board of Fish Commissioners in relation to the control of such rights, and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches, a misdemeanor," approved March 21, 1907.

Assembly Bill No. 1206—An Act to amend Section 102b of the Code of Civil Procedure of California, relating to salary of justices, justices' clerks, assistant justices' clerks and deputy justices' clerks in townships having population between 250,000 and 400,000.

Assembly Bill No. 1207—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having population between 250,000 and 400,000.

Assembly Bill No. 1218—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having population between 250,000 and 400,000.

Assembly Bill No. 1219—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships between 250,000 and 400,000.

Assembly Bill No. 1220—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Assembly Bill No. 1381—An Act to amend Section 16 of that certain Act of the Legislature of the State of California entitled "An Act concerning dependent delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Assembly Bill No. 1416—An Act to amend Section 626o of the Penal Code of the State of California, relating to the shooting of wild ducks.

Assembly Bill No. 1428—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Assembly Bill No. 1436—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 634a, relating to the protection and preservation of fish.

Assembly Bill No. 1438—An Act to amend Section 626i of the Penal Code relating to the protection and preservation of male deer.

Assembly Bill No. 1439—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of fish and game.

Assembly Bill No. 1445—An Act to amend Section 626g of the Penal Code, relating to the protection of tree squirrels.

Assembly Bill No. 1447—An Act to amend Section 633 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Assembly Bill No. 1466—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto subdivision seven, assigning permanent insanity as a further ground for divorce.

Assembly Bill No. 1482—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be known as Sections 3a and 3b, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality and crime in the State, the collection, compilation, and distribution of statistics and other information regarding the same, and recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor.

Assembly Bill No. 1484—An Act to regulate the practice of employing special agents, detectives or so-called "spotters" to investigate and report to an employer information, containing accusations against his employees; and providing penalties for the violation of its provisions and making the employer liable in damages to an employee sustaining thereby.

Assembly Bill No. 1494—An Act to amend Section 290 of the Civil Code of the State of California, relative to articles of incorporation, and what they must set forth.

Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose.

Assembly Bill No. 1639—An Act making unlawful the sale or other disposition of alcoholic liquors within a certain distance of any United States, or state, military or naval reservation, with certain exceptions.

Assembly Bill No. 1677—An Act to appropriate the sum of three hundred and fifty-eight and 50/100 dollars to pay the claims of the State Board of Health.

Assembly Bill No. 1684—An Act to amend the title and an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee, and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Assembly Bill No. 2036—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 637g.

Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California, and delegating to the Scripps Institute of Biological Research the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea, and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations, and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

Assembly Bill No. 2076—An Act relating to the use and furnishing stamps, coupons, tickets, certificates, cards or other similar devices for or with the sale of goods, wares and merchandise, and providing the penalty for the violation thereof.

Assembly Bill No. 2086—An Act to define investment companies, investment brokers, contractors and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; and making an appropriation therefor.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. McDonald, Mr. and Mrs. J. Glaskin were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guill, Mr. A. Sorensen was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mr. A. W. Manx and H. C. Schroder were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Inman, Mr. and Mrs. J. Tunnecliff were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clarke, Mr. Jasper Patrick was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Polsley, Mr. F. W. Grimm was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Mrs. L. M. Anderson and Miss F. W. Smith were granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At eleven o'clock and fifteen minutes p.m., on motion of Mr. Schmitt, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, April 22, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—75.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Chandler, Mr. Wyllie was granted leave of absence for the day.

On motion of Mr. Byrnes, Mr. Morgenstern was granted leave of absence for the day.

On motion of Mr. McDonald, Mr. Walsh was granted leave of absence for the day.

On motion of Mr. Johnstone, Mr. Gates was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Benedict, the further reading was dispensed with.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 809—An Act to amend Section 737 of the Political Code of the State of California.

Also: Senate Bill No. 1251—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Also: Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Also: Senate Bill No. 1124—An Act to amend Section 4253 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

Also: Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures, and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

Also: Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Also: Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 18, 1913, adopted Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said Constitution to be numbered Section 1a of Article XIII thereof, relating to exempting certain property of educational institutions of collegiate grade from taxation.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 809 read first time, and referred to Committee on County Government.

Senate Bill No. 1251 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 14 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1124 read first time, and referred to Committee on County Government.

Senate Bill No. 672 read first time, and referred to Committee on Public Morals.

Senate Bill No. 32 read first time, and referred to Committee on Judiciary.

Senate Bill No. 265 read first time, and referred to Committee on Judiciary.

Senate Bill No. 961 read first time, and referred to Committee on Fish and Game.

Senate Constitutional Amendment No. 15 read first time, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

Also: Assembly Bill No. 25—An Act appropriating two hundred thousand dollars (\$200,000) to complete the construction of the exposition building of the State of California at the Panama-California Exposition to be held in San Diego, California, during the year 1915.

Also: Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Also: Assembly Bill No. 97—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Also: Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California, to be an item of the general appropriation bill," approved March 15, 1901.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 15, 1913, passed the following:

Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the presentation and form of claims against counties.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 843—An Act to add a new section to the Civil Code of the State of California to be numbered 1410b, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

Also: Assembly Bill No. 545—An Act to amend the Civil Code of the State of California, by adding a new section thereto to be known and numbered "Section 171a," relating to husband's liability for wife's torts.

Also: Assembly Bill No. 1509—An Act to amend section two hundred ninety-one of the Civil Code of the State of California relative to certain corporations stating further facts in articles of incorporation.

Also: Assembly Bill No. 1507—An Act to amend section two hundred ninety-three of the Civil Code of the State of California relative to prerequisite to filing articles of incorporation and amounts to be subscribed and to be fixed.

Also: Assembly Bill No. 1259—An Act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the

management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Also: Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Also: Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Also: Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the University Farm and Agricultural School at Davis, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 896 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 163—An Act to amend an Act entitled, "An Act to provide for the payment by the state or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 163?"

On page 1, line 6, of the printed bill, before the word "the," insert "SEC. 1."

Also: On page 1, line 14, after the word "shall," insert the word "also".

The roll was called, and Senate amendments to Assembly Bill No. 163 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Byrnes, Cary, Chandler, Clark, Wm. C., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—53.

NOES—None.

Bill ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 61—An Act to prevent injury to oil, gas

or petroleum-bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein", approved March 20, 1909.

Also: Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, and December 24, 1911, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 34, 35, 37, 41, 42, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 105, 106, 121, 123, 124, 127, 128, 130, 131, 133, 134, 136, 137, 138, 139, and 145 thereof, and by repealing Sections 13, 18, 33, 100, 104, and 134 thereof, and by adding new sections thereto, to be numbered Sections 12b, 12c, 21a, 31a, 54, 55, 56, 61a, 107, 130a, 135a, 136a, and 136b, and by repealing Section 125 thereof and adding a new section thereto, to be numbered Section 135, all relating to the definition and regulation of the business of banking.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 61?"

On page 3 of the amended printed bill, strike out all of line 22, following the period in said line; also all of lines 23, 24, 25, 26, and 27, and all of line 28 down to and including the period following the word "qualified," and in lieu thereof insert the following: "In order to carry out the provisions of Sections 1 and 2 of this Act, upon petition in writing signed by ten or more owners of wells defined in Section 1 of this Act, within a county, it shall be the duty of the board of supervisors of such county, to appoint a commissioner who shall be a practical oil man or a graduate geologist whose term of office shall be two years or until his successor is appointed and qualified. Said petition shall set forth the name of the person desired to be appointed as such commissioner, shall be verified by the affidavit of one of the petitioners and shall be published once a week for three weeks in some newspaper of general circulation published in the county, or if there be no newspaper published in the county, then in some newspaper having general circulation in the county, together with notice of the time when said petition will be presented to the board of supervisors, which time shall be not less than thirty days nor more than sixty days after the date of the first publication of said petition and notice. At the hearing of said petition the board shall proceed to hear all objections which may be presented to the appointment of the person named in said petition, and at the conclusion of said hearing, shall appoint as commissioner the person so named or some other person whose name shall be presented at said hearing; *provided, however*, that in no case shall the board appoint as commissioner any person who has not been recommended in writing as to his qualifications by at least ten owners of wells defined in Section 1 of this Act."

The roll was called, and Senate amendment to Assembly Bill No. 61 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Ford, Green, Griffin, Guiberson, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Mouser, Murray, Palmer, Roberts, Schmitt, Shannon, Simpson, Smith, Sutherland, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1137?"

AMENDMENT No. 1.

In line 12 of the title, strike out the word and figures "and 104" following the figures "100", and insert in lieu thereof a comma and the following: "104 and 143".

AMENDMENT No. 2.

On page 5, strike out the brackets in lines 16, 17 and 25.

AMENDMENT No. 3.

On page 7, strike out the brackets in line 19.

AMENDMENT No. 4.

On page 9, strike out the brackets in line 5.

AMENDMENT No. 5.

On page 9, in line 36, strike out the period after the word "effect", and insert in lieu thereof a semicolon and the following: "*and provided, further, that any building and loan association may borrow money, issue investment certificates or evidences of indebtedness, stating the rate of interest and terms and conditions of repayment, and do such other business as may be authorized by the laws of the state relating to building and loan associations; and provided, further, that no such association shall advertise or hold itself out to the public as a savings bank.*"

AMENDMENT No. 6.

On page 10, strike out the brackets in line 23.

AMENDMENT No. 7.

On page 11, line 26, strike out the period following the word "effect", and insert in lieu thereof a semicolon and the following: "*and provided, further, that any building and loan association may borrow money, issue investment certificates or evidences of indebtedness, stating the rate of interest and terms and conditions of repayment, and do such other business as may be authorized by the laws of the State relating to building and loan associations; and provided, further, that no such association shall advertise or hold itself out to the public as a savings bank.*"

AMENDMENT No. 8.

On page 11, strike out the brackets in lines 27 and 28.

AMENDMENT No. 9.

On page 12, strike out the brackets in lines 11 and 36.

AMENDMENT No. 10.

On page 17, strike out the brackets in line 11.

AMENDMENT No. 11.

On page 18, strike out the brackets in line 15.

AMENDMENT No. 12.

On page 29, strike out the brackets in line 6.

AMENDMENT No. 13.

On page 30, strike out the brackets in lines 13 and 14.

AMENDMENT No. 14.

On page 33, in line 5, strike out the character and figures "\$100", and insert in lieu thereof "one hundred dollars."

AMENDMENT No. 15.

On page 37, in line 3, strike out the word "have", and insert in lieu thereof the word "has".

AMENDMENT No. 16.

On page 37, in line 20, strike out the period after the word "located", and insert in lieu thereof a semicolon and the following: "*and provided, further, that the total amount of bonds issued by any such irrigation district does not exceed sixty per centum of the aggregate market value of the lands within such district, and of the water, water rights, canals, reservoirs, reservoir sites and irrigation works owned or to be acquired or constructed with the proceeds of any of such bonds, by said district, such facts in reference to bonds of irrigation districts to be determined by a commission now or hereafter authorized by law to ascertain and report upon such facts.*"

AMENDMENT No. 17.

On page 38, strike out of lines 9 and 10, the words "each of its three fiscal years", and insert in lieu thereof the words "its fiscal year".

AMENDMENT No. 18.

On page 39, strike out the brackets in line 7.

AMENDMENT No. 19.

On page 41, strike out the brackets in lines 11, 14, 24 and 34.

AMENDMENT No. 20.

On page 44, insert in line 2, after the comma following the word "section", the following: "or of any law of this State,".

AMENDMENT No. 21.

On page 44, strike out the brackets in line 17.

AMENDMENT No. 22.

On page 49, strike out of lines 11 and 12, the following: "which the law may now or hereafter authorize to be used as security for the deposit of public moneys of this state", and insert in lieu thereof the following: "such as are legal for investment by savings banks."

AMENDMENT No. 23.

On page 58, strike out the brackets in line 34.

AMENDMENT No. 24.

On page 60, line 16, after the word "administration", insert a comma and the following: "or any other proceeding,".

AMENDMENT No. 25.

On page 60, line 17, after the comma following the word "therein", insert the following: "or the person who has been selected by said court, or a judge thereof, as executor, administrator, guardian, assignee, receiver, depository or trustee."

AMENDMENT No. 26.

On page 60, line 18, after the comma following the word "direct", insert the following: "or without notice if all parties in interest consent thereto,".

AMENDMENT No. 27.

On page 60, in line 20, strike out the comma following the word "trustee", and insert in lieu thereof the following: "so selected or appointed, whether such person has duly qualified or not."

AMENDMENT No. 28.

On page 64, strike out the brackets in line 37.

AMENDMENT No. 29.

On page 71, strike out the brackets in line 36.

AMENDMENT No. 30.

On page 91, between lines 4 and 5, insert the following: "Sec. 94. Section one hundred forty-three of said Act is hereby repealed."

AMENDMENT No. 31.

On page 91, strike out of line 5, the figures "94", and insert in lieu thereof the figures "95".

The roll was called, and Senate amendments to Assembly Bill No. 1137 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Griffin, Guiberson, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Mouser, Palmer, Peairs, Roberts, Schmitt, Shannon, Simpson, Smith, Strine, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—41.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 371—An Act providing for the

building of a bridge across the Colorado River, and making an appropriation therefor—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 371?"

AMENDMENT No. 1.

On page 1, strike out all of Section 1, and insert in lieu thereof two new sections, to be numbered, respectively, 1 and 2, and to read as follows:

"SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars for the purpose of aiding in the construction of a wagon bridge across the Colorado River from School Hill on the Yuma Indian Reservation in the State of California to Penitentiary Hill in the city of Yuma, State of Arizona.

SEC. 2. The sum hereby appropriated shall be available only when the federal government and the State of Arizona have made appropriations aggregating the sum of fifty thousand dollars for the construction of said bridge."

AMENDMENT No. 2.

On page 1, line 16, strike out all of Section 2, and insert in lieu thereof a new section to be numbered Section 3, and to read as follows:

"SEC. 3. The State of California hereby assumes responsibility for the payment of one half of the cost of the maintenance and repair of said bridge and the cost of the approach on the California side of said river."

AMENDMENT No. 3.

On page 2, line 6, strike out all of Section 3, and insert in lieu thereof two sections to be numbered 4 and 5, respectively, and to read as follows:

"SEC. 4. The state controller is hereby authorized and directed to draw his warrant or warrants on the general fund from time to time for such portions of said sum of twenty-five thousand dollars, and in favor of such persons, as the State engineer shall direct, and the state treasurer is hereby authorized and directed to pay the same.

SEC. 5. This Act is exempt from the provisions of Section 672 of the Political Code."

The roll was called, and Senate amendments to Assembly Bill No. 371 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, and Woodley—54.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Also: Assembly Bill No. 1995—An Act to provide for the free treatment of persons exposed to rabies and for their free transportation and support while undergoing treatment in their own homes under the direction and treatment by the State Board of Health.

Also: Assembly Bill No. 2025—An Act to amend Sections 2761 and 2764 of the Political Code of the State of California, relating to permanent road divisions. And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 537?"

AMENDMENT No. 1.

Amend by striking out all of lines 7 to 12, both inclusive, on page 1, and the words "state department of agriculture", in line 1, on page 2, and inserting in lieu thereof the words "qualified and practicing veterinarian, who is a graduate of a duly recognized and accredited veterinary college of good standing".

AMENDMENT No. 2.

Amend by striking out the word "been" in line 1 on page 3.

AMENDMENT No. 3.

Amend by striking out the word "subjected" in line 1 on page 3, and inserting in lieu thereof the word "reacted".

AMENDMENT No. 4.

Amend by striking out all of Section 2 on page 3.

AMENDMENT No. 5.

Amend by striking out the figure "3" in line 23 on page 3, and inserting in lieu thereof the figure "2".

AMENDMENT No. 6.

Amend by striking out the figure "4" in line 31 on page 3, and inserting in lieu thereof the figure "3".

AMENDMENT No. 7.

Amend by striking out the figure "5" in line 36 on page 3, and inserting in lieu thereof the figure "4".

AMENDMENT No. 8.

Amend by striking out the figure "6" in line 4 on page 4, and inserting in lieu thereof the figure "5".

Also:

AMENDMENT No. 1.

After the word "state", line 34, page 2, insert the following: "except as hereinbefore provided".

AMENDMENT No. 2.

On line 3, page 3, strike out "and also", and insert in lieu thereof the following: "and in every case where said cattle are brought into the State of California for the purpose of slaughter for food, or for the purpose of fattening for such slaughter, a certificate signed by the owner shall be attached to said waybill accompanying said shipment".

AMENDMENT No. 3.

Strike out the period after the word "certificate", line 8, page 3, and insert in lieu thereof the following: "and if said certificate be attached to said waybill it shall relieve any transportation company, its agents and employees from the penalties prescribed in this Act, if said cattle should be brought into this state for purposes other than as set forth in said certificate".

The roll was called, and Senate amendments to Assembly Bill No. 537 were concurred in by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A. Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—53.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1995?"

AMENDMENT No. 1.

Strike out all of the title after the words "An Act", and insert in lieu thereof the following:

"To provide for the free home treatment of persons exposed to rabies who shall declare that it will be a hardship for them to pay for anti-rabic treatment, and prescribing the duties of the state board of health in certain cases, and providing for the payment, by counties, of physicians appointed to administer such treatment."

AMENDMENT No. 2.

Strike out all of the bill after the words "Section 1", on page 1, line 1, of the printed bill, and insert in lieu thereof the following:

"For the purpose of affording prompt and efficient home treatment of any person or persons exposed to the rabies who shall declare that it will be a hardship for them to pay for anti-rabic treatment, it is by this Act, made mandatory, upon the board of supervisors of the county in which said persons were exposed to rabies, to make provisions for the purchase and administration of the anti-rabic virus, by a qualified physician, said virus to be produced in a laboratory operating under United States government control and license, and to be administered to said persons either at their homes or at a convenient place in the community in which they reside, free of any and all expense to said persons for costs of virus or administration of same; *provided, however*, that if said persons reside in a community where a laboratory of the state board of health exists, said persons shall, on application to the physician in charge of said laboratory, be given free anti-rabic treatment with virus furnished by the state board of health; *and provided, further*, that if there shall be six or more of such persons in a community where no such laboratory exists, in need of treatment at or about the same time, the board of supervisors of the county in which said persons were exposed to rabies, may call upon the state board of health to send a qualified physician to such community or to designate a qualified physician in such community to give free anti-rabic treatment to said persons, and the state board of health shall send such physician, if one is available or designate a qualified physician and such physician sent or designated by the state board of health shall receive remuneration from said county at the rate of not more than one hundred and fifty dollars per month for the time in which he shall be stationed in the community where said persons reside.

SEC. 2. The written declaration of said persons or their guardians, if said persons are minors or incompetent, made to the board of supervisors of the county in which said persons were exposed to said disease, or such declaration made to the local health officer of the community in which they reside, shall be sufficient to entitle said persons to said free anti-rabic treatment in the community in which they reside, and if said free home treatment is not instituted within two days after the day on which said persons notified either or both of said authorities of their exposure to said disease, said persons may apply for treatment to any physician practicing in the community in which they reside, and the reasonable cost of the anti-rabic virus used in such treatment and the reasonable fees of the physician administering same shall be paid by the county in which said persons were exposed to said disease.

SEC. 3. The reasonable claims of any laboratory other than the state laboratory supplying said virus and the reasonable claim of any physician administering same under the provisions of this Act, shall be allowed by the board of supervisors of the county in which said persons were exposed to said disease, and it shall be the duty of the auditor of said county to draw his warrant for the said amounts allowed in the claims set forth, respectively, and it shall be the duty of the treasurer of said county to pay the same; *provided, however*, that said county shall not be liable for any charge for anti-rabic treatment administered at any laboratory of the state board of health, or for any virus furnished by said board, nor shall it be liable beyond the necessary traveling expenses and remuneration at the rate of one hundred and fifty dollars per month for the services of any physician sent by said board to administer anti-rabic treatment in communities where no laboratory of said board exists.

SEC. 4. This Act is not to be interpreted as in any way restricting the powers of either the state board of health or those of any local board of health, but is enacted to assure the speedy and effective treatment, at public expense, of such persons as come within its scope."

The roll was called, and Senate amendments to Assembly Bill No. 1995 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bradford, Cary, Clark, Wm. C. Clarke, Geo. A. Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H. Johnston, T. D. Johnstone, W. A. Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Polsley, Rob-

erts, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—42.
 NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2025?"

On page 1, line 4, strike out the words "Election notice must contain what".
 Also: On page 2, line 6, strike out the words "rate of bonds."

The roll was called, and Senate amendments to Assembly Bill No. 2025 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Collins, Emmons, Farwell, Ferguson, Finnegan, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Mouser, Palmer, Peairs, Polesky, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

RE-REFERENCE OF BILLS.

On motion of Mr. Finnegan, Senate Bill No. 621 was re-referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1312.

On motion of Mr. Benedict, Senate Bill No. 277 was recalled from the Committee on Judiciary and re-referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 662.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Weisel:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act authorizing municipalities of the fifth and sixth class to declare weeds growing upon public streets to be a nuisance, etc.

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act amending an Act entitled "An Act providing for the organization and government of districts for the protection of the lands of farming or other communities from overflow waters, etc."

Referred to Committee on Introduction of Bills.

By Mr. Emmons:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor," approved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn in Tuolumne County and running thence across the summit of the Sierra Nevada Mountains to Bridgeport in Mono County, a state highway," which became a law under constitutional provision without the Governor's approval, March 12, 1901; providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general

southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley Turnpike," to a point on the wagon road near the junction of Silver Creek near the east fork of Carson River, said highway to be named the Alpine-Inyo State Highway; and making an appropriation therefor."

Referred to Committee on Introduction of Bills.

By Mr. Green:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Referred to Committee on Introduction of Bills.

By Mr. Ellis:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm waters and from the water from any innavigable stream, water course, canyon or wash, etc."

Referred to Committee on Introduction of Bills.

INTRODUCTION OF ASSEMBLY CONCURRENT RESOLUTION, ETC.

The following Assembly concurrent resolution was introduced, and referred as indicated.

By Mr. Kuck: Assembly Concurrent Resolution No. 31—Relative to appointment of an advisory committee to confer with the State Board of Control regarding state roads.

Read, and referred to committee on Roads and Highways.

By Mr. Roberts: Assembly Constitutional Amendment No. 90—Proposed amendment to Article XX of the Constitution relative to condition of labor and welfare of employees.

Read, and referred to Committee on Constitutional Amendments.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Woodley:

Resolved, That Assembly Bill No. 309 be recalled from the Committee on Medical and Dental Laws, and placed on file.

Resolution read, and on motion adopted.

By Mr. Gelder:

Resolved, That Assembly Bills Nos. 1053, relating to minimum requirements and standards of medical colleges and reciprocity; 1054, relating to an official register of physicians and surgeons; 2029, relating to the organization of State Board of Health, and 355, relating to special certificates for the practice of a special branch of medicine and surgery, heretofore referred to the Committee on Medical and Dental Laws, be, and the same are hereby recalled from said committee, and ordered placed upon the second reading file.

Resolution read, and on motion adopted.

SPECIAL ORDER.

The hour of ten o'clock and thirty minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

The question being upon the motion of Mr. Johnstone to appoint a select committee of one to amend the bill as follows:

On page 2, line 3, of title, strike out "five", and insert in lieu thereof "ten".

Also: On page 9, line 17, strike out "five", and insert instead "ten".

Also: On page 8, line 2, strike out ", professional".

Also: On page 10, line 34, insert before the word "cost", the word "reasonable".

Also: On page 10, line 37, strike out "the".

Also: On page 11, line 1, strike out "investments in the original and the new work", and insert "such cost".

Also: On page 11, line 9, insert a semicolon after the word "purposes".

Also: On page 12, line 2, strike out comma, "in its discretion," comma.

Also: On line 7, page 12, before the word "after", insert "the commission specifically so finds."

Also: On page 12, line 29, strike out "may in its discretion", and insert "shall".

Also: On page 13, line 36, strike out the semicolon, insert a period, strike out the remainder of the section and insert in lieu thereof the following: "provided, that, before granting such permission, such applicant must establish, to the satisfaction of the state water commission, and such commission must so find, that such change in the place of diversion will not operate to the injury of any other appropriator or legal user of such waters before permitting such change in the place of diversion. Upon receipt of application for permission to make such change and diversion, the commission shall, by order, fix a time within which any person interested may appear in opposition to such application, and such applicant shall cause to be published at least once a week for four consecutive weeks, in a newspaper or newspapers of general circulation in the county in which is situated both the old and new points of diversion, a copy of said order. Proof of such publication shall be by affidavit of the publisher of such newspaper. Should any objection be made to the change in point of diversion so applied for, the state water commission shall fix a time for the hearing of said application and of the objection thereto, which time shall be not less than thirty days

nor more than sixty days after the period of said publication, and upon such hearing the said commission shall grant or refuse, as the facts shall warrant, such permission to change place of diversion."

Also: On page 18, line 23, after the word "price", strike out the remainder of the sentence to and including the word "works", on line 29, and insert in lieu thereof the following: "Said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings."

Also: On page 18, line 33, before the words "shall file", insert "or miners".

Also: On page 20, line 31, strike out the words "The use of water", etc., to the end of the section, and insert in lieu thereof the following: "The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time."

Also: On page 21, line 5, insert a period after the word "proceedings", and strike out the remainder of the section.

Also: On page 22, line 4, after the word "second", insert a new sentence reading as follows: "provided, however, that no annual charge shall be made when the appropriation is made for use for irrigation purposes upon lands, not exceeding one hundred and sixty acres in area, to be actually occupied by such appropriator and cultivated in whole or in part by him, or for use for mining purposes upon a mining claim not exceeding twenty acres in area owned or occupied and mined by such appropriator."

Also: On page 24, line 31, strike out the comma after the word "cause".

Also: On page 25, line 14, insert before the words "the rights", the words "and specific findings upon".

Also: On page 25, line 17, insert after the word "ascertainment" the words "and specific findings".

Also: On page 25, line 24, insert before the word "and" the words "specific findings", and after the word "ascertainment" insert the word "as".

Also: On page 25, line 26, insert after the word "facts" a comma and the words "specific findings".

Also: On page 25, line 31, insert before the words "and ascertainment", the words "specific findings".

Also: On page 25, line 35, insert after the words "made the", the words "specific findings and".

Also: On page 26, line 22, after the word "information", insert the words "specific findings".

Also: On page 26, line 26, after the word "such", insert "specific findings and".

Also: On page 27, line 15, insert after the word "ascertainment", the words "and specific findings".

Also: On page 27, line 16, after the word "ascertainment", insert the words "or specific findings".

Also: On page 27, line 28, strike out the word "shall", and insert the word "may".

Also: Strike out all of Section 37.

Also: Renumber Section 38 to read "Sec. 37."

Also: Strike out Section 39, and in lieu thereof insert the following:

"SEC. 38. The diversion or use of water subject to the provisions of this Act other than as in this Act authorized is hereby declared to be a trespass, and the state water commission is hereby authorized to institute in the superior court in and for any county wherein such diversion or use is attempted appropriate action to have such trespass enjoined."

Also: Change the number of Section 40 to 39.

Also: On page 29, line 36, strike out after the word "thereof", all of the section to and including the word "that", on line 3, page 30, and put a capital letter on the word "water".

Also: On page 30, after line 10, insert a new section, to be numbered Section 40, to read as follows:

"SEC. 40. The state water commission is also authorized and empowered to investigate any natural situation available for reservoirs or reservoir systems for gathering and distributing flood or other waters not under beneficial use in any stream, stream system or lake or other body of water, and to ascertain the feasibility of such projects, including the supply of water that may thereby be made available, the extent and character of the areas that may be thereby irrigated, and make estimate of the cost of such project."

Also: After Section 42, insert a new section, to read as follows:

"SEC. 43. Nothing in this Act shall be construed as depriving any person, firm, association or corporation of the right of appeal conferred under the laws of this state."

Also: Renumber Section 43 as 44, number 44 as 45, and number 45 as 46.

Also: On page 30, line 20, after the word "water", insert the words "or water".

Also: On page 2, line 22, of title, strike out all beginning with the syllable "de" at end of line and continuing through and including lines 23, 24 and 25.

Also: On page 9, line 14, after the word "unappropriated", insert the following: "And all waters flowing in any river, stream, canyon, ravine or other natural channel, excepting so far as such waters have been or are being applied to useful and beneficial purposes upon, or in so far as such waters are or may be reasonably needed for useful and beneficial purposes upon lands riparian thereto, is and are hereby declared to be public waters of the State of California and subject to appropriation in accordance with the provisions of this Act."

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 642, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

CONSIDERATION OF SPECIAL ORDER POSTPONED.

Mr. Sutherland moved that consideration of Assembly Concurrent Resolution No. 19 be postponed until Friday, April 25, 1913, at eleven o'clock a.m.

Motion carried.

GOVERNOR'S MESSAGE.

The following message from the Governor was received, and on motion read:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,

SACRAMENTO, April 22, 1913.

To the Legislature of the State of California:

I have just received a telegram from the President concerning the alien land bills now pending, and I hasten to transmit this telegram to you. It is as follows:

"THE WHITE HOUSE, WASHINGTON, D. C., April 22, 1913.

"Hon. HIRAM W. JOHNSON, Governor, Sacramento, California:

"I speak upon the assumption, which I am sure is well founded, that the people of California do not desire their representatives—and that their representatives do not wish or intend—in any circumstances to embarrass the Government of the United States in its dealings with a nation with whom it has most earnestly and cordially sought to maintain relations of genuine friendship and good will, and that least of all do they desire to do anything that might impair treaty obligations or cast a doubt upon the honor and good faith of the nation and its government.

"I, therefore, appeal with the utmost confidence to the people, the Governor and the Legislature of California to act in the matter now under consideration in a manner that cannot from any point of view be fairly challenged or called in question. If they deem it necessary to exclude all aliens who have not declared their intention to become citizens from the privileges of land ownership, they can do so along lines already followed in the laws of many of the other states and of many foreign countries, including Japan herself. Invidious discrimination will inevitably draw in question the treaty obligations of the Government of the United States. I register my very earnest and respectful protest against discrimination in this case, not only because I deem it my duty to do so as the chief executive of the nation, but also, and the more readily, because I believe that the people and the legislative authorities of California will generously respond the moment the matter is frankly presented to them as a question of national policy and of national honor. If they have ignored this point of view, it is, I am sure, because they did not realize what and how much was involved.

"WOODROW WILSON."

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

COMMUNICATION.

The following communication was read, and ordered printed in the Journal:

THE WHITE HOUSE, WASHINGTON, D. C., April 22, 1913.

The Speaker of the House, Sacramento, Cal.:

I speak upon the assumption, which I am sure is well founded, that the people of California do not desire their representatives—and that their representatives do not wish or intend—in any circumstances to embarrass the Government of the United States in its dealings with a nation with whom it has most earnestly and cordially sought to maintain relations of genuine friendship and good will, and that least of all do they desire to do anything that might impair treaty obligations or cast a doubt upon the honor and good faith of the nation and its government.

I, therefore, appeal with the utmost confidence to the people, the Governor, and the Legislature of California to act in the matter now under consideration in a manner that can not from any point of view be fairly challenged or called in question. If they deem it necessary to exclude all aliens who have not declared their intention to become citizens from the privileges of land ownership, they can do so along lines already followed in the laws of many of the other states and of many foreign countries, including Japan herself. Invidious discrimination will inevitably draw in question the treaty obligations of the Government of the United States. I register my very earnest and respectful protest against discrimination in this case, not only because I deem it my duty to do so as the chief executive of the nation, but also, and the more readily, because I believe that the people and the legislative authorities of California will generously respond the moment the matter is frankly presented to them as a question of national policy and of national honor. If they have ignored this point of view, it is, I am sure, because they did not realize what and how much was involved.

WOODROW WILSON.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 277—have had the same under consideration, and respectfully report that Senate Bill No. 277 is identical with Assembly Bill No. 662.

MOORHOUSE, Chairman.

Senate Bill No. 277 ordered on file.

Assembly Bill No. 662 ordered withdrawn, and stricken from the file.

SPECIAL ORDER SET.

On motion of Mr. Smith, the consideration of Assembly Bill No. 1228 was made a special order for Wednesday, April 23, 1913, at eleven o'clock and forty-five minutes a.m.

UNFINISHED BUSINESS.

Assembly Constitutional Amendment No 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section, to be known as Section 26, relating to the rights of men.

During the reading of the constitutional amendment, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the amendment as follows:

On page 1, line 8, strike out the word "shall" and insert the word "may".

Also: On page 1, line 12, strike out the word "shall" and insert the word "may".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 43, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendments adopted.

Constitutional amendment ordered to reprint, re-engrossment, and on file for passage.

AMENDMENT OF BILLS—(OUT OF ORDER).

Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

During third reading of the bill, Mr. Chandler moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 1, line 6, of printed bill, commencing with the word "The", strike out the balance of Section 1 and insert the following: "The Inspector shall be removable at the pleasure of the Governor and shall receive a salary of three thousand dollars per annum."

AMENDMENT No. 2.

On page 3, line 13, of printed bill, after the word "in", strike out the following: "the preceding section", and insert the following: "this Act".

AMENDMENT No. 3.

On page 3, line 31, of printed bill, strike out the word "the".

AMENDMENT No. 4.

On page 4, line 3, of printed bill, after the word "short", insert the following: "more than one fourth of one per cent".

AMENDMENT No. 5.

On page 4, lines 19 and 20, of printed bill, strike out the words "and no more".

AMENDMENT No. 6.

On page 4, line 37, of printed bill, strike out the following: "annually on or before", and insert the word "of".

AMENDMENT No. 7.

On page 5, line 1, of printed bill, after the word "year", insert the following: "and not later than fifteen days thereafter".

AMENDMENT No. 8.

On page 5, line 2, of printed bill, after the word "make", insert the words "a full".

AMENDMENT No. 9.

On page 5, line 19, of printed bill, after the word "and", insert the following: "if possession is taken".

AMENDMENT No. 10.

On page 5, line 21, of printed bill, after the word "in", strike out the balance of line 21 and all of line 22 and insert in lieu thereof the following: "a court of competent jurisdiction".

AMENDMENT No. 11.

On page 6 of printed bill, strike out all of Section 17 and insert in lieu thereof the following:

"SEC. 17. Any inspector, deputy inspector or person appointed by any board of

supervisors to make examination of weighing and measuring instruments who shall make any false report or fail to perform his duties as herein provided is guilty of a misdemeanor."

Motion carried.

The Speaker appointed Mr. Chandler as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 774, with instructions, do now report that the instructions of the Assembly have been carried out.

CHANDLER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 272—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

During third reading of the bill, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 2, line 1, of the printed bill, immediately after the comma following the word "nurses", and preceding the word "and", insert the words "as defined in this Act."

AMENDMENT No. 2.

On page 2, line 4, of the printed bill, strike out the period following the word "health", insert in lieu thereof a comma, and add the following: "in order to carry out the objects and purposes of this Act".

AMENDMENT No. 3.

On page 2, strike out all of lines 31 and 32 and the words "that gives", in line 33, and insert in lieu thereof the following: "been graduated from an accredited training school for nurses. An accredited training school for nurses within the meaning of this Act is hereby defined to be a school for the training of nurses attached to or operated in connection with a hospital or hospitals giving".

AMENDMENT No. 4.

On page 3, line 14, strike out the word "examiners".

AMENDMENT No. 5.

On page 3, line 15, after the word "with", insert the word "or".

AMENDMENT No. 6.

On page 3, line 15, of printed bill, after the word "state", insert the following: "or foreign country".

AMENDMENT No. 7.

On page 4, line 10, of the printed bill, strike out the following: "on warrant drawn by the controller", and insert in lieu thereof the following: "by the state treasurer upon warrants drawn by the state controller".

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 272, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1695—An Act to authorize and empower the board of trustees of Whittier State School to sell and convey all or any part of the lands and buildings of said school, and from the proceeds of such sale to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 9, insert after the word "control" the words "and by the governor".

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1695, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 1, strike out the word "eighty", and insert in lieu thereof the following: "one hundred".

Also: On page 3, line 2, strike out the following: "who shall also act as matron of the county jail when female prisoners are confined therein".

Also: On page 3, line 4, strike out the words "seventy-five", and insert in lieu thereof the following: "eighty-five".

Also: On page 7, line 27, strike out the words "one hundred", and insert in lieu thereof the following: "one hundred twenty-five".

Also: On page 8, line 31, strike out after the word "attendance", the words "and the sum of fifteen cents per mile for each mile actually traveled in going to court only", and insert in lieu thereof the following: "and mileage for each day's attendance at the rate of seven cents per mile of the distance actually traveled from the residence of said juror to the county seat, one way only, and which mileage shall be payable out of the funds of the county on the order of the judge of said superior court".

Motion carried.

The Speaker appointed Mr. Johnston as such committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 679, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Assembly Bill No. 1343—An Act to regulate the construction, operation, and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

During third reading of the bill, Mr. McCarthy moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 1, line 12, after the word "construction", strike out all following up to and including the words "each hoist" in line 15.

AMENDMENT No. 2.

On page 2, line 3, after the words "appoint one", strike out all of the balance of Section 2 up to and including the words "said hoist" in line 9, page 2, and in lieu thereof insert the following: "or more persons to give such signals, such persons to be selected from those most familiar with the work for which said hoist is being used. In the event that a building shall be over fifty feet in height, then two persons shall be appointed to give such signals, one at the bottom of said hoist and the other at the top of said hoist, and the person at the bottom of said hoist shall signal the person at the top, who shall then signal the engineer or the person in charge of the machinery operating said hoist. In the event that the engineer or person in charge of the machinery operating said hoist is so situated that he has a clear and unobstructed view of the base of the elevator, then and in that event, regardless of the height of the building, no person shall be required to give signals at the bottom of said hoist."

AMENDMENT No. 3.

On page 2, lines 27 and 28, strike out all of Section 5.

Motion carried.

The Speaker appointed Mr. McCarthy as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1343, with instructions, do now report that the instructions of the Assembly have been carried out.

MCCARTHY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1025—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disbursement from said fund; and making an appropriation to carry out the purposes of this Act.

During third reading of the bill, Mr. Scott moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, lines 2 and 3, strike out the words "fifteen hundred dollars" and insert in lieu thereof the following: "three thousand dollars".

Motion carried.

The Speaker appointed Mr. Scott as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1025, with instructions, do now report that the instructions of the Assembly have been carried out.

SCOTT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

TIME OF RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until the business before the house be disposed of and committee reports received and read.

Assembly Bill No. 1340—An Act to amend Sections 226 and 227 of the Code of Civil Procedure of the State of California, relating to the drawing and summoning of jurors.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, strike out all of Section 1 after the word "however" in line 12, and insert in lieu thereof the following: "the court shall not issue a special venire for jurors to attend court and to try any case or cases unless all names contained in the regular trial jury box have been drawn and exhausted or a jury cannot be secured from the jurors drawn from the trial jury box to try such case or cases."

Also: On page 2, strike out all of Section 2 after the word "however", in line 10, and insert in lieu thereof the following: "the court shall not issue a special venire for jurors to attend court and to try any case or cases unless all names contained in the regular trial jury box have been drawn and exhausted or a jury cannot be secured from the jurors drawn from the trial jury box to try such case or cases."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1340, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

During third reading of the bill, Mr. Green moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, strike out all of lines 20 and 21, and insert in lieu thereof the following: "6. The tax collector, twenty-four hundred dollars per annum; and he may appoint one deputy tax collector who shall receive a salary of nine hundred dollars per annum, and also one additional deputy tax collector, who shall serve only during a period of four months in each year and who shall receive a salary of fifty dollars per month during said period. The deputies herein provided for shall be paid in the same manner and out of the same fund as is the salary of the tax collector; *provided*, that the tax collector, who is ex officio license collector, shall not retain any fees or com-

missions derived from the collection of licenses, but he shall pay all such commissions and fees into the county treasury".

Also: On page 2, strike out all of lines 22 and 23, and insert in lieu thereof the following: "7. The assessor, forty-five hundred dollars per annum, and he shall be allowed the actual necessary expenses incurred by him in the performance of his official duties; and in counties of this class there shall be and is hereby allowed to the assessor one chief deputy assessor to be appointed by the assessor, who shall receive a salary of twelve hundred dollars per annum. There shall also be allowed to the assessor, to be appointed by him, ten additional deputy assessors, who shall serve as such from the first Monday of March of each year to and including the first Monday of July of each year, whose compensation in the aggregate shall not exceed the sum of twenty-six hundred dollars in any one year; the assessor may also appoint three office copyists to serve as such only during a period of four months in each year, who shall receive a salary of fifty dollars per month each during said period. The chief deputy assessor and office copyists herein provided for shall be paid in the same manner and out of the same fund as is the assessor; the compensation of said ten additional deputy assessors, respectively, shall be fixed by the assessor and shall be paid on presentation and filing with the board of supervisors of a duly verified claim therefor approved by the assessor; *provided*, that no fees or commissions shall be retained by the assessor, but that all commissions and fees shall be paid into the county treasury".

Also: On page 3, after line 35, add the following: "This Act shall take effect on and after January 4, 1915".

Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing the method whereby electors or political parties may express their choice at such primary elections for United State Senator and providing a method for choosing the delegates for political parties to state conventions and for nominating the delegates of political parties to national conventions and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

During third reading of the bill, Mr. Bohnett moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

Strike out from the title the words "and providing the method whereby electors of political parties may express their choice at such primary elections for United States senator".

AMENDMENT No. 2.

Strike out from the title of the printed bill the words "the delegates of political parties to national conventions", and insert in lieu thereof the words "electors of president and vice president of the United States".

AMENDMENT No. 3.

On page 1, line 1, of the printed bill, omit the words "The words and phrases", and insert in lieu thereof the words "Words and phrases where used".

AMENDMENT No. 4.

On page 2, line 4, of the printed bill, place quotation marks after the word "election".

AMENDMENT No. 5.

On page 2, line 11, of the printed bill, omit the word "or" where it occurs the first time, and substitute in lieu thereof the word and commas ", county,".

AMENDMENT No. 6.

On page 2, line 14, of the printed bill, omit the word "election" where it occurs the second time.

AMENDMENT No. 7.

On page 2, line 31, of the printed bill, after the word "committee", insert the words "or delegate to a state convention from a hold-over senatorial district".

AMENDMENT No. 8.

On page 2, line 33, of the printed bill, omit the word "and", and insert in lieu thereof the word "any".

AMENDMENT No. 9.

On page 4, line 10, of the printed bill, omit the words "all counties and cities and counties", and insert in lieu thereof the words "each county and city and county".

AMENDMENT No. 10.

On page 4, line 13, of the printed bill, omit the words "county clerks and their", and insert in lieu thereof the words "a county clerk and his".

AMENDMENT No. 11.

On page 4, line 28, of the printed bill, after the word "parties", insert the following: "and shall be in all respects nominated".

AMENDMENT No. 12.

On page 4, line 35, of the printed bill, before the word "freeholders", insert the words "nomination for".

AMENDMENT No. 13.

On page 4, line 36, of the printed bill, before the word "cities", insert the words "the nomination of officers for".

AMENDMENT No. 14.

On page 4, line 37, of the printed bill, omit the comma after the word "officers", and insert in lieu thereof a period; and omit all the rest of line 37 and also all of lines 1, 2 and 3 of page 5.

AMENDMENT No. 15.

On page 7, line 8, of the printed bill, omit the word "city" where it occurs the first time, and insert in lieu thereof the word "county".

AMENDMENT No. 16.

On page 13, line 37, of the printed bill, omit the words "is not", and insert in lieu thereof the words "does not appear in the same handwriting".

AMENDMENT No. 17.

On page 13, line 37, of the printed bill, before the period insert a comma and the following: "or which (except in the case of nomination papers of candidates for judicial, school, county, or township offices the signers of which may be registered as of any or no party) does not appear on said affidavit as intending to affiliate with the party named in such nomination papers".

AMENDMENT No. 18.

On page 14, lines 3, 4 and 5, of the printed bill, omit all the sentence after the word "which", and insert in lieu thereof the words "have not been marked 'not sufficient' as hereinabove provided".

AMENDMENT No. 19.

On pages 15 and 16 of the printed bill, omit all of subdivision 5 and renumber the succeeding subdivisions of Section 5 accordingly.

AMENDMENT No. 20.

On page 16, line 18, of the printed bill, after the word "vote", insert the words "or registration".

AMENDMENT No. 21.

On page 16, line 19, of the printed bill, omit the word "seven", and insert in lieu thereof the figure "6."

AMENDMENT No. 22.

On page 16, line 24, of the printed bill, after the word "vote", insert the words "or registration".

AMENDMENT No. 23.

On page 16, line 25, of the printed bill, omit the word "seven", and insert in lieu thereof the figure "6."

AMENDMENT No. 24.

On page 17, line 32, of the printed bill, omit the words "is also", and insert in lieu thereof the words "shall also be".

AMENDMENT No. 25.

On page 17, line 33, of the printed bill, omit the figures "10", and insert in lieu thereof the figure "9."

AMENDMENT No. 26.

On pages 17 and 18, of the printed bill, omit the words "to be voted for at any general election by electors or bodies of electors", in the last line on page 17 and the first line on page 18.

AMENDMENT No. 27.

On page 18, line 37, of the printed bill, after the word "assembly", insert: "delegates to state conventions from 'hold-over senatorial districts'".

AMENDMENT No. 28.

On page 19, line 4, of the printed bill, after the word "congress", insert: "delegates to state conventions from 'hold-over senatorial districts'".

AMENDMENT No. 29.

On page 19, lines 18 and 19, of the printed bill, omit the words "total vote as limited by subdivisions 6 and 10", and insert in lieu thereof "vote constituting the basis of percentage as provided in subdivisions 5, 6 and 9 of Section 5."

AMENDMENT No. 30.

On page 20, line 19, of the printed bill, after the word "state", insert a comma and the words "county clerk, registrar of voters, or city clerk".

AMENDMENT No. 31.

On page 21, line 21, of the printed bill, after the word "state", insert a comma and the words: "including the candidate for delegate to a state convention, if any, from a 'hold-over senatorial district'".

AMENDMENT No. 32.

On page 21, line 25, of the printed bill, omit the words "school office, county office, or township office", and insert in lieu thereof the words "or a school office".

AMENDMENT No. 33.

On page 21, lines 26 to 35, inclusive, of the printed bill, omit the sentence beginning with the word "prior", in line 26, and ending with the word "act" in line 35.

AMENDMENT No. 34.

On page 32, lines 17, 19 and 25, of the printed bill, change the word "six" in each line to the word "seven".

AMENDMENT No. 35.

On page 37, line 13, of the printed bill, after the word "election", insert a period instead of the semicolon and omit everything following to and including the period on line 17.

AMENDMENT No. 36.

On page 39, line 3, of the printed bill, omit the word "August", and insert in lieu thereof the word "September."

AMENDMENT No. 37.

On page 40, lines 3 and 4, of the printed bill, omit the words "nor shall any statement regarding United States senator be made by him", and place a period after the word "ballot" instead of the comma.

AMENDMENT No. 38.

On page 42, line 26, of the printed bill, change the figure "9" to the figure "8."

AMENDMENT No. 39.

On page 48, line 12, of the printed bill, place a comma after the word "herein."

AMENDMENT No. 40.

On page 2, line 23, of the printed bill, omit the comma and the word "any", and insert in lieu thereof the words "and the".

AMENDMENT No. 41.

On page 2, line 24, of the printed bill, omit the comma and the words "or any school district officer or trustee".

AMENDMENT No. 42.

On page 18, line 2, of the printed bill, before the semicolon insert a comma and the following: "as said section was enacted at the fortieth session of the legislature of the State of California".

AMENDMENT No. 43.

On page 19, lines 12 and 13, of the printed bill, omit the words and figures "total vote as limited by subdivisions 6 and 10 of section 5", and insert in lieu thereof the following: "vote constituting the basis of percentage as provided in subdivisions 5, 6 and 9 of section 5".

AMENDMENT No. 44.

On page 24, lines 3 and 4, of the printed bill, omit the words "not less than twelve inches wide and".

AMENDMENT No. 45.

In Ballot No. 1, under the head of legislative, strike out the words "signed statement No. 1", "signed neither statement", and "signed statement No. 1"; also, under congressional, change under the heading representative in congress from "4th district" to "8th district".

AMENDMENT No. 46.

On page 42, line 30, of the printed bill, omit the period and insert in lieu thereof a comma and the following: "unless such vacancy occurs among candidates chosen at the primary to go on the ballot for the succeeding general election for a judicial school, county, or township office, according to the provisions of Section 23 of this Act, in which case that candidate receiving at said primary the highest vote among all the candidates for said office who have failed to receive a sufficient number of votes to get upon said ballot according to the provisions of said Section 23, shall go upon said ballot to fill said vacancy".

Motion carried.

The Speaker appointed Mr. Bohnett as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1812, with instructions, do now report that the instructions of the Assembly have been carried out.

BOHNETT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of Wells Fargo & Co. Express for the sum of thirty-five and 12/100 (\$35.12) dollars, said amount being one half of the expense of expressing the Blue Book to various

Has had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Has had the same under consideration, and respectfully reports back and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guiberson, Guill,

Hayes, Hinkle, Johnston, T. D., Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Pearis, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—51.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Senate Bill No. 935—An Act to amend Section 384 of the Penal Code, relating to forest fires, approved May 1, 1911—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 476—An Act making application to repay L. H. Boggs moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 30—Relative to the amendment to the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the state to which it is consigned through the parcel post.

Also: Assembly Joint Resolution No. 31—Relative to asking Congress to revise the tariff upward.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above joint resolutions ordered on file for adoption.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California, relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1750—An Act to amend Section 1142 of the Political Code of the State of California, relating to the appointment of election boards—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1697—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1083a—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 1890—An Act to amend Section 1204 of the Political Code of the State of California, relating to the manner of voting—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 206—An Act to amend Section 635½ of the Penal Code, relating to two-mesh, three-mesh and trammel nets—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1204—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 579—An Act to amend the Penal Code of the State of California, by adding thereto a new section to be known and numbered Section 628g, relating to the importation of predatory fishes and animals into the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 879—An Act to add three new sections to the Penal Code, to be designated as Sections 373b, 373c and 373d, relating to public nuisances, and their abatement, and conferring certain powers upon the State Board of Health.

Also: Assembly Bill No. 952—An Act to amend Section 792 of the Political Code of the State of California, relating to the qualifications of appointees to the office of notary public.

Also: Assembly Bill No. 953—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known and designated as Section 792a, relating to the examination of applicants for appointment to the position of notary public and the issuing of certificates thereto.

Also: Assembly Bill No. 2089—An Act to provide for the formation, management

and dissolution of water districts: for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1155—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerk, assistant justices' clerk and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Also: Senate Bill No. 1156—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 72—An Act to amend Section 167 of the Penal Code of the State of California, relating to false certificates and acknowledgments of notary publics and other officers.

Also: Senate Bill No. 1554—An Act for the relief of purchasers of school lands.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 861—An Act to provide a reader for blind students in certain educational institutions and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STRINE, Acting Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics—which was re-referred to us from the Committee on Normal Schools, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory—which was re-referred to us from the Committee on Military Affairs, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1570—An Act to provide for the survey and construction of a

state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California—which was re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics—which was re-referred to us from the Committee on Labor and Capital, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as the Kings River canyon road—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 175—An Act to amend Section 759 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and prescribing his duties and compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1134, an Act to amend Section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 939—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California, to be known and designated as Section 459a, relating to the

giving of bonds by the deputy state treasurer, cashier, and bond officer of the Treasurer and providing for the payment of premiums thereon—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1191—An Act appropriating the sum of five thousand dollars for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Also: Senate Bill 805—An Act making an appropriation to pay the claim of the California Highway Construction Company against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning, in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma, in Imperial County.

Also: Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Malibu county road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga canyon to the town of Calabasas, Los Angeles County.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and ask that they be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bills ordered on file for second reading, and referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 50—An Act to declare the Sonora and Mono road, in Tuolumne County, a state highway—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 1559—An Act providing for the construction of highways by the State in counties, cities and counties and cities, and providing for the payment of the expense of the construction and maintenance thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 177—An Act to amend an Act to establish a uniform system of county and township government (approved April 1, 1897), by amending Section 228 thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1259—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Also: Senate Bill No. 613—An Act to amend Section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

WOODLEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 818—An Act to amend Sections 2, 12 and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvements and adding a new section thereto, to be numbered Section 3a, relating to the payment by the city of a portion of the cost of the improvement.

Also: Assembly Bill No. 1253—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, by amending Section 12 of said Act relating to the commencement of suits upon the warrant or assessment and the judgment to be rendered in such suits and the cost thereof.

Also: Assembly Bill No. 1352—An Act to amend Sections 764 and 862 of the Act entitled, "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 1893—An Act to amend Section S62 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 1918—An Act to amend Section 4458 of the Political Code by providing therein for the publication of notices given or made by public officers, or by law, in cities operating under freeholders' charters, wherein a municipal paper is being published by authority of such charter.

Also: Assembly Bill No. 2053—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places, in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Also: Assembly Bill No. 2068—An Act to amend Section 1 of an Act entitled "An Act to provide for the alterations of the boundaries of, and for annexation of territory to incorporated towns and cities and for the incorporation of such annexed territory in, and as part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1720—An Act to amend Section 20 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," (approved April 7, 1911), by adding a new section thereto, to be numbered Section 77a, relating to the doing of work and making improvements upon railroad tracks and the roadbed thereof existing upon the streets of municipalities and the proceedings relating thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, by adding a new section thereto, to be numbered Section 36, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred the resolution introduced by Mr. Polsley, charging certain officers of the Fish and Game Commission with lobbying in the interest of certain bills, which resolution is as follows:

Resolved, That whereas, F. M. Newbert, R. D. Duke, W. H. Shebley and Ernest Schaeffe, in the employ of the Fish and Game Commission during the months of January, February, March and up to and including the tenth day of April, 1913, have been actively engaged in lobbying in the interest of certain bills before the Legislature and concerning which there is much difference of opinion among the people of the State; and

WHEREAS, Said employees are credited with receiving large sums as salary and expenses for their services; therefore, be it

Resolved, That the Fish and Game Commission be requested to furnish to this House, within five days from the date hereof, an itemized statement of salaries and expenses for the months of January, February, March, up to and including April 10, 1913; also, for the months of July, August, September and October, 1912; and also, a detailed report of the services performed, giving manner of services and places where performed.

Dated this eleventh day of April, 1913.

Have had the same under consideration, and respectfully report the same back, with the recommendation that it be not adopted.

BROWN, Chairman.

The above resolution ordered on file.

RECESS.

At twelve o'clock and fifteen minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2048—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 2057—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In the title, before the word "completion", insert the word "partial", and after the word "completion" in the same line, insert the words "and partial furnishing".

Amendment adopted.

AMENDMENT No. 2.

In Section 1, line 1, strike out the words and figures "sixty thousand (\$60,000)", and insert in lieu thereof the following: "seven thousand (\$7,000)".

Amendment adopted.

AMENDMENT No. 3.

In Section 1, line 4, after the word "the", insert the word "partial".

Amendment adopted.

AMENDMENT No. 4.

In Section 1, line 5, after the word "completion", insert the words "and partial furnishing"; also, in the same line, strike out the period and insert in lieu thereof the following: "; and for sewer work in connection with the construction of said armory."

Amendment adopted.

Bill read second time.

Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 7 of printed bill, after the word "the" and before the word "current", insert the word "usual".

Amendment adopted.

Bill read second time.

Assembly Bill No. 111—An Act appropriating \$2,000 for the completion of the restoration and rebuilding of the Mission San Francisco de Solano, of the city of Sonoma, California.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, lines 5, 6 and 7 of printed bill, strike out everything from and inclusive of the word "and" in line 5, and down to and inclusive of the word "Solano" in line 7, and insert in lieu thereof the following: "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind", approved March 22, 1909."

Amendment adopted.

Bill read second time.

Assembly Bill No. 86—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, lines 1 and 2, of printed bill, strike out everything after and inclusive of the word "forty-five" down to and inclusive of the numerals "(\$45,000)", and insert in lieu thereof the following: "thirty thousand dollars (\$30,000.00)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey Custom House and grounds.

Bill read second time.

Assembly Bill No. 605—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico, and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 25, of printed bill, strike out the words and figures "thirty thousand (\$30,000.00) dollars", and insert in lieu thereof the following: "fifteen thousand dollars (\$15,000.00)".

Amendment adopted.

Bill read second time.

Assembly Bill No. 797—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 1 and 2, of printed bill, strike out everything from and inclusive of the word "within" in line 1, down to and inclusive of the word "Los Angeles" in line 2, and insert in lieu thereof the following: "in Southern California".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, of printed bill, insert a comma (,) immediately after the word "engineer".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 5, of printed bill, strike out the words "and the medical", and insert in lieu thereof the words "the general".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 6, of the printed bill, strike out the words "Southern California State Hospital", and insert in lieu thereof the following: "state hospitals, and a member of the Psychopathic Association of California, to be appointed by the governor,".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 11, of printed bill, strike out the word "a".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 12, of printed bill, insert the words "or admitted" immediately after the word "committed" and before the word "thereto".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 13, of printed bill, immediately after the word "persons", insert a comma (.), and immediately after the word "persons" and before the word "to", insert the following: "and for the admission of insane persons, under special agreements,".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 2, of printed bill, strike out the words "in Title V, Part III, of the Political Code", and insert in lieu thereof the following: "by law for the control, management and operation of state hospitals for the care of the insane."

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 9, of printed bill, strike out everything after and inclusive of the word "five", down to and inclusive of the numerals "1914" in line 30, and insert in lieu thereof the following: "two hundred and fifty thousand dollars to be used for the purchase of a site, together with water rights for said hospital and the erection and equipment of buildings and improvements thereon. Not more than ninety thousand dollars of the money herein appropriated shall be used for the purchase of said site and water rights. Said site shall contain not less than three hundred acres of tillable land."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1828—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating \$7,500 therefor.

Bill read second time.

Assembly Bill No. 1672—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 8, of printed bill, after the word "annum;", insert the following: "the salary of the deputy shall be twenty-seven hundred dollars per annum:".

Amendment adopted.

Bill read second time.

Assembly Bill No. 37—An Act to establish the Yolo and Lake state highway; to define its course; to provide for its survey and construction, repair and maintenance, and to make an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title of the printed bill, strike out the word "state".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, of the title of the printed bill, strike out the word "repair".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, of the title of the printed bill, strike out the words "and maintenance".

Amendment adopted.

AMENDMENT No. 4.

On page 1, of the printed bill, strike out all of lines 5, 6, 7 and 8, and insert in lieu thereof the following: "county of Lake, state of California, shall be constructed and known as the Yolo and Lake highway, and the same is hereby declared and established as a highway".

Amendment adopted.

AMENDMENT No. 5.

On page 1, between Section 1, ending on line 8, and Section 2, beginning on line 9, of the printed bill, insert the following new section:

"SEC. 2. The responsibility of the state in the construction of said highway shall cease with the expenditure of the appropriation hereby provided for."

Amendment adopted.

AMENDMENT No. 6.

On page 1, of the printed bill, strike out all of Section 2, beginning on line 9, and ending on line 15 thereof, and insert in lieu thereof the following:

"SEC. 3. The work of locating, surveying and constructing said highway, to the extent of the expenditure of the appropriation herein provided for, is hereby placed under the management and control of the state department of engineering, and it shall be the duty of said department to locate, survey and construct said highway along the route above described, with such variations as will, in the opinion of said department, be deemed advisable."

Amendment adopted.

AMENDMENT No. 7.

Strike out all of Section 3, beginning on line 16, of page 1, and ending on line 2, of page 2, of the printed bill, and insert in lieu thereof the following:

"SEC. 4. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of forty thousand dollars, to be expended under the supervision of said department for the location, survey and construction of said highway. This appropriation shall be available for use at such times and in such manner as set forth in section five hereof, only in the event that the boards of supervisors of the several counties through which said highway is built, file with the state controller resolutions pledging said counties to the maintenance of such portions of said highway as shall lie within the respective bounds thereof."

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 3, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "5".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1994—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Bill read second time.

Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Bill read second time.

Assembly Bill No. 1078—An Act making an appropriation to pay the claim of W. J. Burns against the State of California.

Bill read second time.

Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County; appointing a commission therefor and providing an appropriation to carry this Act into effect.

Bill read second time.

Assembly Bill No. 2094—An Act to amend Sections 2521, 2522, and 2552 of the Political Code of the State of California, relating to the Board of State Harbor Commissioners and employees, and their duties and salaries.

Bill read second time.

Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1, after the word "of", strike out the word "apiary", and substitute the word "apiarian".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2, after the word "of", omit the remainder of the section, and insert: "the state commissioner of horticulture, the president and secretary of the consolidated honey producers of California is hereby created, who shall elect their own chairman and secretary, shall serve without pay, and said board shall provide convenient means for the examination of candidates for appointment of apicultural inspectors. While in the performance of their duties as members of said board, they shall be allowed all their necessary expenses for traveling, printing, postage and other incidental matters, to be paid out of any appropriation made for the support of the office of the state apiculturist."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 13, after the word "of", for "apiary", substitute the word "apiarian".

Amendment adopted.

AMENDMENT No. 4.

On page 2, strike out lines 14, 15 and 16, and insert: "an apiarian deputy to be known as the state apiculturist whose powers and duties shall be as hereinafter prescribed in this Act".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 20, after the word "of", strike out the word "apiary", and insert the word "apiarian".

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 5, strike out "It shall be the duty of the state apiculturist to", and insert "The state board of apiarian examiners and the state apiculturist may".

Amendment adopted.

AMENDMENT No. 7.

On page 3, line 23, after the word "apiculturist", strike out the word "shall", and insert "may".

Amendment adopted.

AMENDMENT No. 8.

On page 3, line 23, after the word "or", strike out the word "shall", and insert "may".

Amendment adopted.

AMENDMENT No. 9.

On page 3, line 32, strike out the word "apiary", and insert the word "apiarian".

Amendment adopted.

AMENDMENT No. 10.

On page 3, line 36, after the word "make", strike out the word "public", and insert "to the state board of apiarian examiners".

Amendment adopted.

AMENDMENT No. 11.

On page 4, line 19, after the word "approval", insert "of the chairman".

Amendment adopted.

AMENDMENT No. 12.

On page 4, line 19, strike out the word "apiary", and insert the word "apiarian".

Amendment adopted.

AMENDMENT No. 13.

On page 4, line 28, after the word "the", strike out "California State Beekeepers association", and insert "consolidated honey producers of California".

Amendment adopted.

AMENDMENT No. 14.

On page 4, line 29, after the word "the", strike out "California State Beekeepers association", and insert "consolidated honey producers of California".

Amendment adopted.

AMENDMENT No. 15.

On page 5, line 4, strike out the word "apiary", and insert the word "apiarian".

Amendment adopted.

AMENDMENT No. 16.

On page 5, line 7, strike out "California State Beekeepers Association", and insert "consolidated honey producers of California".

Amendment adopted.

AMENDMENT No. 17.

On page 5, line 8, strike out "California State Beekeepers", and insert "Consolidated honey producers of California".

Amendment adopted.

AMENDMENT No. 18.

On page 5, line 9, strike out the word "association",

Amendment adopted.

AMENDMENT No. 19.

On page 5, line 13, strike out the word "apiary", and insert the word "apiarian".

Amendment adopted.

AMENDMENT No. 20.

On page 5, strike out lines 20, 21 and 22, and insert the following: "The person appointed to such position must be especially qualified for his duties and must be chosen and appointed by the board of supervisors from a list of eligible persons recommended and nominated to said board as hereinafter provided, such appointment to be made within ten days after receipt of said list by said board of supervisors".

Sec. 11. The state board of apicultural examiners as heretofore mentioned may hold an examination annually in Sacramento, Fresno and Los Angeles and at other times and places if deemed advisable, and at least thirty days before the date of the examination of candidates for the said appointments the state board of apicultural examiners shall post or cause to be posted in a public place in at least three cities of that section of the state where an examination is held and shall also publish in at least three leading bee journals of the country notice of the time and place at which such examination will be held, setting forth the conditions and subjects of said examination. At the time and place stated and agreed upon such examination shall be held. Said examination shall be in writing and the board of apicultural examiners may appoint one of their own number, or some other reliable, competent person, to conduct the holding of such examination in each city and forward the papers of each applicant to the board for consideration. Within twenty days after the examination is held said examiners shall certify to the board of supervisors of the county, or city and county, which has given notification that they need apicultural inspectors, the names of such persons examined as they deem competent and qualified for the office, and from the list of names so certified the supervisors shall within ten days after the receipt of said list of names appoint an apicultural inspector."

Amendment adopted.

AMENDMENT No. 21.

On page 5, line 23, strike out "Sec. 11", and insert "Sec. 12".

Amendment adopted.

AMENDMENT No. 22.

On page 6, line 21, strike out "Sec. 12", and insert "Sec. 13".

Amendment adopted.

AMENDMENT No. 23.

On page 6, line 35, strike out "Sec. 13", and insert "Sec. 14".

Amendment adopted.

AMENDMENT No. 24.

On page 7, line 3, strike out "Sec. 14", and insert "Sec. 15".

Amendment adopted.

AMENDMENT No. 25.

On page 7, line 19, strike out "Sec. 15", and insert "Sec. 16".

Amendment adopted.

AMENDMENT No. 26.

On page 8, line 1, strike out "Sec. 16", and insert "Sec. 17".

Amendment adopted.

AMENDMENT No. 27.

On page 8, line 11, strike out "Sec. 17", and insert "Sec. 18".

Amendment adopted.

AMENDMENT No. 28.

On page 8, line 22, strike out "Sec. 18", and insert "Sec. 19".

Amendment adopted.

AMENDMENT No. 29.

On page 8, line 27, strike out "Sec. 19", and insert "Sec. 20".

Amendment adopted.

AMENDMENT No. 30.

On page 8, line 34, strike out "California State Beekeepers", and insert "consolidated honey producers of California".

Amendment adopted.

AMENDMENT No. 31.

On page 8, line 35, strike out the word "association".

Amendment adopted.

AMENDMENT No. 32.

On page 8, line 35, strike out "California State Beekeepers Association", and insert "consolidated honey producers of California".

Amendment adopted.

AMENDMENT No. 33.

On page 9, line 17, strike out "Sec. 20", and insert "Sec. 21".

Amendment adopted.

AMENDMENT No. 34.

On page 9, line 28, strike out "Sec. 21", and insert "Sec. 22".

Amendment adopted.

AMENDMENT No. 35.

On page 9, line 32, strike out "Sec. 22", and insert "Sec. 23".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1948—An Act appropriating money for building and furnishing an observatory at San Francisco.

Bill read second time.

Assembly Bill No. 567—An Act to create a "state bureau of criminal identification and investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer; fixing the compensation of said managers, director, clerks, and stenographer; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants, and the salaries of the deputy and assistants.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1277—An Act to amend Section 2445 of the Political Code, in relation to powers and duties of boards of pilot commissioners.

Bill read second time, and ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 2048, 2090, 2063, 1828, 1994, 2038, 1078, 540, 1948, and 567.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 2048, 2090, 2063, 1828, 1994, 2038, 1078, 540, 1948, and 567 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 2048, 2090, 2063, 1828, 1994, 2038, 1078, 540, 1948, and 567, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 2057, 2078, 111, 86, 605, 797, 1672, 37, and 488.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 2057, 2078, 111, 86, 605, 797, 1672, 37, and 488 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 2057, 2078, 111, 86, 605, 797, 1672, 37, and 488, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 507 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McCarthy, McDonald, Mouser, Nelson, Roberts, Ryan, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 930—An Act to amend an Act entitled “An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, and making certain acts a felony and repealing an Act entitled ‘An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,’ approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled ‘An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,’ approved April 1, 1897; also, repealing an Act entitled ‘An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,’ approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled ‘An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,’ approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also, repealing an Act entitled ‘An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,’ approved April 1, 1897, and all Acts or parts of Acts amendatory thereof,” approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof and by adding three new sections, to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering, and making certain acts a misdemeanor, and repealing Section 1½ of said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 930 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Mouser, Nelson, Richardson, Roberts, Ryan, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—43.

NOES—Messrs. Griffin, Guiberson, Libby, Palmer, Polsley, Simpson, and Weldon—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

During third reading of the bill, Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 8, after the word "based", insert the following: "*provided, further, that every married male person who is not already the father of a child now in the State of California shall within six months after this Act becomes operative submit to a physical examination as provided herein and if upon such examination it shall be found that such male person could not pass the examination provided herein the examining board shall file a certificate with the superior court of the county and said court may upon hearing, cause the marriage of such male person to be annulled.*"

Motion lost.

MOTION.

Mr. Weldon moved that further consideration of the above bill be postponed and placed upon the unfinished business file.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1126 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bradford, Byrnes, Canepa, Cary, Clark, Wm. C., Cram, Ellis, Farwell, Finnegan, Fish, Gabbert, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Scott, Slater, Strine, Tulloch, Weisel, Woodley, and Mr. Speaker—36.

NOES—Messrs. Bagby, Beck, Bohnett, Brown, Bush, Collins, Emmons, Ferguson, Ford, Gelder, Griffin, Guiberson, Inman, Johnson, Geo. H., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Nolan, Palmer, Richardson, Ryan, Schmitt, Shannon, Shartel, Simpson, Smith, Stuckenbruck, Sutherland, Wall, and Weldon—32.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bohnett gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1126 was this day refused passage.

THIRD READING OF SENATE BILLS.

Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 15 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Bush, Byrnes, Canepa, Cary, Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 215—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

Add four new sections, to be numbered and read as follows:

SEC. 4. Whenever in the judgment of the state board of health the reports upon any occupational disease require special investigation of all the conditions and circumstances of any occupation or occupations in relation to the disease, a preliminary investigation shall be made and a report prepared. If the state board of health shall decide that this report warrants a thorough investigation, it shall confer with the commissioner of labor and the governor, and with their approval shall place the said occupation or occupations upon a provisional list of dangerous trades, and shall proceed with a thorough investigation and preparation of a final report to the legislature upon the protection of employees or other persons affected by these occupations. For the purpose of this Act the state board of health shall have the power to hold hearings, take testimony, administer oaths and subpoena witnesses.

SEC. 5. Within ninety days after any occupation or occupations have been placed upon the provisional list of dangerous trades, any person, firm, or corporation desiring to engage in, or to continue to engage in, operate or conduct any business requiring the employment of men, women, or children in such occupation or occupations shall file with the state board of health a petition for permission so to do, together with a complete and detailed plan, description and history of the existing or proposed works, system or plant, showing geographical location, with relation of climatological and sanitary factors to site, and all available data upon the influence of the occupation or occupations upon the health of the employees and other persons. Thereupon, a thorough investigation of the existing or proposed works, system or plant, and all circumstances and conditions deemed to be material, shall be made under the direction of the state board of health. As a part of such investigation, and after ten days' notice by mail to the petitioner, a hearing or hearings may be had before said board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn by the person conducting the hearing, and evidence oral and documentary, may be received, a record of which shall be made and filed with said board. All of the expense of such investigation, including hearings, excepting the compensation of state officers participating therein, shall be borne and paid as they accrue by the petitioner.

Upon the completion of such investigation said board, if it shall determine as a fact that any or all the employees or other persons are or may be, under all the circumstances and conditions, subject to influences which will endanger their lives, or be prejudicial to their health, shall, upon the approval of the commissioner of labor and the governor (a) deny the prayer of such petition, if it be for a business not yet established, until the final report provided in section four of this Act has been duly considered by the legislature; or, (b) if such petition be for continuing a business already established, said board shall grant to petitioner a temporary and revocable permit authorizing the continuance of the business under such restrictions as in said permit may be specified, as urgently necessary for the protection of the employees or other persons from the occupational disease under investigation, until the final report provided in section four of this Act has been duly considered by the legislature.

SEC. 6. Any person violating any of the provisions of this Act, whether acting for himself or as the agent or servant of another person, or of a firm, company or corporation, or as an officer, agent, employee, or representative of any municipal corporation, or of the state, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five nor more than five hundred

dollars, or by imprisonment for a term of not more than ninety days, or by both such fine and imprisonment. Each day that anything in violation of any provision of this Act shall continue; each day that anything forbidden by the provisions hereof to be erected, constructed, maintained, operated or permitted, shall continue to exist, or be maintained, operated or permitted; each day that anything required to be constructed, erected, maintained, operated, or instituted shall be delayed; and each day that any person shall neglect to perform any act or to take any precautions required by rules and regulations that may be specified under the provisions of this Act, shall constitute a separate offense.

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 215, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 53—An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 13, of the printed bill, as amended in Senate April 1, 1913, after the word "rate", insert the words "or price".

Also: On page 2, line 6, of the printed bill, as amended in Senate April 1, 1913, between the word "rate" and the comma following said word, insert the words "or price".

Also: On page 2, line 5, of the printed bill, as amended in Senate April 1, 1913, strike out the period following the word "operation", and insert in lieu thereof a comma and add the following: "if the rate of selling or furnishing such commodity, product or service is below the cost to the vendor of manufacturing, producing and distributing or furnishing the same."

Also: On page 2, line 6, of the printed bill, as amended in Senate April 1, 1913, strike out the word "meeting", and insert in lieu thereof the word "making".

Also: On page 2, line 8, of the printed bill, as amended in Senate April 1, 1913, strike out the period following the word "rates", and insert in lieu thereof a comma and add the following: "and nothing in this Act shall prohibit the sale or furnishing of any commodity, product or service at a rate below the cost to the vendor of manufacturing, producing and distributing or furnishing the same, where such sale or furnishing at such rate below such cost is made in good faith merely to prevent or avoid a loss, and not with the intent to destroy or prevent competition as herein defined, nor shall this Act apply to a sale made under the authority of any order of court."

Also: Strike out all of Section 3 of the printed bill, as amended in Senate April 1, 1913.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 53 finally passed by the following vote.

AYES—Messrs. Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., John-

stone, W. A., Judson, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Nelson, Polsley, Richardson, Roberts, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Weisel, Woodley, and Mr. Speaker—42.

NOES—Messrs. Guiberson, Murray, Palmer, Schmitt, and Wall—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 238—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 238 finally passed by the following vote:

AYES—Messrs. Benedict, Bloodgood, Bowman, Byrnes, Canepa, Clark, Wm. C., Ellis, Farwell, Ferguson, Fish, Gabbert, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—42.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 21—An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

During third reading of the bill, Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 12, strike out the period after the word "seminary" and insert in lieu thereof the following: "or at such place as shall be designated by the board of trustees."

Also: On page 1, line 18, after the word "place" and before the semicolon, insert the following: "who shall hold office for the time and under the conditions prescribed in the by-laws of the corporation".

Also: On page 2, line 29, strike out the word "to" and insert in lieu thereof the following: "subject to the consent and approval of the organization, society or church to which it is required by the articles of incorporation that said trustees shall belong to".

Also: On page 1, line 7, strike out the word "offices" and insert in lieu thereof the word "office".

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 21, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1487—An Act authorizing the board of supervisors of any county, or city and county, or the trustees or other governing body of any municipality in the State of California to receive devises, bequests, donations and gifts, also to levy taxes, for the purpose of erecting monuments in memory of California pioneers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1487 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Ellis, Ferguson, Finnegan, Fish, Gelder, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1522—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of judicial officers of this State, and the appointment of other judicial officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1522 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Clarke, Geo. A., Ellis, Ferguson, Fish, Ford, Gabbert, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 137—An Act to add a new section to the Civil Code to be numbered 1314, relating to the nomination of guardians by persons who may afterward become insane or incompetent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 137 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 138—An Act to amend Sections 1763 and 1764 of the Code of Civil Procedure, in relation to the appointment of guardians of insane and incompetent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 138 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Inman, Johnston, T. D., Judson, Killingsworth, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray,

Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 631—An Act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 631 finally passed by the following vote: .

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Ellis, Ferguson, Fish, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Ryan, Scott, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—47.

NOES—Messrs. Bradford, Collins, Inman, and Shannon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 683—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of four—teen years, and fixing a penalty therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 683 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 687—An Act to amend Section 1183 of the Civil Code of the State of California, relating to proof or acknowledgment of an instrument made without the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 687 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotelkeepers on property of guests for charges.

During third reading of the bill, Mr. Fish moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out the word "and", after the words "lodging house", and insert "and apartment house".

Also: On page 1, line 7, before the word "for", insert "or apartment house".

Also: On page 1, line 16, after the words "lodging house", insert "or apartment house".

Also: On page 2, line 2, after the words "lodging house", insert "or apartment house".

Also: On page 2, line 8, after the word "house", insert "or apartment house".

Also: On page 2, line 13, after the words "lodging house", insert "or apartment house".

Also: On page 2, line 21, before the word "keeper", insert "or apartment house".

Motion carried.

The Speaker appointed Mr. Fish as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 261, with instructions, do now report that the instructions of the Assembly have been carried out.

FISH, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

MOTION.

Mr. Schmitt moved that at four o'clock and thirty minutes p.m., the Assembly take a recess until seven o'clock and forty-five minutes p.m. of this day.

Mr. McDonald moved to amend by making the time five o'clock p.m.

Amendment adopted.

Motion, as amended, carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon, or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor"; approved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway"; which became a law under constitutional provision, without the Governor's approval, March 12, 1901; providing for the loca-

tion, survey, construction, improvement and maintenance of a state highway from Osgood Station, on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley Turnpike," to a point on the wagon road near the junction of Silver Creek, near the east fork of Carson River, said highway to be named the Alpine state highway; and making an appropriation therefor.

An Act amending Sections 7 and 26 of an Act of the Legislature of the State of California entitled "An Act providing for the organization and government of districts for the protection of the lands of farming or other communities or neighborhoods within this state from overflow or damage from the waters of any innavigable stream, watercourse, canyon, or wash extending by, through, or over such communities or neighborhoods, and to provide for the acquisition of lands, rights of way, and other property by purchase, gift, or condemnation, and for extending, straightening, locating, improving and maintaining the channels of such streams, watercourses, canyons, or washes, and confining said waters in such channels and preventing the overflow thereof, and for the construction by such districts of the necessary works for said purposes", approved February 23, 1907.

An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing a means for the abatement of such nuisance, and collecting the cost of removing such weeds from the owners of abutting land.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Ellis: Assembly Bill No. 2101—An Act to amend Sections 1, 2, 8, and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13th, 1909.

Bill read first time, and ordered on file without reference.

By Mr. Emmons: Assembly Bill No. 2102—An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor;" approved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn in Tuolumne County and running thence across the summit of the Sierra Nevada Mountains to Bridgeport in Mono County, a state highway;" which became a law under constitutional provision without the Governor's approval, March 12, 1901; providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independ-

ence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley Turnpike," to a point on the wagon road near the junction of Silver Creek near the east fork of Carson River, said highway to be named the Alpine state highway; and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Weisel: Assembly Bill No. 2103—An Act amending Sections 7 and 26 of an Act of the Legislature of the State of California, entitled "An Act providing for the organization and government of districts for the protection of the lands of farming or other communities or neighborhoods within this State from overflow or damage from the waters of any unnavigable stream, watercourse, canyon, or wash extending by, through, or over such communities or neighborhoods, and to provide for the acquisition of lands, rights of way, and other property by purchase, gift, or condemnation, and for extending, straightening, locating, improving and maintaining the channels of such streams, watercourses, canyons, or washes, and confining said waters in such channels and preventing the overflow thereof, and for the construction by such districts of the necessary works for said purposes," approved February 23, 1907.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing a means for the abatement of such nuisance, and collecting the cost of removing such weeds from the owners of abutting land.

Bill read first time, and referred to Committee on Municipal Corporations.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received, and ordered printed in the Journal:

ON STATE PRISON INVESTIGATION.

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In the matter of an investigation respecting punishment and the use of the strait-jacket at the state prisons at Folsom and San Quentin, by a sub-committee of the Committee on Prisons and Reformatories of the Assembly.

MEMBERS OF THE COMMITTEE.

W. H. ELLIS—77th District, Chairman.
 LYMAN FARWEL—75th District.
 J. J. RYAN—23d District.
 WM. C. MCCARTHY—25th District.
 T. D. JOHNSTON—18th District.

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REPORT OF SELECT COMMITTEE FROM THE ASSEMBLY COMMITTEE ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, STATE OF CALIFORNIA,
SACRAMENTO, April —, 1913.

MR. SPEAKER: Your select committee, appointed from the Assembly Committee on Prisons and Reformatories, begs leave to report as follows:

Your committee visited San Quentin prison March 25, 1913, and remained at that institution for a period of eight days. Your committee has thoroughly and minutely inspected every part, portion and apartment of said institution, and has made its best efforts in the investigation of the prison, as directed and empowered by the following resolution adopted by the Assembly, March —, 1913.

Resolution by Mr. Brown:

Resolved, That the Committee on State Prisons and Reformatories is hereby instructed and empowered to inquire whether prisoners confined in San Quentin and Folsom state prisons are now, or have been within the last two years, subjected to cruel and unusual punishments, and especially to what extent the strait-jacket is being used at said prisons upon prisoners confined in said prisons or in any of the reformatory institutions of this State for the purpose of discipline or punishment; and the said committee is hereby directed to report to the Assembly in writing the result of their investigations as soon as practicable; that said committee have full power to subpoena witnesses, administer oaths, take testimony, send for persons,

books, and papers, and that a stenographer be assigned to said committee, and that said committee have leave to visit San Quentin and Folsom prisons, and to hold meetings at said prisons.

Resolution amended to read as follows: *Resolved*, That the Committee on Prisons and Reformatory Institutions is hereby instructed and empowered to inquire whether prisoners in San Quentin and Folsom state prisons are now, or have been within the last two years, subjected to cruel and unusual punishments, and especially to what extent the strait-jacket is being used at said prisons upon prisoners confined in said prisons or in any of the reformatory institutions of this State for the purpose of discipline or punishment; and said committee is hereby directed to report in writing to the Assembly the result of their investigation as soon as practicable. That said committee have full power to subpoena witnesses, administer oaths, take testimony, send for persons, books, papers, and that a stenographer and a sergeant-at-arms be assigned to said committee, and that said committee have leave to visit San Quentin and Folsom prisons, and to hold meetings at said prisons.

Your committee, upon arriving at San Quentin on the morning of March 26th, proceeded first collectively to make a complete personal examination and inspection of every part, portion, and apartment of this institution in company with Warden Hoyle, and later your committee individually and in the absence of the warden or any other prison officer personally reinspected the various portions of the prison, and your committee individually mingled and conversed freely with the inmates of said prison, during the time that the inmates were at work and during the serving and eating of the noon meal. Members of the committee partook of the food and observed closely the manner of service, the quality and quantity of the food served, and the mode and the manner of the service—it later being shown by the testimony, (see Trans. pp. 169, March 30) that this noon meal so closely observed by your committee was, in so far as service, mode and manner of serving, and as to quality and quantity of food and sanitary conditions, such a meal as is usually and generally served in that institution. On this tour of inspection special and particular attention was given to the following places:

- (a) The dungeon, or "hole."
- (b) The incorrigible ward, referred to in testimony as the sash and blind, or punishment chamber.
- (c) The strait-jacket.
- (d) The kitchen, dining-room and storerooms.
- (e) The meat department and the bakery.
- (f) The toilets and ventilation system.
- (g) The main hospital.
- (h) The tuberculosis hospital.
- (i) Mode, manner and place of punishment.

Your committee found the inmates of San Quentin prison at first very reticent, retiring and suspicious of the committee and their good intentions, and were loath to converse with or offer themselves freely as witnesses to the committee—saying in many instances in effect: "It would be of no avail to them to tell the committee the truth of any matters relating to the prison, as it would only result (as many of the prisoners expressed) in a beautiful and artistic job of calumniating," and that they would be left worse off than before because of the possible hatred and vengeance which might be inflicted upon them by the prison officials. After many hours of patience, kindness and much assurance of sympathy and declaration on our part, of an earnest desire to get at the whole truth and report it regardless of the consequences, and a promise on the part of the committee to protect and defend the individual prisoners, and later upon the voluntary assurance of President Duffy of the Prison Board and Warden Hoyle that "any prisoner who was fearful that any testimony that he might give would militate against him or bring about unfavorable conditions or unjust punishment of himself at the hands of any San Quentin official, that such prisoner upon his own request might be transferred to the state prison at Folsom, and further that any paroled prisoner testifying before the committee, and who afterwards for any reason broke his parole, such prisoner should not be tried or have his case determined by the present prison board, but that such a prisoner's case should be determined by the judge in the county in which the offense was committed"—upon this and various other assurances on the part of the committee, the prisoners readily yielded and came forward, and thereafter appeared willing, and in fact anxious, to converse freely with the members of the committee.

After a personal inspection of the institution and personal interviews with the prisoners your committee proceeded to the taking of testimony, confining the inquiry as closely as possible within the range and scope of the resolution authorizing the investigation. More than sixty witnesses were examined under oath and about four hundred other prisoners were conversed with privately by various members of the committee.

The taking of testimony commenced on the afternoon of March 26, 1913, at San Quentin, and was continued daily with evening sessions until the afternoon of April 2d. Your committee then returned to Sacramento, and again convened April 5th, 16th and 17th in the State Capitol building, when further testimony was taken.

Your committee entered into an agreement with prisoners confined in the peni-

tentiary and those on parole that no publicity would be given to the names of such witnesses as were called to give testimony before the committee, and such names have not, up to this time, been disclosed, and your committee believes that the names of these persons should be withheld from the general public.

In the manner of securing witnesses from among the prisoners the following simple method was adopted:

Members of the committee proceeded unattended, individually, or by twos, into and about the various apartments and places of the prison, and in all manner of kindness, invited the inmates to speak of any complaints they desired to make or of any cruelties or inhuman treatment of the prisoners by guards or officials, or of the serving of improper foods of any kind to them—the members of the committee taking the names and numbers of such persons, the most important of whom were later summoned by the Sergeant-at-Arms to testify before the committee. No prison official was allowed to be present at the giving of any testimony, except upon the request of the prisoner testifying. Otherwise the hearing and inquiry was open to the public.

Many hundreds of prisoners were seen and talked with by the individual members of your committee, many of whom desired to appear and testify; but your committee found it impossible to hear all of these applicants. But your committee made its best endeavor to secure several witnesses upon every complaint or phase of the inquiry, and in this connection your committee desire to offer an apology at this point as to the extent and great length of the transcript of the inquiry; but try as the committee would, and did, to confine the inquiry within the limits and scope of the resolution under which we were empowered to act, yet we found that so eager were the prisoners to relate their grievances, and so earnestly did they urge their own personal complaints and alleged injuries, that the committee could not, without creating a feeling of apparent unfairness in the minds of the prisoners, check the introduction of much irrelevant and immaterial testimony.

Your committee was received by all prison officials, from Warden Hoyle down, in the most courteous and obliging manner. President Duffy of the prison board and Warden Hoyle at the outset had but one simple declaration and request to make to the committee, which in substance was as follows: "We earnestly desire and hope your inquiry will be as complete and thorough as honorable men can make it, and that you will go to the extreme limit and very bottom of every complaint made here or elsewhere about this institution, and comb this penitentiary from one end to the other, and let the truth be known, regardless of whom it hurts or whom it helps. To this end we are at your command and service, and will assist you whenever or wherever you may direct. Otherwise, each of us and the other officers of this institution desire to retire beyond and away from the investigation; therefore, as far as your committee is concerned, no official of the prison will, directly or indirectly, intrude or inject themselves into the inquiry or give any advice or make any suggestions, only as when requested by the committee or the sergeant-at-arms for the committee."

At the request of the committee, Attorney General Webb detailed his chief deputy, Raymond Benjamin, to accompany the committee as its legal representative. Mr. Benjamin, from the outset of the inquiry, has rendered this committee most valuable and skillful service. He has conducted the inquiry with extreme patience, fairness and rare legal ability, and has devoted his entire time to the inquiry in the most disinterested and impartial manner.

The testimony taken covers over twenty-eight hundred pages, and comprises the complete record of every phase of the inquiry, save only such facts as were obtained by personal contact and conversation with many hundreds of convicts.

This transcript, together with the committee's findings of facts and conclusions, are hereby submitted for consideration by this House.

FINDINGS FROM TESTIMONY.

General Conditions. The population of San Quentin prison consists of about two thousand persons, all of whom at some time or other have been convicted or have pleaded guilty in some part of the State of California to some violation of the law, reaching in extent from murder down to petit larceny. The great majority of this population, however, are not really bad men at heart, nor are they in any sense to be classed as confirmed or incurable criminals; in fact, the greater majority of them could, we believe, be redeemed and sent back to society cured, if their first confinement could be had apart and away from vicious and hardened criminals. Such persons, or a goodly portion of them, after their arrival at San Quentin, adjust themselves to prison life and conditions and observe the prison regulations and have little or no trouble, either with their fellow prisoners, prison guards or other prison officers; but, upon the other hand, there are now confined in San Quentin a considerable number of real bad characters—men of rough, desperate, criminal and brutal natures—who are hardened and unyielding, and are constantly warring and protesting against every form of restraint, discipline and government. Then there is to be added to this extremely tough criminal class the natural chronic grumbler and malcontent (see Trans. March 31st, pp. 48, 49, 50; Thursday, March 30th, pp. 162 to 200)—the person who, when free, spends his nights in outhouses or under rail-

road water-tanks, and procures his living by means of the sandbag or pistol. This small portion of the population of San Quentin consists of perhaps not more than twenty-five per cent of its population, furnishes the real problem that this, and all prison authorities, as well as society, has to deal with; and it is this depraved, and truly bad class, that is responsible for much, if not all, of the perplexing and heart-breaking difficulties and problems that have to be squarely met and solved behind San Quentin's gloomy walls. And your committee believe that this class, and this class alone, spurred on, perhaps, by a few more clever criminals, is now responsible for the great outcry of wrongs and cruelties that are alleged to have been perpetrated against the prisoners by the officials at San Quentin. This desperate class is everlastingly and constantly protesting against the law without and the rules within the prison walls. Many of them are cunning and skillful in persuading otherwise tractable prisoners to discontent and rebellion. They come to the prison, many of them with long records of fearful crimes for which they have served time in other prisons. They hate the law, and despise society that they have shocked with their brutal crimes; they reach the prison fully determined to create every possible difficulty and embarrassment for those charged by law with their detention and confinement, and to enlist the aid of every other prisoner in the institution to join them in their conspiracies against the prison officials and rules. To get good prisoners with them and drag them down to their debased criminal level is their chief thought, and to accomplish this these desperate characters resort to the most subtle, clever and devilish conduct. They have no regard for kind and benevolent treatment. It is to eat, sleep, and daily mingle, and in every way associate and affiliate with and become a part of such human and fiendish incorrigible criminals that the people of California are yearly sending hundreds of their unfortunate boys who have slipped for just one moment and violated some law in which they have been detected. Is it any wonder, then, that this boy comes back to you and society an almost unredeemable and hopeless criminal? Or is it any wonder that prison officials, who are by law charged with the confinement and control of such prisoners, are driven to their wit's end at times to discover the method, or mode and manner, of securing proper prison discipline and government, and keep this unruly population under control? Your committee find from the testimony and from interviews with hundreds of prisoners that this bad class of criminals will not yield in the slightest degree to kind and ordinary treatment. A kind word from an official is regarded as weakness or fear, and is only too often met with the most vile and obscene language from the incorrigible prisoner. The best of food is termed by them as "rotten," the slightest task of work and the mildest restraint as abject slavery and brutality on the part of the prison officials. Any kind of punishment for violation of prison rules becomes at once in their minds the highest type of official vengeance and personal hatred. "Feed these men turkey and cranberry sauce and they would soon kick their heads off," testified one prisoner, who has for two years each day been in and about the dining-room. That this class of prisoners are fed, clothed and cared for better here than they ever were outside the prison, and yet they constantly protest and abuse the management, is the substance of much of the testimony on this point taken. A number of these malcontents just described testified that the serving of rotten meat and wormy fruit was the basis upon which the organized revolt of last June took place.

The cellroom in San Quentin is at this time totally inadequate to accommodate the population, and in order to provide sleeping apartments, the prison authorities must necessarily crowd as many as three and four persons in one small cell, originally intended for only one person. This overcrowding in a large degree contributes to the increase and prevalence of that most bestial and unprintable crime against nature, the sexual pervert and the sodomist, and to this one debasing crime can be charged much of the heartbreaking and discipline-destroying conditions that exist in San Quentin to-day, and assists in a lamentable degree in demoralization of many inmates who would otherwise become and remain good law-observing prisoners. Your committee is glad, however, to report that this dark and awful crime in San Quentin is soon to be relieved by the completion of the new and up-to-date and thoroughly ventilated and heated cellhouse, now fast approaching completion. Perhaps there is not in all the world a more modern and up-to-date building of its kind than this new cellroom. Light, heat, ventilation and sanitary conditions are all provided upon the most scientific, modern and up-to-date plan.

It seems very strange that no reference to this great improvement has ever been made in any of the numerous criticisms that have been given that relate to the management of affairs at San Quentin. In the opinion of your committee such criticisms should be tempered somewhat by the fact that this great work, built almost entirely by the prisoners themselves, is nearly completed and then when it is completed all of the old worn-out buildings are to be destroyed. This means that most of the causes for complaint will have likewise been removed.

Dining-room and Kitchen. The old dining-room and kitchen, while lacking many of the modern conveniences in the way of structure, ventilation, sanitary conditions and general equipment, have been kept as sanitary and clean as is possible in such rooms. The ceilings and walls are cleaned by frequent whitewashing; the windows are clean and the dining-room tables are clean. The service in the dining-

room, while not of the best, is as good as can be obtained under the existing conditions. The food is furnished the men in individual tin receptacles and thereafter an extra supply of food is passed about in a large common dish; but any imperfections or disagreeable conditions that now exist in the old dining-room and kitchen are soon to be corrected forever by the completion within a few weeks of perhaps one of the most modern dining rooms and kitchens that can be found in any institution of its kind. There is attached to this new kitchen a commodious and up-to-date refrigerating plant, and every appointment by way of structure, sanitary conditions and equipment. This room is perfect in scientific construction and sanitary conditions.

The Captain of the Yard. Before going to San Quentin, your committee heard much of the alleged brutality and of the wolfishness of Captain Randolph. These reports were constantly dinned into our ears, and although we were informed that Captain Randolph had greatly modified his treatment of the unfortunate men placed under his charge, yet he was said to be revengeful and naturally cruel, and that no good or proper reformation could come to San Quentin without the removal of this man, as the prisoners thoroughly despised him. Therefore, your committee went to San Quentin with considerable feeling of prejudice against him; but your committee has put aside such prejudice against him, and have made every effort within their power to get at the exact truth of this and all other matters in relation to San Quentin, regardless of whom it pleases or displeases. Your committee find that the greater preponderance of the creditable testimony shows that at least for the past two years every person committed to San Quentin, whether rich or poor, learned or unlearned, black, white or yellow, franchised, disfranchised or otherwise, has been treated alike by Captain Randolph. Captain Randolph is a very quiet man, but a stern disciplinarian. He is a man with perfect poise and composure under all circumstances, and is, as your committee believe, absolutely without fear. He is neither harsh nor unkind, but is strong, commanding, and just to all.

Perhaps a fair indication to the character of Captain Randolph may be had if your committee recites just what is said and done upon the receipt of a new prisoner. Captain Randolph or Captain Murray receives the convict at his office; he is asked a few simple questions in a not unkind manner, in a low, quiet, even tone of voice; his name, age, occupation; the nature of the crime for which he was convicted; if he has ever committed and been punished for any other crime; if so, the time, place, where, and duration of sentence. The newcomer is then requested to deposit whatever he may have in his pockets with the clerk of the prison. Captain Randolph, or his assistant, inspects every article. The prisoner is first taken to the photograph gallery, then to the identification or Bertillon room, thence to a bathroom, which is closed, and kept in a neat, sanitary condition. Here he takes his bath in the presence of the attendant of the bathroom, and then goes to the tailor to be measured for his clothes. He is then examined by the prison doctor, who makes a careful examination, especially for tuberculosis, venereal or other contagious diseases. If any such are found he is sent to the hospital for treatment. If not, he is given his bed, which consists of two and one half pairs of heavy, coarse, common blankets, and a tick filled with straw, and is sent in company with a turnkey to his cell, and the last words he receives from Captain Randolph or his assistant is information as to the prison rules. He leaves Captain Randolph or his assistant with these words, in substance: "The rules of this prison are not many, nor are any of them harsh or unreasonable under the circumstances, but such as they are they must be carefully observed. If you observe these simple rules and attend diligently to the duties and tasks set for you, you will never be interfered with or have any trouble here. Be very careful that you observe these rules. If you do not know what they are, make inquiry concerning them as often as you please." Such, in substance, is the statement made to each and every prisoner entering this institution. And in January last, the Board of Prison Directors and Warden Hoyle made arrangements whereby all of the men will soon be supplied with soap, towels, tooth brushes, sheets and pillow cases. The next day the new prisoner, if able to work, is sent to the jute mill, where every prisoner under the inflexible rules commences his prison task. If a prisoner, after serving a reasonable time, has faithfully performed his duties in this jute mill, and his record is good, he is given the first place outside to which he is best adapted, provided there is a vacancy; but no good prisoner is removed from a task on the outside for the purpose of creating a vacancy for the intended graduate from the jute mill. He must simply wait until the opening comes through the release or promotion of the person whose task or place he is to be promoted to.

Meat, Bread and Fruit Conditions. Owing to the fact that so much publicity has been given to, and so much complaint has been made of the alleged serving of tainted and rotten meat, sour bread, and wormy fruit to the inmates of San Quentin, and since it has been publicly declared by newspaper reports and by public speakers that the constant serving of decayed meat and spoiled fruit was the direct and immediate cause of what has been termed the "bread riot" at San Quentin on the 8th and 9th day of June, 1912, resulting as it did in the killing of one person and the wounding of two other inmates by one of the guards, and also in the punishment of over forty-five prisoners in solitary confinement, and the alleged brutal and inhuman punishment of innocent persons; therefore, your committee deemed it of the utmost importance that this particular question should be inquired into with the greatest earnestness, detail and minuteness.

With this thought in mind, your committee has gone very exhaustively into this phase of the inquiry, and, as we believe, omitted no single fact or item of evidence obtainable that would or could possibly give any light on this subject. Witnesses from among the convicts were secured by the committee after not less than four hundred inmates had been closely questioned and urged by the different members of the committee to come forward and tell the whole truth in reference to the riot. It is, perhaps, well to add that every prisoner talked with, and every witness sworn, was asked the same question: "Tell us about the meat, bread, fruit and other foods served to the prisoners within the past two years." Witnesses were called from among the convicts who had formerly worked in the kitchen and dining-room and those now in charge of such work. The committee personally investigated the question from every possible angle that they might be able to present to this House the entire truth upon this very important phase of the inquiry, and as a result your committee report that the preponderance of the creditable testimony shows as follows:

The meats served in this institution for the last past two years is now, and has been, of the very best quality obtainable. Such meat as is received at the institution is all governmentally inspected, stamped and tagged before shipment, and minutely and carefully examined upon arrival at the prison by no less than four different officials. The meats received consist of beef, mutton, pork and fresh fish, and delivered to the institution in ample quantities. The average daily meat supply to the prison is substantially as follows: The general mess, at which some 1600 men are fed, is supplied daily with from 850 to 1649 pounds, divided as follows: female mess, about 20 pounds; hospital mess, about 40 pounds; officials and guards' mess, 227 pounds; night guards, 183 pounds; warden's house, 7 pounds. That is to say, on the days that roast beef is furnished the general mess receives in the neighborhood of 1649 pounds. On days when lamb or mutton or corned beef hash are served the amount to the general mess is in the neighborhood of 800 pounds. Lamb and mutton is served every other Friday, salt pork every Saturday, and an abundance of fresh fish every other Friday. This meat is served to the men in the general mess one day in the form of a stew, in which vegetables of various kinds are cooked therewith. On these days a smaller amount of beef is used. On the next day, for instance, the beef would be served as roast beef with brown potatoes and gravy. Then upon another day is served corned beef and cabbage, these being for the noon meals. Twice, and sometimes three times each week beefsteak is served for breakfast. For a more comprehensive idea as to the different kinds of food and manner of serving see Trans., March 30, page 179. The vegetables served consist of the best quality of potatoes obtainable, cabbage, onions, turnips, carrots, beans and peas and parsnips. Cereal foods consist of cornmeal, oatmeal, hominy, rice and tapioca. The fruits served consist of dried and properly cured prunes, apples, currants, raisins, peaches and apricots. All of these articles of food are served in ample and sufficient quantities; and if your committee were to criticise as to the amount we would be compelled, under the testimony taken, to state that more of these food products were served daily to the men than was absolutely necessary to supply the demand and appetites of the population. These foods are prepared in the prison kitchen under the constant vigilant watchfulness and care of tried and trusty convict cooks, having at their head now a negro convict chef, and all of them under a free steward, whom your committee believes is shown by the testimony to be extremely painstaking and careful in seeing that these foods are thoroughly inspected before use and are prepared, cooked, seasoned and served in as palatable and appetizing condition as it is possible to prepare such foods in such appointed kitchens. The bread is prepared and baked from an ordinarily good grade of flour, and is a good, wholesome article, and the quality of the bread served in the prison has been in the past two years uniformly good in all respects, with a possible exception of not more than three times, upon which occasions the bread served was not up to the standard, this being caused by some inadvertence or accident not fully explained to the committee.

There was considerable evidence produced before the committee showing that at various times the meat served was tainted. Other testimony was given before the committee that the meat served was bad nearly all of the time, and still further testimony was given that the meat served at times, and at or about the time of the riot, June 8 and 9, 1912, was actually rotten and decayed meat, and was served to the men in the general mess with maggots adhering to the meat and floating in the stew, and that the fruits served were wormy and the potatoes likewise so affected, and that the quantity of meat served was away below the amount necessary to sustain the men engaged in hard work, and that the bread served was nearly always sour, unpalatable and undigestible. On the other hand, there is a large amount of evidence, and your committee believes a great preponderance of the creditable evidence shows the contrary. This testimony is to the effect that no spoiled meat was ever served the men. That the utmost care was always exercised to prevent just such an occurrence. This evidence shows that the meats, for instance, were closely and carefully inspected upon their arrival at the prison by the proper officers and that upon one or two occasions in the past two years certain meat deliveries were found tainted in spots and condemned and destroyed, and that bad fruit deliveries were likewise, after examination, destroyed. The evidence further

shows that before preparing any meats in the kitchen it was the daily custom of the steward, then the chef, to make a very careful and critical examination of every pound of meat used, and that no spoiled meat was ever prepared as food for the men. Witnesses upon this point were called from among the convicts in every department of the prison.

One of the chief complaints registered by quite a number of the prisoners was directed against the prison management in that the meat furnished the prison by the contractors was of a good quality, but that scarcely anything but bones and gristle was ever served to the general mess. This complaint was seriously urged by some witnesses as the real and immediate cause of the riot and in this connection your committee desires to state that the evidence upon this point shows that after the arrival of the meats at the prison each day, these meats are received in the meatshop outside the prison walls and in a basement underneath the warden's general office, in which is situated a fairly constructed and equipped refrigerating plant. Upon receipt of the meat it is carefully inspected and any bad meat is either rejected or condemned and destroyed. The loin of the hind-quarter of the beef and about half of the round is cut away and sent to the two hospitals, the guards and the officers' mess, while all of the balance of the carcass is sent directly to the prison kitchen to be used on the following day, this meat being received about the hour of eleven o'clock each day. The lamb, mutton and pork are delivered to the prison mess and prepared and cooked as previously described.

The Riot and Its Immediate Cause. The testimony shows that on the 8th and 9th days of June, 1912, there was a serious riot or outbreak among the prisoners during the noon meal of each of these days. These riots started at a given and arranged signal in the center of what is designated as the china dining room, at a time when 1,000 men were eating their meal. The immediate cause of this riot is extremely hard to determine. Two or three witnesses who are now out on parole and one or two witnesses now prisoners, testified that the riot was caused solely and only as a protest against the continual serving of rotten and decayed meat and fruit and sour bread to the general prison mess, while other prisoners and paroled men testified that the immediate cause of the riot was caused solely and only because of the fact that little or no meat besides the bone and gristle was ever served to the general mess; while others testify that the riot was the outcome of a preconceived conspiracy on the part of a few desperate criminals, who hoped in the disturbance to create such a condition of excitement that they might secure or kill guards, dynamite the walls and make their escape.

Other witnesses are insistent that the riot was caused as a protest against punishment of prisoners; and still others insist that the reason of the riot was because the kitchen and dining room force were robbing the general mess in order to supply more meat and other foods to what is known as the side table where about 250 persons such as mechanics, farm laborers and other more favored prisoners, ate. Other testimony is equally insistent that the riots were occasioned by a conspiracy of the more desperate criminals, aided, abetted and encouraged by certain shrewd prisoners, for the sole and only purpose of creating such a sentiment throughout the State against the prison warden and the board of prison directors, as would compel public opinion to demand their retirement. Your committee deemed it of the utmost importance to ascertain, if possible, just which of these reasons given were the true facts and cause of the outbreak, because upon the determination of this question hinges, as your committee believes, the most important phase of this investigation, and because the fact that a large number of prisoners who, it is alleged, and, your committee believes, proven, to be the conspirators or ringleaders in this affair, have been punished in solitary confinement since that time until now for this offense, has created on the part of some people in the State an outburst of resentment and harsh criticism of the prison officials therefor. It is urged by some critics that the prisoners now undergoing punishment for this disturbance may or may not have been guilty of the offense, and even if they were guilty the punishment was too serious. It is contended that the riot resulted in a marked improvement in both quantity and quality of the food supply of the institution and the more humane treatment of the rest of the prisoners, and that these men responsible for this change should not have been punished at all, and if so punished they should have been forgiven and permitted to mingle with the rest of the inmates.

Your committee, after having studied every possible angle of this most serious question, finds that the creditable evidence shows that there was a conspiracy formed within the prison by not more than one hundred of the most desperate, hardened and incorrigible prisoners for the sole and only purpose of discrediting the prison officials in the minds of the people of this State. These conclusions are unanimously reached by your committee because it is conclusively shown by the testimony that those confined in San Quentin prison who were reasonably observant of the prison rules (and this includes over eighty per cent of the population), were treated in the most humane and kindly manner possible under the circumstances of their confinement; that the reliable prisoners' testimony shows there never was a single instance of decayed or rotten meats or spoiled fruit or any other unwholesome or unpalatable foods served in that institution during the past two years, and that their foods were served in great abundance and that no prisoner was ever unjustly

or unlawfully treated, and that all testimony before this committee charging that law-abiding prisoners were unjustly or cruelly treated, or that prisoners were singled out and punished for pure personal vengeance—that any rotten or decayed meat or other spoiled or tainted foods were served to the men, or that there was a lack of sufficient quantity of good and wholesome food, or that there was any favoritism shown in the service as to quantity or quality of food, or that any unkindness was ever shown to any prisoner—is contradicted by competent and reliable testimony.

The testimony further shows that immediately upon the beginning of the riot on Saturday, June 8th, the guards and officers of the prison carefully noted and observed the particular individuals who were responsible for the initial movement in this riot; that within a few minutes after the riot had started every movable thing in the dining-room was demolished, the food supplies destroyed, the windows broken out and missiles were hurled through the air at the officers; that the riot soon subsided and the men quietly retired to their quarters, except a few ringleaders in the riot, who were sent to the dungeon and to solitary confinement in the sash and blind. The testimony further shows that on the following day, Sunday, at the midday meal, the outbreak occurred at the same table, and by practically the same people, when over 1,600 men were in the dining-room. At the outbreak much more damage was done. The guards were assaulted, the steward pursued with threats to kill him, the storeroom was broken into and every vestige of the food supply destroyed and the entire movable equipment of the dining-room again completely wrecked. Many hundreds of the prisoners who took no part in the riot surged out from the dining-room into a narrow passageway in their endeavor to escape the fury of the riot. The guards mingled among the men in a desperate attempt to quiet them; and Captain Randolph, though threats of dire vengeance had been made against him and his life threatened, and although he was entreated not to show himself, entered the dining-room and remained among the men, urging them to disperse until the end of the disturbance. One of the guards on the wall, one Grubb by name, acting on his own initiative, during the heat of the excitement of the riot, fired two shots among the rioters, killing one man and wounding two others. The riot immediately subsided. The man shot is shown by the testimony of one man to have had in his possession a long, sharpened knife, manufactured in the prison from an old file. From the commencement of this Sunday riot until it closed, the officers and guards and kitchen and dining-room attendants observed closely the men exciting and urging the riot, all of whom were reported to the prison management, and afterwards placed upon trial and upon conviction of participating in the outbreak. Some thirty of these ringleaders were punished by having all their privileges revoked and by solitary confinement in the dungeon and in what is known as the incorrigible ward, or sash and blind. With reference to the shooting of the prisoner named, by the guard on the wall, there was some testimony in the record that this shooting amounted to little short of cold and deliberate murder, as the prisoner killed is alleged to have been trying only to escape and get out of the way of the fury of the riot; then again there is testimony that this unfortunate man was actively engaged in encouraging the rioters. But upon this question your committee did not investigate the matter as fully and completely as it might have done, for the reason that the coroner of Marin County was called upon to, and did have, a full investigation and inquisition into this very unfortunate occurrence, and the verdict of the coroner's jury resulted in a complete vindication and justification of the guard, and the proceedings of such coroner's inquest will be found in the Transcript of April 5th, pages 72-73.

Punishment of Prisoners. The evidence discloses that the ringleaders responsible for the riot above described were punished by being confined in solitary confinement, where your committee upon arrival at San Quentin found seventeen still confined and undergoing punishment. Your committee further finds from the testimony that many of those prisoners so punished for participating in this riot have long since been discharged and are now mingling with the general population, some having been released from the prison, and that all of those still remaining in solitary confinement are there now because of the violation of some prison rules while in solitary confinement. Upon this point, your committee reports as shown by the evidence that no one prisoner was punished in solitary confinement for participating in this riot who was not guilty of the offense charged and that there was no intention on the part of any single prison official to single out for such punishment any individual who was innocent or who did not participate and take part in such disturbance; and your committee further state that the punishment of prisoners now in solitary confinement is not at this time continued and being administered for their guilt in connection with the riot, but is due and continued up to this time by reason of the violation of the rules laid down by the prison authorities.

The Punishment Room. That which is commonly called the sash and blind, or punishment room, is a large, well lighted and ventilated room situated on the fourth floor of a large brick building, known as the sash and blind, so called because of this particular room having once been used as a sash and blind factory. The size of this room is (see Trans., April 5th, p. 64, etc.) 99 by 57 feet, and about on an average of 38 feet from floor to ceiling. This very large room has three large

windows facing south, six west, five east, which are always kept open in moderate or warm weather. In the center of this large floor space is built thirty large wooden cells, the same being about 5 x 9 feet and 7½ feet high. (See Trans., April 5th, page 68 *et seq.*) When these cells are filled, their inhabitants being thirty people, and one guard present, the air supply per capita is 3.848 cubic feet. Upon our visit to this punishment room March 26th and 30th, there were nineteen inmates incarcerated therein. The room and cells were clean and sanitary, and the testimony shows that this condition always obtains. The doors of the cells are of iron lattice type. In each cell is installed the Armitage type of flushing toilet, with water pressure directly connecting. There is a ventilator placed in each cell at the farthest and highest point, immediately over the toilet. This large cellroom, as well as the cells, is well flooded with light during the day, there being no obstruction to the windows or cell doors, which doors have openings in the lattice work of about three and one half inches square. The doors of these cells are about six and one half feet high. There is a wicket or opening in the upper part of each cell door, being five feet and three inches from the floor. Through this opening food is passed and at times refractory inmates are punished by compelling them to thrust their hands from the inside of the cell through this wicket and are there handcuffed on the outside, remaining in this position from one to six hours at a time. This is called "cuffing up" or "hanging up" in San Quentin parlance.

The rules of the prison regarding punishment are that when the milder forms of punishment do not obtain the desired effect, the offender is then placed in solitary confinement described. The prisoner, under the rules, in solitary confinement, is not allowed to speak only when spoken to by the guard. He is fed two meals, procured from the general mess of whatever that happens to be, for the midday meal, and the only other meal given daily is about half a loaf of bread and a sufficient amount of water. If he speaks or talks or makes any unnecessary or unusual noises he is punished either by giving him only bread and water for that or several days; and if he still persists in his violation of rules then by "cuffing up" as above described. The prison officials contend, and they are corroborated by a number of other prisoners, that when a prisoner is so punished by being placed in solitary confinement or by being "cuffed up," it is the invariable and unalterable rule of the prison to at once release the offender on his request, coupled with his promise to behave and observe the rules in the future. This fact was denied generally by all of the prisoners now in punishment, but upon pressing the question it developed that these prisoners had never made such a request. They admitted that they had not done so for the reason that as they had been guilty of nothing for which they ought to have been punished, they did not propose to admit guilt by pleading for release from such punishment. But the evidence on this point shows that no prisoners in San Quentin ever asked this favor of Captain Randolph or Warden Hoyle in good faith, and made promises of good behavior, and were refused. The committee further find that it was the universal custom and habit of both Colonel Duffy of the prison board and Warden Hoyle to frequently visit, within the past two years, this incorrigible ward and in every instance of such visit to conduct themselves and their manner of speech in extreme kindness, urging these prisoners to reform and try to make good, but that these kindly advances were frequently met by the most obscene and unprintable language and abuse from the very men the officers earnestly and honestly desired to help.

Punishment Inflicted in Solitary Confinement. Owing to various charges made as to acts alleged to have been committed in the building known as the sash and blind and used as the principal punishment room of the prison, your committee took great pains to go into this matter very thoroughly.

This is the fourth floor of a building formerly used as a sash and blind factory, and has three guards posted there doing duty on shifts of eight hours each. The guards doing duty there since about May 26, 1912, are Messrs. Irwin, Grubb and Wambold, Irwin being the principal in charge.

Much testimony was introduced as to the said guards, and particularly Irwin and Grubb, having exceeded their authority and been guilty of acts of cruelty toward some of the prisoners under their charge. The evidence indicates that at least two or three of the prisoners confined there were punished much more severely than the infractions of the rules of which they were guilty would justify.

These three guards all testified that their explicit instructions from both Warden Hoyle and Captain Randolph was that no corporal punishment should be administered without the sanction and order of Hoyle or Randolph. Your committee conclude that these instructions were not followed, and that on at least two occasions Irwin and Grubb violated their orders. We are agreed, however, from all the evidence that such acts were without the knowledge or consent of either Warden Hoyle or Captain Randolph.

PUNISHMENT.

(a) *The Dungeon.* This place of punishment consists of a number of cells built of solid masonry and situated on the ground, with little or no ventilation, protected by double doors, one of wood and the other iron, and when closed will exclude all or nearly all of the light, and when seen by your committee were clean and sanitary. Two members of your committee visited this dungeon on the 5th day of

February and on that occasion this dungeon was in a clean and sanitary condition. There is furnished to the prisoners confined in the dungeon for punishment, usually, bread and water twice a day. They are provided with a bed tick filled with straw placed upon the floor of the dungeon and are supplied with two and one half pairs of blankets. The floor of the dungeon being composed of heavy concrete laid upon the ground, necessarily becomes and remains in some degree damp, and your committee believe that confinement for any extent of time in this dungeon is, and necessarily must be, injurious to health. But punishment in the dungeon, as well as punishment by means of the strait-jacket, in the past two years has been reduced almost to the minimum (See Trans., p. 4, March 28, 1913, etc.). The punishment in the dungeon is only imposed when all other milder forms of punishment have failed to bring about obedience and proper discipline, and your committee are unanimous in their hopes that if a dungeon or dark punishment chamber is absolutely necessary to proper discipline, then it should be situated in a place absolutely free from dampness.

(b) *The strait-jacket.* The strait-jacket is the severest kind of punishment ever inflicted upon prisoners in San Quentin, and, as before said, the use of it has almost completely disappeared. During the last two years the total number of hours of all prisoners punished by means of the jacket is but a trifle over twenty-seven hours, applied to seven prisoners, ranging in periods of time of from a few minutes to four and one half hours and the testimony shows that no prisoner under strict prison rules can be so punished until after every other method of punishment fails and then there must be a careful medical examination made by the prison physician to ascertain if the prisoner about to be punished is sufficiently strong in heart action to undergo such punishment. This strait-jacket is made of heavy canvas, and is so constructed so as to conform as nearly as possible with the shape of the body from the neck extending to the heels. It is made of one piece and open at the back for the entire length. It fits closely at the neck and is bound with leather as are the edges along the opening in the back. These edges are double for the entire length by a heavy piece of leather extending back on the outer and inner side for about four or five inches, in which are set heavy metal eyelets, being about one inch apart for the purpose of lacing the sack or jacket tightly around the body. For this purpose a stout cord is used. There are no openings for the arms, but pockets on the inside of the jacket in which the victim's hands are placed. The extent and degree of punishment inflicted by means of the strait-jacket depends entirely upon the man administering the punishment. It may be, and in fact in years past has been, laced upon victims so tightly as to cause the most excruciating and horrible anguish, suffering and in many instances permanent injuries, but your committee finds from the testimony produced that within the past two years Warden Hoyle has insisted, and now insists, that punishment by the strait-jacket should only be resorted to when every other known possible means has proven ineffective to bring about proper observance of prison rules and government; and as before said, the use of it has been reduced almost to the minimum according to the evidence, Warden Hoyle's directions being never to lace the jacket tight enough to cause the slightest permanent injury to the victim, and that upon every occasion under the instructions given by Warden Hoyle, the victim is immediately released from such punishment upon his promise to behave and observe the prison regulations; and that no prisoner has ever been confined in the strait-jacket within the past two years only and until so directed by the warden, after a careful investigation of all the facts connected with the case. With one possible exception, your committee find that these rules of the warden and prison management have been strictly observed. In that specific instance, Grubb and Irwin did administer punishment by the strait-jacket without following the directions of the warden in having the prisoner previously medically examined, and instructions for such punishment first received from the warden.

Doctor Duncanson's charges. One of the first witnesses heard upon this inquiry was one Dr. E. E. Duncanson, aged 59 years, a graduate of the medical college at Ann Arbor in the year 1872. Dr. Duncanson was sentenced from the county of Los Angeles in the year 1909 under a sentence of fifty years upon the charge and conviction of rape upon his stepdaughter. He was convicted of this crime upon the unsupported testimony of this stepchild, who was about ten years of age. After Duncanson had been incarcerated for a period of approximately two years in the penitentiary, the complaining witness relented and made an affidavit to the effect that the testimony that she had given accusing Dr. Duncanson of this crime was false. This was made the basis of an application to the Governor of this state for a pardon for Dr. Duncanson. The Governor of this state as well as the prosecuting attorney of Los Angeles County deemed the matter of sufficient importance to send a messenger to Kentucky, where the girl then and now resides, for the purpose of making closer inquiries regarding her affidavit above referred to. Thereupon Deputy District Attorney Keyes of Los Angeles County made a trip to the State of Kentucky, and made inquiries of this girl regarding her purported affidavit exonerating Duncanson of the crime which she was formerly instrumental in convicting him of. (See Keyes' testimony, Trans., April 5th, page 13, etc.) It was testified to before the committee by Mr. Keyes that upon his arrival in Kentucky this girl, notwithstanding the fact that she had made the affidavit above referred to exonerating Dr.

Duncanson, told him in private that her original story of Dr. Duncanson's criminal assault and intercourse with her was true as she had originally testified at the trial, and furthermore that she had been induced to make this affidavit in order to get Duncanson out of jail.

It is further shown that Mr. Keyes made further inquiries of and concerning this girl in Kentucky, and found that her reputation for truth and veracity was very bad and that she was very much undeveloped mentally and was living with her grandparents in a little shack in the mountains of Kentucky. Upon Mr. Keyes' return to California the facts as above stated were reported to the Governor, who after having studied this question seriously for a long period of time finally reached the conclusion that there was sufficient showing made to raise a very slight doubt in his mind as to the guilt of Dr. Duncanson, and giving the doctor the benefit of this slight doubt he was finally pardoned.

It is alleged by Dr. Duncanson that soon after entering the penitentiary he was placed at work in the jute mill performing the labor which finally resulted in serious and permanent injuries to his back. The injuries, it is claimed, were resultant from the operation by him of a small handpress used in the jute mill for compressing waste jute for use as fuel. (See Duncanson's testimony, Trans., March 26, p. 134, etc.) The doctor's injury, as testified to by him, was caused by the winding up of a windlass attached to the jute press, also there were lacerations or tearing of the psoas muscles on the right side which resulted eventually in psoas abscesses; that the liver was partly torn from its suspensory ligaments, and which injuries the doctor claims were permanent and still exist, and that he received no medical attention for such injuries during the remainder of his time in the penitentiary; that he was treated harshly and cruelly by the prison officials, and especially by the prison physician, Dr. Stone; that he was unable at times to walk, and during all such times was cruelly and wrongfully dealt with and neglected; that he was finally permitted in the hospital but was waited upon only by an ex-prizefighter and an ex-bartender; that they were cruel to him, and that the prison physician gave him no medical attention, but on the contrary was extremely cruel to him and was in the habit of using vile and obscene language toward him and in all manner neglecting him when he was ill. The doctor's testimony further shows that he was in good physical condition when he entered San Quentin prison, and that by the reason of the injuries above mentioned he was crippled and maimed for the rest of his life. Your committee gave a great deal of time, and listened to a large amount of testimony on the question of the alleged injuries to the said Dr. Duncanson—Duncanson's testimony covering as it does over one hundred pages of this transcript. (See the doctor's testimony, Trans., March 26th.) Testimony was introduced by a large number of witnesses who, in nearly every instance, refuted the statements made by Dr. Duncanson. Notably among these were Dr. Wade J. Stone, the attending physician at San Quentin (see Trans., March 27, p. 3, etc.), E. L. Shaffino (Trans., April 5, pp. 3 and 34, etc.), Wm. J. Danford (Trans., April 5, p. 36), Warden Hoyle and Mark E. Noon. Several other witnesses were heard upon the alleged injuries, abuse and cruelty against Dr. Duncanson, all of whom gave testimony directly contradicting his statements. There was testimony also produced before the committee by Dr. R. L. Wilbur (see Trans., March 28, p. 112, etc.). Dr. Wilbur is the head of the Lane Hospital at San Francisco, an institution conducted by Stanford University. It is shown by this testimony that Dr. Duncanson upon his release from the penitentiary in September, 1912, came to that institution for examination and treatment. It is shown by this witness that he made a thorough and complete examination of Dr. Duncanson and obtained at that time a complete history of the doctor's ills and injuries received throughout his life. (See Trans., March 28, pp. 115, 116, 117.) In this general history as given by Dr. Duncanson at that time at Lane's Hospital, appears the following: "Pneumonia at 18 years; general breakdown at 21; fell forty feet and landed sitting down, fracturing spine and pelvis, followed by complete paralysis from the costal margin down. The paralysis improved, however, after a period of five months, his feet dragging on the ground, as if he had lead shoes on. About five years later patient tried to step out of a buggy and fell to the ground helpless. (See Trans., March 28th, pp. 115, 116, 117.) About one year later patient sat down suddenly and was immediately relieved. The heavy sensation in the feet disappeared and he enjoyed afterwards the control of legs; however, he still had tenderness in lower dorsal spine. Up to the age of forty years enjoyed very good health, except slight weakness and tenderness in the back. Three and a half years ago patient had pneumonia again. At time of recovery patient was arrested and put to heavy work. Had two attacks of pleurisy; when working hard straining on the lever he experienced sensations of rupture of the diaphragm, followed by a sensation of spasmodic contraction of the muscles of the back. Three months later patient began to have blood and pus discharges, became bed-ridden and suffered severely from pain in the back. At present the patient has little headache." Such seems to have been the physical history as given by Dr. Duncanson himself at the time of the medical examination by Dr. Wilbur, immediately after the release of Dr. Duncanson from the penitentiary.

Dr. Wilbur further testified that upon such examination there was no definite abnormality, that there was some tenderness in the ninth dorsal vertebrae, which

spot the doctor testified is the site of the original trouble. (See Trans., March 28, pp. 119, 120, 121.) The further examination discloses that the injury to Dr. Duncanson's spine in early manhood had been uncured; that on account of some cause there had been a recurrence which irritated the original disturbance to the spine, but that his old injury had really been in existence all the time. (See Trans., March 28, pp. 121, 122, 123.) Therefore, the testimony produced before your committee regarding the alleged injuries sustained by the said Dr. Duncanson while confined at San Quentin prison, have not in any manner been sustained, as it would appear from the great preponderance of evidence produced before your committee that Dr. Duncanson's injuries were sustained many years ago, and that the present difficulty which he complains of and now gives evidence of, by reason of which he is unable to use his limbs is simply a recurrence of the old and chronic difficulty. While it is true Duncanson testifies that this latter difficulty was brought about by overwork and extraordinary straining upon a windlass in compressing waste jute, in the penitentiary, your committee have carefully investigated all of these facts and have searched diligently for testimony among the prisoners then confined in the penitentiary to substantiate the occurrence of Duncanson's injuries, and we have been unable to secure any testimony sustaining the charges of Duncanson as to the manner of the injury sustained in the manner and form claimed by himself. And upon the question of the added charge on the part of Duncanson that he was given no proper medical attention while in the penitentiary, your committee has made an investigation into this part of Duncanson's charges and have found such charges unfounded, as shown by the testimony and without any foundation; the contrary being shown by the creditable testimony. Your committee made a general search among the convicts and officers of the prison to, if possible, substantiate the charges of Dr. Duncanson in this respect, but were unable to discover any testimony corroborating the said Duncanson in this or any other matter that he testified to before your committee; but, upon the contrary, the testimony shows Dr. Stone to have been a very competent and humane person, extremely kind and a great favorite with all prisoners. The evidence discloses that although the law officers who prosecuted Duncanson in Los Angeles were absolutely convinced of his guilt of the crime charged and upon which he was sentenced to the penitentiary, yet taking into consideration the fact that the child upon whom it is alleged he committed the criminal assault, being of very tender years, and being bereft of its parents and being mentally undeveloped, and taking into consideration these facts and realizing that this child gave the only testimony by which Duncanson was originally convicted and sent to the penitentiary, and that she having afterward recanted her sworn testimony given in court, by making an affidavit that her statements there given were untrue and that Dr. Duncanson was not guilty of any criminal assault upon her, and induced by others to make such a statement, and then later denying the truth of the statements made in such affidavit and stating as her only reason for making such affidavit that she desired and was induced to make such statements by others, in order to get Dr. Duncanson out of the penitentiary, and then a few days afterwards declaring again that her statements made in said affidavit were true, the Governor, after taking all of these matters into consideration and realizing the unreliability of any kind of testimony that this mentally undeveloped child might give, and realizing the tremendously heavy sentence under which Dr. Duncanson was resting, and being tortured with the fact that there was a bare possibility that this child's testimony upon any question might be doubted, he mercifully, after months of application and study to this case, decided to give Dr. Duncanson the benefit of the slight doubt that had been created in his mind and issued his pardon.

CONCLUSIONS.

Therefore, from the testimony produced and the personal examinations made into the affairs of San Quentin, your committee finds as conclusions the following:

First—That San Quentin Prison is overcrowded, and that this overcrowding of the institution is demoralizing to the inmates, physically, morally and mentally, but that this condition will in a few weeks be relieved by the completion and use of a most modern and up-to-date cell building, which building is constructed from every point of view upon the most modern and approved lines. Your committee further finds that out of approximately two thousand population at said institution, seventy-five per cent of these inmates are what might be termed men and boys, many of whom your committee believe could, under proper environment and care in their confinement, be reformed and sent back to society, reclaimed and made law-abiding and respectable citizens, were it not for the fact that these really only half bad prisoners are compelled to come in daily contact and association with a class of criminals who, as your committee believe, are absolutely irredeemable. Your committee believes that the mingling of this bad and desperate class of confined criminals with the better and younger class of inmates is a shocking public crime, and is, as we believe, responsible for a large number of the recidivists, or those who are returned to prison within a few months after their discharge for second offenses, and as well responsible for much of the discontent of the prison, and your committee cannot too strongly recommend that immediate steps be taken to correct this evil.

Your committee believes and very earnestly recommends that no first offender short of those guilty of murder in the first degree, or the brutal rapist who commits his most awful crime through force or great fear, or violates a child, and highway robbery committed by means of or threats of great bodily harm, should ever be sentenced to serve any portion of their time or be compelled to mingle with these hardened criminals, but that there should be, if we are to do anywhere near justice to society, established and had not an expensive but a separate institution for the first offenders for the violation of the ordinary criminal statutes of this State. So dire is the need of such an institution for first offenders, and so shocking is the crime not to have such an institution, that your committee feel justified in urging with all earnestness that an immediate change in the mode, manner and place of confinement of these better class of first offenders should be had. Your committee appreciates that it is quite impossible for any person who has not studied at close range such a penal institution to fully appreciate how desperately bad, incorrigible and practically irredeemable are about twenty per cent of the hardened criminals at San Quentin and the frightful harm that comes to the prisoner who desires to reform, by being compelled to daily mingle with this class of prisoners. But studying these questions as your committee has we feel that we cannot too earnestly urge and plead with the people, through the Legislature of the State of California, to correct the terrible evil that you are constantly scourging society with. Remembering always that in your mode and manner of punishment as it now exists, that you are not only not making any step forward in the way of reformation but that you are manufacturing out of the first offender boys of your State fiendish and brutal criminals to be turned back upon society from these institutions.

Food Supply. Second—Your committee further finds that within the last past two years the food supply furnished to the prisoners at San Quentin is ample and in overabundant and sufficient quantities and at no time during said period has any single individual prisoner been compelled to do without having ample and sufficient foods excepting only in cases where foods have been denied in very rare instances as punishment for the infraction of prison rules. The foods thus supplied are summarized as follows:

(a) That this food consists of an abundance of prime beef, mutton, lamb, pork, and fish, furnished and served on alternate days and occasions.

(b) That the other food supply consists of an ample quantity of potatoes, turnips, carrots, onions, parsnips, cabbage, beans, rice, hominy, corn meal and oatmeal, together with macaroni, vermicelli, tapioca, etc.

(c) Fruits consisting of dried prunes, apples, apricots, peaches, currants and raisins.

(d) Good, wholesome, well prepared bread, a fair grade of molasses, tea and coffee.

(e) Occasionally green foods in their season.

That at no time during and within the past two years has there been prepared and served to the prisoners in San Quentin prison any rotten or decayed meat or any spoiled or bad fruit, potatoes or vegetables or other foods of any kind, nature or description. That the foods served at San Quentin prison are prepared under all sanitary and proper manner possible, prepared by cooking, baking or otherwise in proper condition, and are correctly seasoned and served in a palatable and appetizing condition. That a constant and vigilant inspection is daily made by several prison officials and a number of prison convict chefs and cooks over every particle or amount of food prepared and served in the general mess daily at San Quentin. That approximately 1,600 prisoners eat and are served meals daily in one large dining-room known as the general mess, and that each individual prisoner in said dining-room is served precisely in the same manner and with the same amount and condition of food as any other prisoner. That no favoritism is shown the prisoners in this regard at the institution, and that the food is first served to the several tables and to individuals in individual dishes, then an extra amount is served each meal in a common receptacle carried there by convict waiters especially detailed for this purpose. These common dishes are, when more food is desired, passed from one individual to the other around the table. There are common bread dishes filled with bread, common meat dishes filled with meat or corned beef and cabbage, or lamb and curry with rice, or salt pork or roast pork, or roast beef, or beans or other food supplies. The men are supplied with individual tin or agate plates, with common ordinary table knives and forks and ordinary tin or other metal spoons. The time allowed for each meal varies from twenty to thirty minutes, and, finally, the utmost vigilance, care and watchfulness is at all times observed in the quality and quantity of food supplied, the mode and manner of preparation and serving of each meal. That the average physical condition of the prisoners in this institution is remarkably good and that sickness among the normally received prisoners is exceptional, the hospital population being recruited almost entirely from those arriving at the institution in a diseased or sickly condition. The dining-room and kitchen are kept extremely clean and sanitary in so far as it is possible in the old dining-room and kitchen. The new dining-room is nearly completed, and when so completed and occupied will prove a source of great satisfaction to the management and prisoners as well. This new building is constructed entirely of fireproof material and is a

marvel of elegance of construction, sanitary conditions and equipment, and cannot, we believe, be surpassed in this region in this regard by any other institution. To this new kitchen is attached one of the most modern pre-cooling or refrigerating plants that it is possible to conceive of.

Punishment. The modes of punishment at San Quentin Prison are inflicted in various degrees and varying in extent to and commensurate with the offense proven against the individual, and consist of:

(a) Reprimand and caution.

(b) Loss of privileges, such as loss of tobacco, visitors and writing of letters.

(c) Confinement in the dungeon for certain prescribed periods and on certain prescribed food, usually bread and water twice per day or, perchance, sometimes only once per day, but always sufficient to amply sustain life and vigor.

(d) Solitary confinement in the incorrigible ward, commonly known there as the sash and blind, with ample food supply.

(e) By cuffing up, that is to say, the refractory prisoner is placed in the cell and his hands put through the wicket over iron door five feet high and is then secured by means of steel handcuffs, there to remain for stated and various periods.

(f) The appliance of the strait-jacket for not more than six consecutive hours.

Your committee find that the use of the strait-jacket in the past two years has been reduced almost to the minimum; that throughout the past two years but seven men have been thus punished, the total time being but twenty-seven hours, and that upon the occasion of punishment by the jacket no one prisoner during that time has been unduly tortured or made to suffer any injuries of any nature, and that no prisoner kept in the jacket is punished for a longer period than six hours, and that the offender is always released on promise of good behavior, and that no prisoner is punished with the jacket until every other form and degree of punishment has been tried and found ineffective.

That within the past two years no prisoner has been punished in the jacket in any unreasonable or cruel manner, but that the greatest caution is always exercised when this particular punishment has been applied.

The dungeon is used as punishment in the most humane manner possible under the circumstances, and no undue cruelties or personal vengeance has within the past two years obtained in the punishment of prisoners by confinement in the dungeon, and that no prisoner has been kept in the dungeon after he has promised obedience to prison rules.

Punishment in solitary confinement at San Quentin is accompanied with plenty of heat, light and air, and has but two elements of real punishment, *i. e.*, the confinement itself and the inability of the prisoner to speak, which, when continued for long periods, becomes in many ways the severest kind of punishment. Your committee find that the application of this mode of punishment is always for an indefinite period and the prisoner always released on his promise of good behavior, and the application of punishment in this punishment room for the past two years has not been accompanied by any unusual cruelties, save two, and possibly three, occasions, when the guards Irwin and Grubb may have doubtless, under great stress and provocation, wrongfully struck the prisoners. But your committee find that if such acts of cruelty did occur that neither Warden Hoyle or Captain Randolph had the slightest knowledge of such acts. And had such alleged acts been known by them, the offending guard would have been discharged, and now doubtless will be, and, finally, with this one exception, your committee believe that no act of wrongdoing or acts of cruelty or unlawful punishment have been had within the past two years on any one prisoner in San Quentin.

Your committee further find that no prisoner was punished by confinement in the solitary room for participation in the so-called "bread riot," who was innocent of the offense; that, upon the contrary, each of those so punished for such offense was guilty of such offense as one of the prime movers and participants therein; that each had a fair trial upon such charge, and either pleaded or was found guilty of the offense charged, and, with the exceptions noted, none were cruelly, unlawfully or unjustly dealt with or punished. That no prisoner is now, or has, for the past few months, been kept confined in solitary as punishment for his participation in the riots, but such prisoners as are still remaining there were found guilty of some infraction of the rules.

Doctor Duncanson. Your committee further find that Doctor Duncanson was never treated in a cruel or improper manner at San Quentin, that he was given medical care and attention. That if he received any injuries at San Quentin while at work on a small jute press, it was a recurrence of an old and chronic injury. Your committee have no hesitancy in saying that Doctor Duncanson's charges of cruelty and lack of proper attention while at San Quentin, or his general charges of mismanagement of the prison have not, in any manner, form or part, been sustained, but upon the contrary have been absolutely disproved by the facts and testimony given.

General Government. Your committee further find that the government and discipline of the prison is of the very best; that Warden Hoyle is held in the highest esteem and confidence by the very large proportion of the prison population, and that he mingles freely and almost daily with the prisoners; that he is easily

approachable by every prisoner desiring to converse with him; that he conducts himself at all times with extraordinary benevolence and kindness towards the prisoners; that he knows the personal history of all the inmates, and talks and counsels with them quite frequently, and that the prisoners have the utmost faith in him. If fault is to be found with Warden Hoyle at all regarding his treatment of prisoners, it is that he is altogether too merciful and kindhearted to maintain the best prison discipline, as many prisoners take advantage of his abundance of human sympathy, and use it oftentimes to the detriment of proper order and observance of prison rules.

Your committee find that about two years since Warden Hoyle entreated several men of great wealth in this State to assist him in reclaiming second and third termers when discharged. Warden Hoyle telling these men that, though the world said that there was no hope of regeneration for the so-called third termers, he firmly believed that, with a requisite amount of gentleness and real human sympathy, many of these old offenders, by the steady process of constant care and sympathetic attention, could be reclaimed. Your committee find that Warden Hoyle finally succeeded in interesting several philanthropic persons to put his idea into actual practice. Notably among these benevolent people were Mr. Pearson, of Los Angeles, who now has over one hundred of these old offenders out on parole, and that, according to his testimony, seventy per cent of them are making good. Warden Hoyle also interested others, who would and do furnish paroled and discharged prisoners with work and personal sympathy sufficient to get many of these unfortunates regenerated.

Your committee find from the evidence, therefore, that Warden Hoyle is now, and for the past two years has been, conducting the affairs and management of San Quentin prison along the most humane and just lines, and has never during that time been guilty of the slightest wrongdoing to any single prisoner there, nor has he ever countenanced or permitted any single act of cruelty or inhuman treatment or unlawful punishment to be administered to any inmate, and that he is on terms of friendship with a very large majority of the population of that institution.

Your committee further find that during the month of January, 1913, through the efforts and recommendation of Warden Hoyle, the board of prison directors have made such arrangements whereby the hated prison striped clothing is to be replaced by clothes made from ordinary cloth, using the striped clothing for the refractory and incorrigible prisoners, and that tooth brushes, towels, and soap are to be furnished each prisoner, and that sheets and pillowslips are also to be furnished, and a neat iron, white enameled bed is to take the place of the old makeshifts so long in use.

Your committee find that all the toilets and public bath places for men are open and exposed, and that such publicity is absolutely necessary in order to eradicate as much as possible that unprintable crime against nature.

Your committee called upon and talked freely with several of the most celebrated prisoners of San Quentin, inasmuch as there has been some testimony tending to show that J. B. McNamara has been cruelly and unduly punished by being confined in the dungeon, we find that three members of the committee—Messrs. Johnston, Farwell and Ellis—conversed privately with this celebrated prisoner, who disclosed that he was treated splendidly, and had not the slightest fault to find with any thing or matter connected with his confinement. He was solicited by the committee to appear as a witness and make any statement he desired as to any cruelties inflicted upon him or any others, or as to poor food or any other complaint he desired to make. His reply was, "As for myself I have not the slightest fault. I only request that you look into the case of a Mexican here with bad eyes. His work is in the jute mill, which only aggravates the weakness of his eyes." On your committee's promise to look into the case of this Mexican, McNamara warmly thanked the committee and again reiterated that he had no fault to find, and that his treatment by the prison officials was excellent. From these facts and other testimony your committee find that the said J. B. McNamara has not been cruelly or inhumanly punished or singled out for the vengeance of any prison officials at San Quentin.

The above conclusions and findings are reached and unanimously agreed to by your committee after the most careful sifting and weighing of all the testimony and facts produced. Of course there is great conflict in the evidence on most of the vital questions considered in this inquiry, and yet on the question of the personal conduct of Warden Hoyle in his personal treatment, care, attention and human sympathy towards the prisoners all are practically agreed that there is not the slightest fault in that direction, but upon the contrary almost universal praise and consideration is given him as an officer and man.

As to the official conduct of Captain Randolph, your committee finds from all the evidence, that absolute justice and equality of treatment of the prisoners, coupled with the demand for strict discipline, has been administered with neither harshness or studied kindness, but rather with exact fairness, tempered always with mercy and consideration.

The work of your committee has been arduous and at times vexatious and irritating, yet throughout the work the committee have endeavored to bring into this inquiry the very best efforts they possess, and have reached the only verdict that the facts in our opinion justify.

The transcript of the testimony taken at the inquiry is herewith transmitted with this report, and your committee trust that it will be preserved.

The expenses of your committee with vouchers for every cent disbursed is also herewith submitted.

The Case of Dr. E. E. Duncanson. We are willing to confess that from the first time we heard Dr. E. E. Duncanson's testimony, and some of us as early as last November, at the "open meeting" at the Chamber of Commerce in Los Angeles, as well as on other and subsequent occasions, we were more or less prejudiced in his favor and against the administration of affairs at San Quentin.

Duncanson's own testimony, given in the office of the state clerk at San Quentin on Wednesday, March 26, 1913, began to undermine that prejudice, partially on account of some minor contradictions and partially on account of the testimony itself and the way it was given. Many affidavits were filed for and against the character and reputation of Dr. Duncanson. Without having the parties actually before us in order to look into their faces while testifying, it is hard to draw a proper conclusion one way or the other, therefore we deem it expedient to discard such affidavits, and we have based our conclusions entirely upon the testimony of Dr. Duncanson himself, and upon that of his own witness, Schaffino, as well as upon the testimony of his fellow prisoners and the record given of his case at the Lane Hospital in San Francisco. In our opinion, neither the two nor three hours of work per day nor the kind of work he did—for we witnessed the performance of the same task that he had to do in the jute mill, and we thought that it was neither a terrible nor a cruel task—in view of the testimony that William J. Danford gave us later on, it was not a serious matter at all. Danford testified that he asked for and obtained the hardest job in the jute mill solely for the purpose of getting the physical exercise that he so much desired, and, furthermore, and what is far more significant, for the sake of the special privilege that went with the job, which was, that, on account of the ardor of the task and the perspiration caused thereby, the man performing the task was allowed a bath at the end of each day's work. (See Transcript of April 5th on pages 59 and 60.) Danford thought enough of the task to crave it for the sake of the exercise of his muscles and the enjoyment of a daily bath. On the other hand, the only possible cruelty to Dr. Duncanson in our opinion would have been that in case Duncanson had stated his physical condition fully to the prison authorities at the time of his incarceration by explaining that earlier in his life he had had a fifteen or twenty foot fall (as per his testimony given before your committee, but forty feet as given to Dr. Wilbur, of Lane Hospital) from the top of a hayrick and landed in a sitting posture and that he "treated," or apparently cured, himself after three or four weeks' rest from his work, and that it had then been still further shown that he had been required by the prison authorities to perform the task that was sure to cause a return of his old troubles—then, and in such case only, would we have thought that the prison authorities were cruel and to blame for his condition. Such evidence was not so produced nor any testimony given to that effect.

We are satisfied that the "hose cure" (for passage of the bowels) was not an inhuman nor a cruel punishment at all, nor anything out of the ordinary practice of the San Quentin hospital nor the practice of any other properly managed or well regulated hospital. Duncanson has no cause to complain about being unfairly dealt with by the hospital physician. His special "liniment" was given him as he had prescribed for it and it was only when he asked for other unusual and stimulating drugs that a man of his age and condition should not have asked for, that he made his worst complaints.

The testimony of the hospital assistant, Mr. W. S. Hannah, satisfied us, even if we were to eliminate the testimony of Dr. Stone, that Dr. Duncanson in no wise received unusual or cruel treatment from the hospital department of the institution. We are prepared to believe that Duncanson was shamming when he performed an illy-timed fit of some sort in order to persuade Dr. Stone and the rest of the hospital attendants that he, Duncanson, needed special hospital treatment. (See page 45, March 27, of Dr. Stone's testimony.) Under such circumstances, and the unseemly hour, we would not have blamed any one, much less Dr. Stone, for having used abusive language. The testimony showed, however, from other convicts, (Harry Day, April 16th, top of page 57) that this was the customary habit of Dr. Stone, and that nearly all the time it was his way of "jollyng" a man along. One would have to understand the man and his mood at the time. This phase of his (Duncanson's) character could be still further illustrated by the testimony of Mr. W. S. Hannah, hospital assistant and a "twenty-five year man" (not subject to parole), who saw Duncanson race for the toilet one night to get ahead of a Mexican who had a cot in the hospital located nearer the toilet than was the cot of Dr. Duncanson. Duncanson thought no one was looking and forgot all about his physical condition, as well as his crutches, and reached the toilet before the Mexican. (Page 6, April 1, W. S. Hannah.) Mr. Hannah testified that Duncanson even looked about him to see if anyone else other than the Mexican was looking. As to the credibility of the witness Hannah, there was not the slightest doubt in our minds but what he, Hannah, was stating the truth without fear or favor. In fact, there was not a witness among any of the prisoners but what had a good word to say about W. S. Hannah. They stated that he was the most reliable and trustworthy of men as well as being the best known and best liked by the convicts. (Harry Day, April 16, pages 55 and 56.)

With the fast accumulating evidence that was piling up against Duncanson to the

effect that he was shamming to avoid work and the fact that he was making a general nuisance of himself, we can pardon the doctor and others for the use of any "cuss" words. The crucial test in our opinion as to the reliability or credibility of Duncanson's testimony was when Duncanson, under oath, made decisive and positive statements (pages 31 to 36, inclusive, of March 26th session) that an Italian by the name of Schaffino, of the d'Abruzzi's North Pole expedition, made Duncanson a bribing proposition whereby Duncanson for a thousand dollars could get paroled; also for a dollar a day that he could obtain a special room, special food, heat and other considerations. Mr. E. I. Schaffino, the Italian referred to by Duncanson, when on the stand and under oath declared he never heard of such a thing, and that if it ever were mentioned, it was an original idea with Duncanson himself, and that Duncanson may have talked it so much that he, Duncanson, came to believe it, but that Schaffino never took any stock in the fabrication. For our part, we are more ready to believe Schaffino (whom Duncanson seemed inclined to depend upon more than any other witness) than we are Duncanson, and therefore, together with the statements of Dr. Stone and Mr. W. S. Hannah, we think that Duncanson's statements are not to be relied upon.

In fact, the testimony of Mr. A. Keyes (April 5th, page 14 to top part of page 20, inclusive), Deputy District Attorney of Los Angeles County, shows that under the peculiar conditions of the case, that had it been a ten-year instead of a life sentence, that he would not, in his judgment, have recommended the pardon; in other words, Dr. E. E. Duncanson can consider himself the luckiest man out of jail in securing the pardon that he finally did secure, and, as chief complainant against the institution, he might as least have been more thoughtful of the great expense he has piled up against the State, largely on account of his personal accusations and uncalled for agitation.

W. H. ELLIS, Chairman.
LYMAN FARWELL.
WM. C. MCCARTHY.
JAMES J. RYAN.
T. D. JOHNSTON.

State of California to W. H. Ellis, Chairman of Committee on Prisons and Reformatories—Dr.

March 24—Auto hire, Sacramento to Folsom (voucher)-----	\$15 00
March 25—Fare, Sacramento to San Quentin (6)-----	15 00
Pullman, Sacramento to San Quentin (vouchers)-----	9 00
March 26—6 breakfasts (no one over \$1)-----	6 00
6 dinners (no one over \$1)-----	6 00
Car fare -----	70
Expenses locating witnesses (voucher)-----	12 00
Fare, San Francisco to San Quentin and return (7)-----	3 50
March 27—6 breakfasts (no one over \$1)-----	6 00
8 dinners (no one over \$1)-----	8 00
Car fare -----	60
Fare, San Francisco to San Quentin and return (6)-----	3 00
Telephone -----	75
Expense locating witnesses (voucher)-----	8 00
March 28—6 breakfasts (no one over \$1)-----	6 00
Fare, San Francisco to San Quentin and return (6)-----	3 00
Car fare -----	70
4 lunches (no one meal over \$1)-----	4 00
8 dinners (no one meal over \$1)-----	8 00
March 29—7 breakfasts (no one meal over \$1)-----	7 00
Car fare -----	70
Telephone -----	50
5 lunches -----	5 00
8 dinners -----	8 00
March 30—7 breakfasts -----	7 00
Car fare -----	70
Fare, San Francisco to San Quentin and return (7)-----	3 50
6 lunches (no one meal over \$1)-----	6 00
7 dinners (no one meal over \$1)-----	7 00
Telephone -----	80
Auto expense locating witnesses (vouchers)-----	6 00
March 31—7 breakfasts (no one meal over \$1)-----	7 00
Fare, San Quentin and return (7)-----	3 50
Car fare -----	85
1 lunch -----	1 00
7 dinners (no one meal over \$1)-----	7 00
Auto expense locating witnesses (voucher)-----	8 00
Telephone -----	60

April 1—	7 breakfasts (no one meal over \$1)-----	\$7 00
	Fare, San Francisco to San Quentin and return	
	(7) -----	3 50
	Car fare -----	75
	3 lunches (no one meal over \$1)-----	3 00
	8 dinners (no one meal over \$1)-----	8 00
April 2—	7 breakfasts (no one meal over \$1)-----	7 00
	Fare, San Francisco to San Quentin and return	
	(7) -----	3 50
	Car fare -----	65
	6 lunches (no one meal over \$1)-----	6 00
	6 dinners on train (no one meal over \$1.50)-----	9 00
	Telephone -----	80
	Fare, San Francisco to Sacramento (6)-----	15 00
	Hotel bill at San Francisco (7 days) (voucher)---	143 05
	Paid E. E. Duncanson, expense as witness, Sacra-	
	mento to San Quentin and San Francisco, 8	
	days (voucher) -----	25 20
	Total -----	\$427 85

State of California to Herbert B. Whitten, Santa Rosa, Cal.—Dr.

In the matter of an investigation respecting punishment and the use of the strait-jacket in the state prison at San Quentin by a sub-committee of the Committee on Prisons and Reformatories of the Assembly.

March 26, 27, 28, 29, 30, 31, and April 1, 2, 5—	Reporting	
nine days at \$10-----		\$90 00
Transcribing testimony and proceedings (5 copies) 3760		
folios at 40 cents-----		1,504 00
Total -----		\$1,594 00

State of California to W. H. Ellis, Chairman of Prisons and Reformatories Committee of the Assembly—Dr.

April 5—	To expenses of Asa Keyes as witness, Los Angeles	
	to Sacramento -----	\$39 70
	To expense of Wm. J. Danford as witness, Los	
	Angeles to Sacramento -----	40 70
	To expenses of E. H. Whyte and L. Schaffino, wit-	
	nesses, San Francisco to Sacramento-----	17 00
	Total -----	\$97 40

The Select Committee from Assembly Committee on Prisons and Reformatories (Mr. W. H. Ellis, Chairman), to E. F. Duden, Shorthand Reporter—Dr.

To services reporting proceedings in re prison investigation,		
per diem, April 16 and 17-----		\$20 00
To 1590 folios transcription at 8 cents-----		127 20
Total -----		\$147 20

MOTION.

Mr. Brown moved that the above report be accepted.

QUESTION POSTPONED.

On motion of Mr. Brown, the whole matter was passed to unfinished business.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

By Mr. Wall:

I object to Senate Bill No. 53 because I believe it has more far-reaching and injurious effects than the author contemplated. Therefore I vote no.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Killingsworth moved that the vote whereby Assembly Bill No. 1120 was refused passage be reconsidered.

Consideration of above motion postponed until next legislative day.

CONSIDERATION OF MOTION TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motion to reconsider Senate Bill No. 1104 was postponed until next legislative day.

RECESS.

At five o'clock p.m., the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Young in the chair.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Bohnett moved that the vote whereby Assembly Bill No. 970 was refused passage be reconsidered.

Consideration of above motion postponed until the next legislative day.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 8 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 862 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Byrnes, Clark, Wm. C. Clarke, Geo. A. Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McDonald, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1192—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 892, 974 and 1135 thereof, and by adding four new sections thereto, to be numbered and designated as Sections 849a, 850b, 858b and 872a thereof, relating to proceedings in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1192 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 817—An Act providing for the commemoration as "Gold Discovery Day," in all departments of the public school systems of the State of California, of the twenty-fourth day of January, the date of the discovery of gold in California, by James W. Marshall.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 817 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bowman, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 209 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish,

Ford, Gabbert, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a certain section, to be numbered Section 3½, relating to the manner of effecting certain local improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1470 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1549—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for the funds of banks, banking associations, trust companies, insurance companies, and for the state school funds and trust funds, and providing for the use of such bonds as security for the performance of any Act, and providing for a commission which shall approve such bonds for the foregoing purposes, for a report thereon, for the filing of said report and for the certification of such bonds by the State Controller.

During third reading of the bill, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, strike out all from and including the word "or" down to and including the word "thereof" and the comma after said word, in line 8, and insert in lieu thereof the following: "and existing under and pursuant to the laws of the State of California";

Also: On page 2, line 37, strike out the word "or", and insert in lieu thereof the following: "and, if the investigation has covered contemplated bonds, the total amount of bonds which the district can issue without exceeding the limitation expressed in paragraph (f) of this section".

Also: On page 3, strike out lines 1, 2, 3, 4, 5 and 6.

Also: On page 3, line 21, after the word "constructed", insert the following: "with the proceeds of any of said bonds".

Also: On page 3, line 23, strike out all from and including the bracket down to and including the bracket in line 25.

Also: On page 3, line 27, after the period, insert the following: "If the commission shall be notified by the board of directors of any district whose irrigation system has been found in such report to be feasible that the district has issued bonds and the commission shall find that said bonds are for any project or projects approved in such report, the commission shall prepare and file with the State Controller a supplementary report, giving the numbers, date or dates of issue and denominations of said bonds, which shall then be entitled to certification by the state controller as hereinafter provided for."

Also: On page 3, line 29, strike out the period after the word "district", and insert in lieu thereof a comma and the following: "but after any of the bonds of an irrigation district have been enumerated and described as entitled to certification by the state controller, as herein provided for, it shall be unlawful for that district to issue bonds that will not be entitled to such certification."

Also: On page 3, line 37, strike out the word "or", and insert in lieu thereof the word "and".

Also: On page 4, line 13, strike out the word "and" before the word "trust", and the word "and" after the word "companies".

Also: On page 4, line 14, after the word "and", insert the following: "any funds which may be invested in county, municipal or school district bonds, and it".

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1549, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 530 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1062—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of employment in underground mines and in smelting and reduction works," approved March 10, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1062 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 6, strike out the semicolon, and insert in lieu thereof the following: “; and under this provision no child whose parent or parents have not resided in this state for at least three years prior to the application for aid, or whose parent or parents have not become citizens of this state, shall be deemed a half-orphan;”.

Also: On page 4, line 30, strike out all of Section 5 down to and including the period in line 20, page 5.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1108 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Mouser, Nelson, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—49.

NOES—Messrs. Griffin, Johnson, Geo. H., Johnston, T. D., Killingsworth, Murray, Polesley, Weldon, and Wyllie—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2076—An Act relating to the use and furnishing stamps, coupons, tickets, certificates, cards or other similar devices for or with the sale of goods, wares and merchandise, and providing the penalty for the violation thereof.

Mr. Inman moved that Assembly Bill No. 2076 be re-referred to Committee on Judiciary.

Motion carried.

Assembly Bill No. 224—An Act to amend Section 737 of the Political Code, relating to the salary of Superior Court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 224 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Mouser, Murray, Richardson, Roberts, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2084—An Act to enlarge the powers of the Board of State Harbor Commissioners and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and col-

lect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2084 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—50.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 770 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bradford, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Roberts, Ryan, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2093—An Act to repeal an Act entitled “An Act to create the office of attorney for the State Board of Health and the board of health of the city and county of San Francisco,” approved March 31, 1891.

Bill read third time.

MOTION.

Mr. McDonald moved that the above bill be made a special order for Tuesday, April 29, 1913, at eleven o'clock a.m.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2093 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Roberts, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—44.

NOES—Messrs. Collins, Ford, Johnston, T. D., Nelson, Nolan, Richardson, and Ryan—7.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. McDonald gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2093 was this day passed.

Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street, in the city of Chico, fronting the property belonging to the state normal school in that city.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1235 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2055 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Fish, Ford, Gelder, Green, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, in the fifth line of the title of printed bill, strike out the period after the word "armory", and insert thereafter the words "and wharf."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of a state hospital near the city of Los Angeles, for the erection and equipment of buildings for a state reformatory to be established near Yountville, in the county of Napa, and for the erection and equipment of state buildings in

the city of Sacramento for state purposes, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, and making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1325 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Fish, Gabbert, Gelder, Green, Guill, Hinkle, Inman, Johnston, T. D., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Strine, Stuckenbruck, Weisel, Weldon, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1404 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2095—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures, collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

During second reading of the bill, the following amendment was submitted by Mr. Polsley:

Strike out Section 22a.

Amendment lost.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In Section 1, page 2, line 6, amend by inserting, after the word "ground", the words "and upon which the rider sits astride".

Amendment adopted.

AMENDMENT No. 2.

In Section 1, page 3, line 1, amend by striking out the word "three", and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT No. 3.

In Section 1, page 3, line 16, strike out the word "held", and insert the word "in".

Amendment adopted.

AMENDMENT No. 4.

In Section 1, page 3, line 33, after the period, insert the following: "department as used in this Act shall mean the state department of engineering."

Amendment adopted.

AMENDMENT No. 5.

In Section 2, page 3, line 34, strike out the word "department", and insert in lieu thereof the word "patrol".

Amendment adopted.

AMENDMENT No. 6.

In Section 7, page 6, line 9, strike out the word "ten", and insert in lieu thereof the word "five", and, also, in line 10, same section and page, strike out the word "ten", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 7.

In Section 13, page 11, strike out lines 7 to 14, inclusive, and insert in lieu thereof the following: "of such motorcycle one red light or one red reflex mirror plainly visible from the rear".

Amendment adopted.

AMENDMENT No. 8.

In Section 28, page 18, line 24, strike out the words "motorcycles nor to".

Amendment adopted.

AMENDMENT No. 9.

In Section 29, page 18, line 32, strike out the words "or any motorcycle, not his own".

Amendment adopted.

AMENDMENT No. 10.

In Section 33, page 20, line 4, strike out all of the section after the period, and insert in lieu thereof the following: "Any person violating any of the provisions of Section 28 of this Act shall, on conviction thereof, be punishable by imprisonment in the state prison for a term of not less than one year nor more than five years."

Amendment adopted.

AMENDMENT No. 11.

Add subdivision (h) to Section 34, on page 21, to read as follows: "In addition to all other punishments herein provided, the court may for a definite period suspend or revoke an operator's or chauffeur's license upon conviction of the licensee for violation of any of the provisions of this Act."

Amendment adopted.

AMENDMENT NO. 12.

In Section 38, page 23, line 27, strike out the period and insert the following: "and for the printing by the state printing office of one hundred and fifty thousand copies of this Act, which said copies are to be distributed on demand, without charge, by the department."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

MOTION TO ADJOURN.

Mr. Schmitt moved that the Assembly adjourn.

Motion lost.

Assembly Bill No. 1494—An Act to amend Section 290 of the Civil Code of the State of California, relative to articles of incorporation and what they must set forth.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1494 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the state forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the state board of forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations or corporations; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable débris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fire may burn; providing for the payment into the county treasuries of moneys collected under the penal sections of this Act; providing pen-

alties for violating the provisions of this Act; defining the word "forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

During third reading of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 8, of printed bill, strike out all of lines 4, 5, 6, 7 and 8, inclusive.

Also: On page 8, line 9, of printed bill, strike out the numeral "20", and insert in lieu thereof the numeral "19".

Also: On page 8, line 12, of printed bill, strike out the numeral "21", and insert in lieu thereof the numeral "20".

Also: On page 2, of printed bill, in the title of said Act, strike out the words "appropriating money for the purpose of carrying out the provisions of this Act".

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 643, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1633—An Act appropriating money for the purchase of land adjoining the campus of the San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1633 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1305—An Act to amend Section 10k of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior

Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911.

During third reading of the bill, Mr. Killingsworth moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 10, strike out all the rest of the bill, and insert in lieu thereof the following:

"SEC. 14k. In each of the counties of the eleventh, twelfth, thirteenth, seventeenth, eighteenth, twenty-third, twenty-fifth, twenty-sixth, twenty-seventh, and thirty-third classes, there shall be one probation officer. The salary of each of said probation officers shall be one hundred dollars per month. In counties of the thirteenth class, there shall be one assistant probation officer, whose salary shall be twenty-five dollars per month. In counties of the eighteenth class, there shall be four assistant probation officers, whose salary shall be twenty-five dollars per month each. In counties of the twenty-sixth class, there shall be one assistant probation officer, whose salary shall be forty dollars per month."

Motion carried.

The Speaker appointed Mr. Killingsworth as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1305, with instructions, do now report that the instructions of the Assembly have been carried out.

KILLINGSWORTH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

WITHDRAWAL OF BILL.

Mr. Simpson asked for and was granted unanimous consent to withdraw Assembly Bill No. 1850.

Bill withdrawn, and ordered stricken from the file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as Section 27.

Assembly Bill No. 1574—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered Section 1218a, providing for a jury trial in certain cases of contempt.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Joint Resolution No. 27—Relating to the right and title of the State to the water of streams.

Assembly Joint Resolution No. 28—Relative to requesting the President of the United States to take action in the matter of the development of the deposits of Alaska.

Assembly Joint Resolution No. 29—A joint resolution asking the Congress of the

United States to enact a pension bill for the benefit of the veterans of the several Indian wars.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Killingsworth, Messrs. D. M. Fleming and H. J. Wedermann were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Hon. John Mulroy was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. C. L. Patton was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. A. G. Baley was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Mr. H. S. Maddox was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Gabbert, Mr. and Mrs. A. F. Maulhardt were granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At eleven o'clock and twenty minutes p.m., on motion of Mr. Shannon, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL., Wednesday, April 23, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—77.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. McDonald, Mr. Walsh was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

PETITION.

The following petition was presented, and ordered printed in the Journal:

We, citizens of the State of California, by our signatures, petition the Legislature of our State:

First—To repeal certain unjust medical laws which create a monopoly of healing the sick and afflicted by certain medical associations composed only of members of their own systems, schools or cults;

Second—To enact laws granting privileges of healing the sick and afflicted to all druggess practitioners learned and skilled in the art of healing, who can demonstrate their ability to heal;

Third—To enact laws which will establish and maintain medical freedom, granting individual rights in the selection of a practitioner of any system, school or cult.

CHARLES F. TODD (and 750 others), San Diego.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1250—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College and making appropriations therefor—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 18, 1913, adopted Senate Joint Resolution No. 19—Memorializing the Congress of the United States for favorable consideration of the project contained in the report of the California Débris Commission, relating to "control of floods in the river systems of the Sacramento Valley and the adjacent San Joaquin Valley, California."

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Also: Senate Bill No. 106—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911.

Also: Senate Bill No. 194—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Senate Bill No. 195—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 43—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Also: Senate Bill No. 109—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Also: Senate Bill No. 61—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Also: Senate Bill No. 110—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Also: Senate Bill No. 112—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Also: Senate Bill No. 114—An Act appropriating money for the construction and equipment of new ward number twenty-five, at Stockton State Hospital.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Also: Senate Bill No. 193—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Senate Bill No. 614—An Act to provide for the reforestation of and the cutting of fire lanes and fire trails on the Angelus National Forest, and to make appropriation therefor.

Also: Senate Bill No. 291—An Act to amend Sections 276, 277, and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counselors at law, and to add three sections to said code, to be known as Sections 276a, 276b, and 276c, relating to the same subject, and making an appropriation to carry out the purposes of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State: dividing the State into viticultural districts: appointing a state board of viticultural commissioners; providing for the selection of its officers: defining its powers and duties; and making an appropriation therefor.

Also: Senate Bill No. 347—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California.

Also: Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State and making an appropriation of two thousand dollars for such purpose.

Also: Senate Bill No. 22—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 196—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also: Senate Bill No. 209—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Also: Senate Bill No. 267—An Act appropriating ten thousand dollars to further develop and increase the water supply and to extend the water system of the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing the work and improvement to be done.

Also: Senate Bill No. 270—An Act appropriating five thousand dollars therefor, and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 271—An Act appropriating nineteen thousand dollars therefor, and authorizing and directing the construction and furnishing of a nursery for males at the Sonoma State Home, at Eldridge, Sonoma County, California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 709—An Act to amend Section 1248a of the Code of Civil Procedure of the State of California relating to the removal or relocation of railroad, street, or interurban railway tracks on property sought to be taken under Title VII, Part III, of the Code of Civil Procedure.

Also: Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

Also: Senate Bill No. 704—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California relating to the classification of the estates and rights in lands subject to be taken for public use.

Also: Senate Bill No. 881—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children and of convicts in the state prisons," approved April 26, 1909.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 258—An Act in relation to fences and other structures erected to annoy, and for the abatement of nuisances.

Also: Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

Also: Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, succession and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled, 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled, 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article 13 of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 14, 18, 21, 22, 23, and adding thereto two new sections to be numbered 23a and 24a, all relating to revenue and taxation.

Also: Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

Also: Senate Bill No. 1201—An Act to add a new section to the Penal Code to be numbered 1202a, relating to "indeterminate sentences."

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations,

prohibiting rebating, misrepresentation, and twisting, and providing a penalty for a violation thereof.

Also: Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Also: Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

Also: Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Also: Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Also: Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Also: Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California relating to holidays.

Also: Senate Bill No. 747—An Act to amend Section 667 of the Penal Code of the State of California.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Also: Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

Also: Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II, of Title II, of Part IV of Division I of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code forming part of said Chapter II, and to add to said Civil Code a new chapter to be known as Chapter VII, of Title II, of Part IV, of Division I of said Civil Code, relating to title insurance companies.

Also: Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII, of Title II, of Part IV, of Division I, of said Civil Code, relating to mortgage insurance companies.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Joint Resolution No. 19 read first time, and referred to Committee on Federal Relations.

Senate Bill No. 451 read first time, and referred to Committee on Judiciary.

Senate Bill No. 106 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 194 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 195 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 43 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 109 read first time and referred to Committee on Ways and Means.

Senate Bill No. 61 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 110 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 112 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 114 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 116 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 193 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 614 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 291 read first time, and referred to Committee on Judiciary.

Senate Bill No. 221 read first time, and referred to Committee on Agriculture.

Senate Bill No. 347 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 374 read first time, and referred to Committee on Claims.

Senate Bill No. 515 read first time, and referred to Committee on Education.

Senate Bill No. 22 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 196 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 209 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 267 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 270 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 271 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 709 read first time, and referred to Committee on Corporations.

Senate Bill No. 706 read first time, and referred to Committee on Judiciary.

Senate Bill No. 704 read first time, and referred to Committee on Judiciary.

Senate Bill No. 881 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 258 read first time, and referred to Committee on Judiciary.

Senate Bill No. 49 read first time, and referred to Committee on Judiciary.

Senate Bill No. 359 read first time, and referred to Committee on Revenue and Taxation.

Committee Substitute for Senate Bill No. 1088 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 1177 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1201 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 897 read first time, and referred to Committee on Insurance.

Senate Bill No. 1222 read first time, and referred to Committee on County Government.

Senate Bill No. 1723 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 1627 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 132 read first time, and referred to Committee on State Grounds and Parks.

Senate Bill No. 791 read first time, and referred to Committee on Judiciary.

Senate Bill No. 790 read first time, and referred to Committee on Judiciary.

Senate Bill No. 789 read first time, and referred to Committee on Judiciary.

Senate Bill No. 747 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1568 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1529 read first time, and referred to Committee on Education.

Senate Bill No. 1478 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1419 read first time, and referred to Committee on Judiciary.

INTRODUCTION OF CONSTITUTIONAL AMENDMENTS.

The following constitutional amendments were introduced, and referred as indicated:

By Messrs. Bohnett, Benedict, Weldon, Clark, Wm. C., Killingsworth, and Guiberson: Assembly Constitutional Amendment No. 91—A proposed amendment to Article IV of the Constitution of the State of California, relating to the legislative department of the government.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bohnett: Assembly Constitutional Amendment No. 92—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 20 of Article V thereof, relating to the election of United States Senators.

Read, and referred to Committee on Constitutional Amendments.

COMMUNICATION.

The following communication was sent to the desk, and ordered printed in the Journal:

By Mr. Schmitt:

UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE,
WASHINGTON, D. C., April 16, 1913.

Hon. Julius Kahn, House of Representatives.

DEAR MR. KAHN: Referring to my letter of April 9th, I am in receipt of a full

report from the District Forester at San Francisco relative to the serious condition that exists among the stockmen in the region of Livermore and throughout the western portion of the San Joaquin Valley.

Immediately upon receipt of instructions from this office the District Forester took up with the various supervisors in his district the question as to how many of the stock could be taken care of on each forest in addition to the animals belonging to the regular users of the forest. From these reports I am informed that between eight and ten thousand head of cattle and twenty-five to thirty thousand head of sheep can be grazed without seriously injuring the range or interfering with the stock already using the forest ranges.

Naturally, the local users are inclined to object to the incoming of these foreign stock, which will, of course, somewhat crowd them on their ranges, and the District Forester anticipates some criticism from them. However, he has taken it up with the local stock associations wherever there are such organizations, and by placing it before them as an emergency act and intended to save their fellow stockmen from perhaps ruin, he hopes to overcome this feeling, or at least minimize it.

In order to get in closer touch with the interested stockmen the District Forester sent the acting Assistant District Forester in charge of grazing to Livermore to meet personally with the stockmen and learn from them the real status of affairs.

On April 6th he attended a meeting of the Stockmen's Protective Association, at Livermore, upon whose initiative the resolution passed by the California Assembly was introduced. The membership of this association consists of small stockmen belonging in that vicinity and in the western side of the San Joaquin Valley.

He reports that the serious conditions are due to the long continued dry weather, the shortage of hay in the region (the ordinary hay crop of the Livermore Valley being 30,000 tons, and last season it was but 8,000 tons), and the lack of water in wells, the failure of which has forced many of them to haul water for their stock long distances. All of the stockmen agreed that never before in the history of the stock business in that region had conditions been as bad as at present. Up to date few animals have died, the stockmen having so far fed hay and grain, but their feed and resources are almost exhausted and without some way of securing range the stock will either die or have to be shipped elsewhere for feed.

On account of the expense of shipping the stock to feed and the disarrangement of their business, none of the stockmen will ship to the forest ranges until they feel certain that rain can not help them, and, taking the region over, the District Forester believes the stockmen will be at the end of their resources about May 10th and that if by that time rain has not come they will have to ship out everything.

Taking the region as a whole it is estimated that there is about 25,000 head of cattle and 100,000 head of sheep which will have to be taken care of belonging to these small owners. There is also a large number belonging to the larger owners which will also have to be taken away for feed, but the District Forester believes the owners are able to handle them without help from the Forest Service.

Therefore, the assistance which the Forest Service can render in this case will be given to the small owners, the men whose homes and families depend almost wholly upon their live stock for a livelihood.

I regret that we are unable to take care of all the suffering stock, but the measure of aid which can be rendered will relieve the situation very materially and protect a portion of the owners from further losses.

Very sincerely yours,

(Signed) H. S. GRAVES, Forester.

AMENDMENT OF BILLS—(OUT OF ORDER).

Assembly Bill No. 1091.—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

In line 15, page 1, strike out the word "seventy-five" and insert in lieu thereof the words "one hundred".

Also: In line 12, page 2, strike out the word "seven" and insert in lieu thereof the word "ten".

Also: Add at the end of line 16, page 2, the following: "On and after January 4, 1915, all fees and commissions from whatever source derived and collected by the county clerk are to be paid into the county treasury, except the fees for the registration of voters allowed the county clerk and deputies."

Also: Strike out the comma after the word "month" in line 22, page 2, and insert in lieu thereof a semicolon and also the following: "one court room deputy sheriff at a salary of one hundred dollars per month".

Also: Strike out the word "at" in line 23, page 2.

Also: insert after the word "sheriff" in line 23, page 2, the following: "to act as jailer at a salary of".

Also: Insert at the end of line 2, page 3, the following: "The sheriff shall also receive a sum to be fixed by the board of supervisors not to exceed thirty-seven and one half cents per day for feeding each prisoner committed to his custody."

Also: Strike out the comma after the word "created" in line 3, page 3, and insert a period in lieu thereof, and insert the following before the word "who" in said line 3, page 3: "One deputy who shall receive a salary of one hundred dollars per month and one deputy".

Also: Add at the end of line 15, page 3, the following: "All fees and commissions collected by the recorder from whatever source received to be paid into the county treasury. The recorder shall file monthly with the county auditor a verified statement showing in detail the fees received by him and the amounts paid to copyists or other employees in his office and the names of the person to whom the same were paid."

Also: In line 16, page 3, strike out the word "three" and insert in lieu thereof the word "five".

Also: In lines 18 and 19 strike out the words "nine hundred" and insert in lieu thereof the words "one thousand".

Also: In line 26, page 3, strike out the words "two thousand five hundred" and insert in lieu thereof the words "three thousand".

Also: At the end of line 32, page 3, insert the following: "All fees and commissions collected by the treasurer from whatever source received shall be paid into the county treasury on and after January 4, 1915."

Also: After the word "collector", in line 1, page 4, insert the following: "one deputy, to be appointed by him at a salary of nine hundred dollars per annum, which office is hereby created, and".

Also: At the end of line 13, page 4, insert the following: "All fees and commissions from whatever source derived collected by the tax collector shall be paid into the county treasury."

Also: Strike out after the period following the word "annum," in line 14, page 4, all that follows in subsection 7 to and including the period after the word "roll," in line 35, on said page 4, and insert in lieu thereof the following: "In counties of this class there shall be and there hereby is allowed to the assessor the following clerks, deputies and employees, who shall be appointed by the assessor, and shall be paid salaries as follows: One chief deputy assessor at a salary of one hundred dollars per month, one office deputy assessor to hold office not to exceed five months in any one year at a salary of sixty dollars per month, and such additional deputy assessors and clerks as the assessor may appoint at a salary not to exceed four dollars per day each; *provided, however,* that the total amount of salary and compensation paid to such additional deputies and clerks, at a salary of not to exceed four dollars per day each, shall not exceed the sum of two thousand dollars per annum. Said additional deputies and clerks to be paid for their services on the presentation and filing with the board of supervisors of said county of a duly verified claim therefor, approved by the assessor. The salaries of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the assessor is paid. In counties of this class the assessor shall receive no compensation or commission for the collection of personal property taxes, poll taxes or compiling the military roll, and all commissions and fees from whatever source received, collected by him, shall be paid into the county treasury."

Also: Insert at the end of line 3, page 5, the following: "He may also appoint a stenographer at a salary of seventy-five dollars per month."

Also: Strike out the comma after the word "deputy", in line 4, page 5, and insert the following: "and stenographer,".

Also: Strike out the word "two," in line 12, page 5, and insert in lieu thereof the word "three"; also, strike out the word "five hundred".

Also: Strike out the word "seventy-five" in line 19, page 5, and insert in lieu thereof the word "fifty".

Also: Insert after the word "thousand" in line 23, page 5, the words "five hundred".

Also: Strike out all of Subsection 13, commencing on line 37, page 5, and insert in lieu thereof the following:

"13. Justices of the peace shall receive the following monthly salaries, to be paid each month as salaries of the county officers are paid, which shall be in full for all services rendered by them. In townships having a population of three thousand five hundred or more, one hundred and twenty dollars per month. In townships having a population of not less than fifteen hundred nor more than three

thousand five hundred, seventy dollars per month. In all townships having a population less than fifteen hundred, fifty dollars per month. All fees collected by justices of the peace shall be paid into the county treasury."

Also: Strike out the word "seventy-five," in line 21, page 6, and insert in lieu thereof the word "ninety".

Also: Strike out at the end of line 22 and the beginning of line 23, on page 6, the words "two thousand", and insert in lieu thereof "fifteen hundred".

Also: Insert after the word "In," in line 24, page 6, the word "all".

Also: Strike out the word "not" at the end of line 24, page 6.

Also: Strike out the word "twelve", in line 25, page 6, and insert in lieu thereof "fifteen".

Also: Strike out in line 25 the words "nor more than two thousand, fifty", and insert in lieu thereof the word "forty".

Also: Strike out the following in lines 26 and 27, page 6: "In all townships having a population of less than twelve hundred, twenty-five dollars per month."

Also: In line 19, page 7, strike out the word "twelve", and insert in lieu thereof the word "fifteen".

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1091, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 111—An Act appropriating two thousand dollars for the completing of the restoration and rebuilding of the Mission San Francisco de Solano, of the city of Sonoma, California.

During third reading of the bill, Mr. Slater moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, lines 5, 6 and 7 of printed bill, strike out everything from and inclusive of the word "and," in line 5, down to and inclusive of the word "Solano," in line 7, and insert in lieu thereof the following: "under the direction of the state engineering department in accordance with the provisions of an Act entitled 'An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind, approved March 22, 1909.'"

Motion carried.

The Speaker appointed Mr. Slater as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 111, with instructions, do now report that the instructions of the Assembly have been carried out.

SLATER, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 766—An act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

During third reading of the bill, Mr. Green moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 15, strike out the words "nine hundred" and insert in lieu thereof the following: "twelve hundred".

Motion carried.

The Speaker appointed Mr. Green as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 766, with instructions, do now report that the instructions of the Assembly have been carried out.

GREEN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1480—An Act declaring persons, firms or corporations operating pipe lines for the transportation of crude oil or petroleum for hire or otherwise, to be common carriers, regulating such common carriers and the transportation thereby of crude oil or petroleum or the products thereof, and providing penalties for the violation of this Act.

During second reading of the bill, the following substitute was submitted by the committee:

Assembly Bill No. 2105 (committee substitute for Assembly Bill No. 1480)—An Act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the act known as the Public Utilities Act of the State of California, approved December 23, 1911.

The roll was called, and substitute adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Finnegan, Fish, Gelder, Green, Griffin, Guill, Johnston, T. D., Judson, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Schmitt, Shartel, Slater, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 2105 read first time, and ordered on file without reference.

Assembly Bill No. 1480 ordered withdrawn, and stricken from the file.

Senate Bill No. 261—An act to amend Section 1861 of the Civil Code, relating to the lien of hotelkeepers on property of guests for charges.

During third reading of the bill, Mr. Fish moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out the word "and" and insert in lieu thereof a comma (,) ; also, after the word "lodging-house" insert the words "and apartment house".

In line 6, page 1, after the word "lodging-house" insert "or apartment house".

In line 11, page 1, strike out the word "or".

In line 12, page 1, before the word "and" insert "or apartment house".

In line 13, page 1, strike out the word "or" after the word "house" and insert after the word "lodging-house" a comma (,) and then the words "or apartment house".

In line 7, page 2, insert a comma (,) after the word "boarding-house".

In line 8, page 2, strike out the word "or" and after the word "lodging-house" insert a comma (,) and then the words "or apartment house".

In line 12, page 2, strike out the word "or", insert a comma (,) after the word "boarding-house"; also a comma after the word "lodging-house", and insert the words "or apartment house".

In line 18, page 2, after the word "house" insert a comma (,) and the words "or apartment house".

In line 23, page 2, after the word "lodging-house", insert a comma (,) and the words "or apartment house".

In line 31, page 2, insert before the word "keeper" the words "or apartment house".

Motion carried.

The Speaker appointed Mr. Fish as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 261, with instructions, do now report that the instructions of the Assembly have been carried out.

FISH, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

During third reading of the bill, Mr. Bohnett moved that the Speaker appoint a select committee of one to amend the bill as follows:

On pages 1 and 2, strike out all beginning on page 1, line 9, after the semicolon following the word "provided," down to and including the semicolon in line 23, page 2.

Also: On page 2, line 26, strike out the word "eleven" and insert in lieu thereof the word "thirteen".

Also: On page 3, strike out all after the semicolon following the word "title" in line 8, down to and including the semicolon after the word "state" in line 22.

Also: On page 4, line 13, strike out the words and figures "January 4, 1915", and insert in lieu thereof the following: "January 1, 1916."

Motion carried.

The Speaker appointed Mr. Bohnett as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1855, with instructions, do now report that the instructions of the Assembly have been carried out.

BOHNETT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1378—An Act to provide for an irrigation commission and for the organization and supervision thereby of irrigation districts; for the organization and government of such irrigation districts, for the acquisition or construction thereby of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds, and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions.

During third reading of the bill, Mr. Murray moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 9, in line 18, of the printed amended copy, insert after the word "value" in said line the words "of the benefit".

AMENDMENT No. 2.

On page 11, in line 37, of the printed amended copy, insert a comma after the word "sale" in said line.

AMENDMENT No. 3.

On page 14, in line 32, of the printed amended copy, strike out the word "work" and insert in lieu thereof the word "works".

AMENDMENT No. 4.

On page 18, in line 23, of the printed amended copy, insert after the word "thereof" the following: "plus the accrued interest thereon,".

AMENDMENT No. 5.

On page 18, in line 28, of the printed amended copy, strike out the period after the word "issue" and insert in lieu thereof a comma and the following: "or unless said bonds shall first have been approved as provided in section eighteen of this Act."

AMENDMENT No. 6.

On page 19, in line 18, of the printed amended copy, strike out the words "and ten".

AMENDMENT No. 7.

On page 19, in line 28, of the printed amended copy, strike out the words "and ten".

AMENDMENT No. 8.

On page 19, in line 31, of the printed amended copy, strike out the words "and ten".

AMENDMENT No. 9.

On page 22, in line 37, of the printed amended copy, strike out the comma after the word "county".

AMENDMENT No. 10.

On page 26, in line 11, of the printed amended copy, insert after the word "board" the following: "of directors."

AMENDMENT No. 11.

On page 27, beginning in line 33, of the printed amended copy, strike out the words "funds shall be transferred" and insert in lieu thereof the following: "funds, together with all unsold bonds of the district and the bond record kept by him, shall be transferred by him".

Motion carried.

The Speaker appointed Mr. Murray as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1378, with instructions, do now report that the instructions of the Assembly have been carried out.

MURRAY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, lines 23 to 25, strike out the words beginning "or under the charge" and ending with the words "permitted to reside."

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1667, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 1, of the printed bill, strike out the numerals "\$1500.00" and substitute in lieu thereof the following: "seven hundred fifty dollars (\$750.00)".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

During third reading of the bill, Mr. Finnegan moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 34, of the printed bill, after the word "contribution", insert a comma.

Also: On page 3, line 1, of the printed bill, after the word "nomination", insert the words "or election".

Also: On page 3, line 7, of the printed bill, after the word "primary", insert a comma.

Also: On page 3, line 10, of the printed bill, strike out the word "candidates" and insert in lieu thereof the word "candidate's".

Also: On page 3, line 17, of the printed bill, after the word "posters", insert the word "photographs".

Also: On page 3, line 19, of the printed bill, strike out the word "candidates", and insert in lieu thereof the word "candidate's".

Also: On page 4, line 37, strike out the word "senators" and insert in lieu thereof the word "senator".

Also: On page 4, line 37, after the word "senators", strike out the word "and".

Also: On page 5, line 1, of the printed bill, strike out the word "members" and insert in lieu thereof the word "member".

Also: On page 5, line 4, of the printed bill, strike out the word "town".

Also: On page 6, line 20, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "fifteen".

Also: On page 6, line 25, of the printed bill, strike out the word "city".

Also: On page 6, lines 34, 35 and 36 of the printed bill, strike out the words "the treasurer and chairman of any opposing political party or organization for the same electoral district", and insert in lieu thereof the words "any person or persons".

Also: On page 6, line 36, of the printed bill, strike out the word "his", and insert in lieu thereof the word "the".

Also: On page 8, line 20, of the printed bill, strike out the word "district" and insert in lieu thereof the word "county".

Also: On page 8, lines 28, 29 and 30 of the printed bill, strike out the words "any statement of accounts and expenses relating to nominations and elections should be filed, unless herein otherwise provided," and insert in lieu thereof the words "the candidate resides".

Also: On page 9, lines 33, 34, 35, 36 and 37, of the printed bill, strike out the words "and if he is a candidate for nomination or election as a member of the state senate or member of the assembly he may pledge himself to vote for the people's choice for United States senator, or state what his action will be on such vote", and insert in lieu of the comma on line 33, after the word "elected", a period.

Also: On page 10, lines 1 and 2, of the printed bill, strike out the words "other than an office filled by the voters".

Also: On page 11, line 30, of the printed bill, strike out the word "provision", and insert in lieu thereof the word "provisions".

Also: On page 12, lines 3 and 4, of the printed bill, strike out the word "provision" and insert in lieu thereof the word "provisions".

Also: On page 16, line 15, of the printed bill, strike out the word "circuit", and insert in lieu thereof the word "superior".

Also: On page 17, line 27, of the printed bill, strike out the figures "38", and insert in lieu thereof the figures "37".

Also: On page 18, line 17, of the printed bill, strike out the figures "38", and insert in lieu thereof the figures "37".

Also: On page 18, line 17, of the printed bill, strike out the word "circuit", and insert in lieu thereof the word "superior".

Also: On page 19, line 27, of the printed bill, strike out the figures "37", and insert in lieu thereof the figures "36".

Also: On page 22, line 8, of the printed bill, strike out the word "circuit", and insert in lieu thereof the word "superior".

Also: On page 25, line 34, of the printed bill, after the word "until", insert the word "after".

Motion carried.

The Speaker appointed Mr. Finnegan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2000, with instructions, do now report that the instructions of the Assembly have been carried out.

FINNEGAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 2074—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational right of children and providing penalties for the violation of the Act, approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 4, strike out the word and figures "March 20, 1905", and insert in lieu thereof the following: "and as amended by Act approved March 4, 1907".

Also: On page 1, line 11, between the words "public" and the word "school" strike out the words "or private".

Also: On page 4, line 20, before "children", strike out the word "census".

Also: On page 4, line 22, after the words "in public school buildings", insert the words "a room or rooms".

Also: On page 4, line 27, after the words "such school", strike out the words "or room", and insert in lieu thereof the words "room or rooms".

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2074, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

During third reading of the bill, Mr. Simpson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, strike out the word "no", and insert in lieu thereof the following: "Unless otherwise provided by law no".

Also: On page 1, line 8, strike out the word "no", and insert in lieu thereof the following: "Unless otherwise provided by law no".

Also: On page 1, line 17, strike out the word "no", and insert in lieu thereof the following: "Unless otherwise provided by law no".

Also: On page 2, line 2, after the word "officer", insert the following: ", or other officer authorized by law so to do,".

Also: On page 2, line 5, strike out the period, and insert in lieu thereof the following: "or other officer duly authorized by law to furnish him with such ballot".

Motion carried.

The Speaker appointed Mr. Simpson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1939, with instructions, do now report that the instructions of the Assembly have been carried out.

SIMPSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

During third reading of the bill, Mr. Peairs moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 36, strike out the word "five", and insert in lieu thereof the word "three".

Also: On page 13, line 4, strike out the word "and", and insert in lieu thereof a comma.

Also: On page 13, line 4, strike out the period, and insert in lieu thereof the following: "and one deputy probation officer who shall act as clerk."

Also: On page 13, line 7, strike out the period, and insert in lieu thereof the following: "; deputy probation officer, seventy-five dollars per month."

Also: On page 14, line 27, strike out the comma after the word "thirtieth", and insert in lieu thereof the word "and".

Also: On page 14, line 27, strike out the word "and" at end of line.

Also: On page 14, line 28, strike out the word "thirty-eighth."

Also: On page 15, between lines 3 and 4, insert the following section:

"SEC. 14s. In counties of the thirty-eighth class there shall be one probation officer and one assistant probation officer. The salary of said officers shall be as follows: Probation officer, seventy dollars per month; assistant probation officer, fifty dollars per month."

Also: On page 12, line 23, strike out the word "ten", and insert in lieu thereof the word "such".

Also: On page 12, line 24, of the printed amended bill, strike out the period and insert in lieu thereof a comma and the following: "as may be determined by the board of supervisors or other legislative body of such counties or cities and counties, and said probation officers shall receive such salaries as may be fixed by the board of supervisors or other legislative body of such counties or cities and counties."

Also: On page 12, line 24, of the printed bill as amended, strike out all commencing with the word "The", and strike out all of lines 25, 26, 27 and 28.

Motion carried.

The Speaker appointed Mr. Peairs as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1684, with instructions, do now report that the instructions of the Assembly have been carried out.

PEAIRS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1482—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be known as Sections 3a and 3b, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality and crime in this State, the collection, compilation, and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor.

During third reading of the bill, Mr. Peairs moved that the Speaker appoint a select committee of one to amend the bill as follows:

Amend title of printed bill by striking out all after the words "An Act" and inserting in lieu thereof the following words: "to provide through the state board of charities and corrections for the investigation of the conditions and causes of insanity, vice and crime in this state, the collection, compilation and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals, and making an appropriation therefor."

Also: On page 1, line 1, strike out all between the words "Section 1." and the word "is" in line 6, and insert in lieu thereof as follows: "the state board of charities and corrections".

Also: On page 2, line 1, strike out the word "aid of the commissioner", and insert in lieu thereof the following: "assistance of the investigators".

Also: On page 2, in lines 2 and 3, strike out the words "pauperism, divorce, insanity, immorality," and insert in lieu thereof as follows: "insanity, vice, and crime".

Also: On page 2, in lines 16, 17, 18 and 19, strike out all between the word "information" in line 16 and the word "who" in line 19, and insert in lieu thereof the following: "and the governor of the state is hereby authorized and empowered and it shall be his duty to appoint two investigators as soon as possible after the passage of this Act, who shall at all times be amenable to the governor and hold office at his pleasure, and"

Also: On page 2, in line 20, strike out the words "section, and said commissioner is", and insert in lieu thereof the following: "Act. And said investigators are".

Also: On page 2, in lines 22 and 23, strike out the words "other agents of said board", and insert in lieu thereof the following: "similar agents of this and other state boards".

Also: On page 2, in line 29, after the word "discretion", insert the words "of the governor and".

Also: On page 2, line 30, strike out the word "commissioner", and insert in lieu thereof the word "investigators".

Also: On page 2, line 36, strike out all between the figure "2." and the words "a sum", in line 3, page 3, and capitalize "a".

Also: On page 3, line 4, strike out the words "thirty-seven hundred and fifty", and insert in lieu thereof the words "seven thousand five hundred".

Also: On page 3, line 7, strike out the word "section", and insert in lieu thereof the words "this Act".

Also: On page 3, line 8, strike out all between the word "said" and the word "And", in line 14, and insert in lieu thereof the following: "investigators, each of whom shall receive twenty-four hundred dollars annually, and for the necessary expenses of the said investigators in the performance of their duties, for the salary of a stenographer, for necessary expenses of said board while making the required investigation and for other expenses imposed upon the said board by this Act."

Motion carried.

The Speaker appointed Mr. Peairs as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Our select committee of one, to whom was referred Assembly Bill No. 1482, with instructions, do now report that the instructions of the Assembly have been carried out.

PEAIRS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1250—An Act providing for the changing of the name of the state normal school at Los Angeles and the establishment and administration of Los Angeles State Normal School and Teachers' College and making appropriations therefor.

During third reading of the bill, Mr. Woodley moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

Strike out all of the title after the words "An Act", and insert in lieu thereof the following: "Making an appropriation for the construction of a fine arts building for the Los Angeles State Normal School and for drives and walks adjacent thereto".

AMENDMENT No. 2.

Strike out all after the enacting clause and insert in lieu thereof the following:

"SEC. 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of fifty thousand dollars (\$50,000) to be paid to and expended by the officer or officers authorized by law to receive the same, for the construction of a fine arts building for the state normal school at Los Angeles, and for drives and walks adjacent thereto, on the site of said state normal school bounded by Vermont avenue, Monroe street, Heliotrope drive and Willowbrook avenue in the city of Los Angeles.

SEC. 2. The state controller is hereby authorized and directed to draw his warrants in favor of the officer or officers authorized by law to receive the same, for the amount herein made payable, in such sums and at such times as may be approved by the state board of control, and the state treasurer is hereby authorized and directed to pay the same.

Motion carried.

The Speaker appointed Mr. Woodley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1250, with instructions, do now report that the instructions of the Assembly have been carried out.

WOODLEY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and forty minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

UNFINISHED BUSINESS.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section, to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in counties and cities and counties of over 200,000 population, and providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1951 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Byrnes, Chandler, Clark, Wm. C. Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Stuckenbruck and Tulloch—49.

NOES—Mr. McCarthy—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Schmitt gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1951 was this day passed.

MOTION.

Mr. Johnston moved that consideration of the report of Committee on State Prison Investigation be postponed until the next legislative day.

Motion carried.

Assembly Concurrent Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 7, Article I, of the Constitution of the State of California.

The question being on the adoption of Assembly Constitutional Amendment No. 5.

The roll was called, and Assembly Constitutional Amendment No. 5 refused adoption by the following vote:

AYES—Messrs. Ambrose, Cary, Gabbert, Gelder, Judson, Palmer, Scott, Slater, Stuckenbruck, Wall, and Wyllie—11.

NOES—Messrs. Alexander, Beck, Bloodgood, Bush, Clark, Wm. C., Ellis, Ferguson, Finnegan, Fish, Ford, Gates, Griffin, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Simpson, Sutherland, Tulloch, Weisel, Weldon, and White—36.

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII, relating to revenue and taxation.

The question being on the adoption of the constitutional amendment. The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Stuckenbruck moved a call of the House.

Motion carried.

Time, eleven o'clock and thirty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the door.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—70.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Messrs. Emmons, Woodley, Griffin, Collins, and Richardson were brought before the bar of the House, and on motion excused.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Killingsworth.

The roll of absentees was called, and Assembly Constitutional Amendment No. 7 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Ferguson, Finnegan, Ford, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Richardson, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, and White—54.

NOES—Messrs. Chandler, Clark, Wm. C., Emmons, Fish, Gabbert, Gates, Green, Johnson, Geo. H., Johnstone, W. A., Nelson, Polsley, Roberts, Schmitt, Sutherland, Woodley, Wyllie, and Mr. Speaker—17.

Assembly constitutional amendment ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 7.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII, relating to revenue and taxation.

The legislature of the State of California at its fortieth regular session commencing on the sixth day of January, nineteen hundred and thirteen, two thirds of all members of each house of said legislature voting in favor thereof, hereby propose an amendment to the Constitution of the State of California, by adding to Article XIII a new section.

SECTION 1. Article XIII, of the Constitution of the State of California, is hereby amended by adding thereto a new section to be numbered eight and one half, to read as follows:

Section 8½. Any county, city and county, city or town, may exempt from taxation for local purposes in whole or in part, any one or more of the following classes of property; improvements in, on, or over land; shipping; household furniture; live stock; merchandise; machinery; tools; farming implements; vehicles; other personal property except franchises. Any ordinance or resolution of any county, city and county, city or town, exempting property from taxation, as in this section provided, shall be subject to a referendum vote as by law provided for ordinances or resolutions. Taxes levied upon property not exempt from taxation shall be uniform.

SPEAKER IN THE CHAIR.

At eleven o'clock and fifty-seven minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

TIME OF RECESS EXTENDED.

On motion of Mr. Brown, the hour of recess was extended until the business before the house be disposed of and committee reports received and read.

COMMUNICATION.

The following communication was read, and ordered printed in the Journal:

THE WHITE HOUSE,
WASHINGTON, D. C., April 23, 1913.

The Speaker of the Assembly, Sacramento, California:

We find it so difficult from this distance to understand fully the situation with regard to the sentiments and circumstances lying back of the pending proposition concerning the ownership of land in the State that I venture to inquire whether it would be agreeable to the Legislature to have the Secretary of State visit Sacramento for the purpose of counseling with the members of the Legislature and co-operating with them in the framing of a law which would meet the views of the people of the State and yet leave untouched the international obligations of the United States?

WOODROW WILSON.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

WHEREAS, The Speaker of the Assembly of the State of California has this day received from the President of the United States the following telegram:

"THE WHITE HOUSE,
WASHINGTON, D. C. April 23, 1913.

The Speaker of the Assembly, Sacramento, Cal.:

We find it so difficult from this distance to understand fully the situation with regard to the sentiments and circumstances lying back of the pending proposition concerning the ownership of land in the state that I venture to inquire whether it would be agreeable to the Legislature to have the Secretary of State visit Sacramento for the purpose of counseling with the members of the Legislature and co-operating with them in the framing of a law which would meet the views of the people of the state and yet leave untouched the international obligations of the United States.

WOODROW WILSON."

Now, therefore, be it

Resolved by the Assembly of the State of California. That while this Assembly respectfully maintains the right of the Legislature of the State of California to

legislate on the subject of land ownership within the State, it will be entirely agreeable to this Assembly to have the Secretary of State of the United States visit Sacramento for the purposes indicated in the President's telegram; and be it further

Resolved, That in view of the probable early adjournment of the Legislature the Chief Clerk of the Assembly be, and he is hereby, instructed to transmit forthwith these resolutions by telegraph to the President.

During the consideration of the resolution, the following amendment was offered by Mr. Dower:

In line 20 of the resolution, strike out, after the word "that", the following: "while this Assembly respectfully maintains the right of the Legislature of the State of California to legislate on the subject of land ownership within the State."

Mr. Johnston moved the previous question.

Motion carried.

Amendment lost.

The question being upon the adoption of the resolution:

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, Woodley, Wyllie, and Mr. Speaker—59.

NOES—Messrs. Bagby, Beck, Bradford, Brown, Dower, Ford, Griffin, Killingsworth, McCarthy, Simpson, and Weldon—11.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

By Mr. Bradford:

I introduced an alien land bill (so-called) at the very early part of the session of this Legislature, because I deemed the enactment of such legislation very necessary. I believe now, as well as then, that California would be within her constitutional rights in enacting such a law. Under the circumstances, I thought that the proposed visit of the Secretary of State would not help us; on the other hand, I did not wish to put myself in the attitude of rejecting advice. I asked to be excused from voting, but this courtesy was denied me; consequently I was forced to vote "no" upon this resolution.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Senate Bill No. 512—An Act to amend Section 607f, of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 292—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of

Labor Statistics, in relation thereto—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State; dividing the State into viticultural districts; appointing a state board of viticultural commissioners; providing for the selection of its officers; defining its powers and duties; and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JUDSON, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 709—An Act to amend Section 1248a of the Code of Civil Procedure of the State of California, relating to the removal or relocation of railroad, street, or interurban railway tracks on property sought to be taken under Title VII, Part III of the Code of Civil Procedure—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 1084—An Act to give the reclamation board of the State of California the right of action for the State in cases involving the diversion of streams and the impairment of natural reservoirs for flood waters—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

INMAN, Acting Chairman.

The above reported bill ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on State Grounds and Parks, to whom was referred Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JOHNSTON, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Also: Senate Bill No. 127—An Act appropriating money for repainting and calclmning the training school building at San Francisco State Normal School.

Also: Senate Bill No. 48—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Also: Senate Bill No. 1206—An Act appropriating money for the purpose of preservation, protection and improvement of the old theater building and grounds at Monterey.

Also: Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Also: Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street between Twenty-sixth and Twenty-seventh streets, in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Also: Senate Bill No. 818—An Act appropriating money for repairing and improving Sutter's Fort.

Also: Senate Bill No. 483—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Also: Senate Bill No. 404—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Also: Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 352—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 351—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

Also: Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park, in Santa Cruz County, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyers Station, in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 84—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Also: Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma, in Imperial County.

Also: Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Malibu county road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Which were re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 386—An Act providing for the extension of the agricultural pavilion on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Graham against the State of California—which was re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 332—An Act to amend Sections 374, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission—which was re-referred to us from the Committee on Fish and Game, have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 425—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners and a board of registration on religious practitioners—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do not pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 58—An Act entitled "An Act to amend Section 1858 of the Political Code of the State of California, relating to the method of determining the number of teachers to which a school district is entitled and the apportionment of county school funds by the county superintendent of schools.

Also: Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California, defining the powers and duties of boards of school trustees and city boards of education.

Also: Assembly Bill No. 992—An Act to amend Sections 1560 and 1564 of the Political Code, relating to teachers' institutes.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

STRINE, Acting Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 503—An Act to amend Section 1731 of the Political Code of the State of California, relating to the election of members of high school boards.

Also: Senate Bill No. 695—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

Also: Senate Bill No. 812—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Also: Senate Bill No. 1510—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STRINE, Acting Chairman.

The above reported bills ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 309—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

Also: Assembly Bill No. 355—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911.

Also: Assembly Bill No. 1053—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery.

Also: Assembly Bill No. 1054—An Act to provide for the publication and issuing of an official register and directory of physicians, surgeons, and specialists, in medicine, surgery, or osteopathy, or other systems of medicine, in the State of California; providing for the printing thereof; making regulations in connection with the same; and providing for a penalty for violations thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

PEAIRS, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 1473—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a section to be numbered and known as Section 13 of said Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 89—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending subsection (f) of Section 14 of Article XIII, relating to county revenue—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 13—A resolution proposing to the people of the State of California an amendment to Section 13½ of Article XI of the Constitution of the State of California, relating to the place of payment of bonds, and the interest thereon, of counties, cities and counties, cities, municipalities, irrigation districts, and other public corporations, and to the money in which such bonds and interest may be made payable.

Also: Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

CLARK, Chairman.

The above reported Senate constitutional amendments ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 88—A resolution to propose to the people of the State of California an amendment to Section 2 of Article XVIII of the Constitution of the State of California, relating to convention for revising the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said Constitution, to be numbered Section 1a of Article XIII thereof, relating to exempting certain property of educational institutions of collegiate grade from taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Senate constitutional amendments ordered on file for adoption.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 563—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

Also: Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, pro-

viding for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 615—An Act to amend Section 685 of the Code of Civil Procedure of the State of California by providing a limitation within which execution may be issued upon money judgments.

Also: Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered and known as Section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Also: Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Also: Senate Bill No. 1031—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered five hundred twenty-one, relating to claim and delivery of personal property.

Also: Senate Bill No. 1357—An Act to amend Section 1664 of the Code of Civil Procedure, relating to proceedings for the establishment of heirship.

Also: Senate Bill No. 952—An Act to amend Section 345 of the Civil Code, relating to the extension of time of delinquent sale of stock in corporations.

Also: Senate Bill No. 956—An Act to amend Section 321b of the Civil Code, relating to the meetings of stockholders, who may vote thereat, and proxies.

Also: Senate Bill No. 1093—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to decedent's estate.

Also: Senate Bill No. 1467—An Act to amend Section 850 of the Code of Civil Procedure of the State of California, relating to the requisites for notices of hearing in justices' courts.

Also: Senate Bill No. 745—An Act to amend an Act entitled "An Act to select and adopt the Bear Flag as the state flag of California."

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Also: Senate Bill No. 705—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure.

Also: Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III, of the Code of Civil Procedure.

Also: Senate Bill No. 711—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Also: Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Also: Senate Bill No. 219—An Act to amend Section 1213 of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Also: Senate Bill No. 220—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Also: Senate Bill No. 282—An Act to amend Section 339 of the Code of Civil Procedure, relating to the time of commencing certain actions.

Also: Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release by undertaking and appeal of property under levy.

Also: Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure, to be numbered 1310, relating to the probate of wills detained beyond the jurisdiction of the State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1299—An Act relating to real estate brokers in the State of California, creating a board to be known as the state advertising board; providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a state advertising fund; and providing for its collection and expenditure.

Also: Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

Also: Senate Bill No. 517—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Also: Senate Bill No. 588—An Act to amend Sections 1, 2, 3, 4, 6, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Also: Senate Bill No. 1513—An Act to amend Section 1243 of the Code of Civil Procedure of the State of California, relating to the county in which all proceedings under Title VII of Part III of the Code of Civil Procedure, may be commenced and tried.

Also: Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1843—An Act to repeal Section 409 of the Political Code, relating to distribution of state documents—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 1596a.

Also: Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

Also: Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ELLIS, Chairman.

The above reported bills ordered on file for second reading.

RECESS.

At twelve o'clock and fifty-five minutes p.m., on motion of Mr. Johnston, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 621—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station, in El Dorado County, to McKinney's, in Placer County—have had the same under consideration, and respectfully report that Senate Bill No. 621 is not identical with Assembly Bill No. 1312.

MOORHOUSE, Chairman.

SPECIAL ORDER SET.

On motion of Mr. Smith, the consideration of Assembly Bill No. 1228 was made a special order for four o'clock and thirty minutes p.m. of this day.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1433 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Smith, Tulloch, Weisel, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1654 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Emmons, Farwell, Ferguson, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Nelson,

Palmer, Roberts, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Sutherland, Tulloch, Weldon, and Mr. Speaker—43.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Hinkle asked for and was granted unanimous consent to withdraw Assembly Bill No. 295.

Bill withdrawn, and ordered stricken from the file.

Assembly Bill No. 737—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to the condemnation of private property for public use and the payment of money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 737 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Scott, Shannon, Shartel, Simpson, Stuckenbruck, Sutherland, Tulloch, Wall, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1421 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term 'boulevard'; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such

districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term "boulevard," approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909,'"; approved May 1, 1911, said amendment pertaining to the definition of the term "boulevard," and use of said boulevards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1370 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Ellis, Ferguson, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2013 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Ellis, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 620—An Act to provide for the organization and government of publicity districts in the State of California, and to provide for the expenses thereof, and to encourage the development of and settlement upon agricultural lands in the State of California, and for disseminating facts, knowledge and information in relation to the natural resources and possibilities of lands in certain districts, and for the levying of assessments upon such lands to pay the expenses of conducting and operating such publicity districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 620 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Murray, Palmer, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Smith, Stuckenbruck, Tulloch, Weisel, White, and Mr. Speaker—41.

NOES—Messrs. Alexander, Benedict, Bohnett, Bradford, Brown, Byrnes,

Canepa, Chandler, Clark, Wm. C., Ford, Gelder, Green, Griffin, Hayes, McDonald, Polsley, Shannon, Slater, Sutherland, Wall, Weldon, and Wyllie—22.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1007—An Act adding a new section to the Political Code of the State of California, to be numbered 1527, relating to the selection of text-books for use in the public schools of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1007 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, Weldon, White, and Wyllie—54.

NOES—Messrs. Cary and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 93—An Act appropriating money for remodeling North Pay Cottage at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 93 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Nelson, Palmer, Roberts, Schmitt, Simpson, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 94—An Act appropriating money for construction and equipment of a laundry building at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 94 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Murray, Nelson, Palmer, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 95—An Act appropriating money for the purchase and installation of one or more steam boilers at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 95 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Mouser, Murray, Nelson, Palmer, Roberts, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 97—An Act appropriating money to reconstruct and add to the steam heating system at Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 97 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Mouser, Murray, Palmer, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 100—An Act appropriating money for the construction of lavatories for Companies G and E at Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 100 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, Mouser, Murray, Roberts, Scott, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 102—An Act appropriating money for painting buildings at Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 102 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green,

Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Palmer, Roberts, Schmitt, Scott, Simpson, Strine, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 111—An Act appropriating money for installing and connecting a heating system for the male department at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 111 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Roberts, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 197—An Act appropriating money for building and furnishing a superintendent's cottage at Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 197 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Polsley, Schmitt, Simpson, Slater, Smith, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 485—An Act appropriating money for the construction of a laundry building and the equipment of the same at Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 485 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Schmitt, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 486—An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 486 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Collins, Ellis, Finnegan, Fish, Ford, Gabbert, Gates, Green, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Shartel, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1112—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts therefor and declarations of the payment or performance thereof, and to authorize their recordation in the office of the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1112 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Ryan, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, and Woodley—43.

NOES—Messrs. Fish, Ford, Gates, Guill, Nelson, Polsley, Schmitt, and Weldon—8.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At three o'clock and forty five minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 847 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Collins, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Wyllie—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 234—An Act adding a new section to the Civil Code, to be numbered Section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Clark, Wm. C., Cram, Ellis, Farwell, Ferguson, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Ryan, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Wyllie—43.

NOES—Messrs. Benedict, Brown, Emmons, Ford, Gelder, Kingsley, and Schmitt—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 241—An Act prohibiting the borrowing of money from an insurance company by an officer of such company.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 241 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bush, Canepa, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Roberts, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At four o'clock and ten minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Senate Concurrent Resolution No. 8—Relative to the training and education of orphan children, and instructing the State Board of Education to investigate the training and education now received by orphan children and the feasibility of extending the public school system of the State to provide for their training and education, and to report thereon to the forty-first session of the Legislature of the State of California.

The question being on the adoption of the concurrent resolution.

A *viva voce* vote was taken, and the resolution adopted.

SENATE CONCURRENT RESOLUTION NO. 8.

Relative to the training and education of orphan children, and instructing the State Board of Education to investigate the training and education now received by orphan children and the feasibility of extending the public school system of the State to provide for their training and education, and to report thereon to the forty-first session of the Legislature of the State of California.

WHEREAS, The education of youth is a duty of the State, a recognized safeguard of its institutions and liberties, and the basis of a free government; and

WHEREAS, The public school system of this commonwealth, from the primary grades to the specialized courses in the universities, presents full opportunity to the children from the homes of its citizens, and the State has provided fitting institutions for the defective and imbecile young, and special courts, officers and reformatories have been established for the wayward juvenile offenders; and

WHEREAS, In all this elaborate system maintained at great cost by the taxpayers

no provision of any kind has been made for the training or education of orphan children, physically and mentally sound and potentially capable of becoming useful and able citizens; and

WHEREAS, These little ones, all innocently and hopelessly bereft of the affectionate care of parents, and whose only offense against society is their lack of such protection and aid, to secure for them the advantages of the educational system maintained by the State, are left to the well intentioned but inadequate efforts of promiscuous, unorganized charities barely supported by spasmodic appeals to a busy public; and

WHEREAS, Such children are at best thereby equipped only for the harder walks of life and are given no opportunity to develop the latent powers which beyond question are the heritage of many; and

WHEREAS, These conditions and the lack of educational facilities afforded orphan children are opposed to the principles of an enlightened and progressive government; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the State Board of Education be and it is hereby directed to investigate the conditions surrounding and affecting the orphan children of this State, the education and training which they now receive, and to investigate and consider measures and ways and means to provide for their care, education and training by the State, and to make its written report thereon, with recommendations regarding and looking to the extension of the public school system of this State to include the education of orphans, and ways and means therefor, to the forty-first session of the Legislature.

Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof, and prescribing the penalties for the violation of any of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 154 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Roberts, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—51.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1214—An Act to repeal an Act entitled “An Act to establish a uniform system of county and township governments,” approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Bill read second time.

Senate Bill No. 1172—An Act to amend Section 2 of an Act entitled “An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor,” approved March 25, 1903, as amended by Act approved May 1, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Bill read second time.

Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time.

Senate Bill No. 101—An Act appropriating money for building barracks at Veterans' Home of California.

Bill read second time.

Senate Bill No. 104—An Act appropriating money for repairs to plumbing at Veterans' Home of California.

Bill read second time.

Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Bill read second time.

Senate Bill No. 128—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Bill read second time.

Senate Bill No. 126—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Bill read second time.

Senate Bill No. 1701—An Act to make an appropriation for improving, repairing and protecting the water supply system of the Preston State School of Industry.

Bill read second time.

Senate Bill No. 750—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building, and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 268—An Act appropriating \$5,500 for the construction of septic tanks, and making such repairs, alterations and additions, as may be necessary, to the present sewer system at the Sonoma State Home, at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Bill read second time.

Senate Bill No. 269—An Act appropriating \$20,000 therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read second time.

Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Bill read second time.

Senate Bill No. 1725—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol building and making an appropriation therefor.

Bill read second time.

Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Bill read second time.

Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read second time.

Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read second time.

Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Bill read second time.

Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Bill read second time.

Senate Bill No. 954—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage water, heating, and electrical systems on the premises of the State Normal School at Chico, California, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 880—An Act to repeal Sections 1923, 1935 and 1966 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1953, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928*a*, 1928*b*, 1928*c* and 1928*d*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 55—An Act to amend Section 264 of the Penal Code, relating to the punishment for the crime of rape.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 203—An Act to amend Section 1773 of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 205—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 357—An Act to amend Section 607*e* of the Civil Code, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 511—An Act to amend Section 599*a* of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 548—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice arrested in other states or foreign countries.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1339—An Act to add a new section to the Penal Code, to be numbered Section 527, making it a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theater or other place of indoor amusement and fixing penalty thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 204—An Act to amend Section 1774*a* of the Code of Civil Procedure of the State of California, relating to guardians.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title, of the printed bill, strike out the word "a".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, strike out the word "a".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, of the printed bill, strike out the figures "1774*a*", and insert in lieu thereof the figures "1774".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 12, of the printed bill, after the period add the following: "The termination of the relation of guardian and ward by the death of either guardian or ward or by the ward attaining his majority or being restored to capacity shall not cause the court to lose jurisdiction of the proceeding for the purpose of settling the accounts of the guardian."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 514—An Act to amend Section 599*c*, of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1065—An Act to amend an Act entitled “An Act to provide for the management and control of the State Agricultural Society by the State,” approved April 15, 1880.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 746—An Act providing for the commemoration as “gold discovery day,” in all departments of the public school system of the State of California, of the 24th of January, the date of the discovery of gold in California by James W. Marshall.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1072—An Act to amend Section 1734 of the Political Code of the State of California, relating to the annexation of school districts to high school districts, and to the exclusion of school districts from union or joint union high school districts.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, strike out all of lines 1, 2, 3 and 4, and insert in lieu thereof the following: “schools shall after verifying the signatures thereto and finding them sufficient, transmit such petitions and agreement to the board of supervisors of his county, with his recommendations thereon. Such board may thereupon, in their discretion, make an order excluding such school district from the high school district upon the terms agreed on; *provided, however,* that no school district shall be excluded from a high school district having an outstanding bonded indebtedness, where such exclusion would so reduce the amount of taxable property in such high school district that said outstanding bonded indebtedness would exceed five per cent of the taxable property of such high school district, after the exclusion, as shown by the last equalized assessment of the county or counties in which such high school district is located. The order of the board of supervisors annexing a school district to, or excluding it from, a high school district shall be entered by their clerk in his record of high school districts, and he shall also send a copy thereof to the county clerk of each county in which any part of such high school district is situated, who shall enter it in his record of high school districts.”

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1695—An Act to amend Section 1779 of the Political Code of the State of California, relating to the establishment of post-graduate grammar school course for certain schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1307—An Act to amend an Act entitled “An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension in certain cases, of licenses insured hereunder, and to repeal an Act entitled ‘An Act to regulate the practice of veterinary medicine and surgery in the State of California,’ approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith,” approved March 23, 1907, by adding thereto a section to be numbered and known as Section 13 of said Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 103—An Act appropriating money for general repairs to buildings at the Veterans’ Home, California.

Bill read second time.

Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Bill read second time.

Senate Bill No. 225—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

Bill read second time.

Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Add a new section as follows:

"Sec. 3. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Amendment adopted.

Bill read second time.

Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Amend by adding new section as follows:

"Sec. 3. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Amendment adopted.

Bill read second time.

Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like or greater sum for the same purpose.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of the printed bill, in the title of said Act, in line 2 of said title, strike out everything after the word "county" down to and including the word "work", in line 5 of said title.

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, lines 2 and 3 of printed bill, strike out everything from and inclusive of the word "through", in line 2, down to and inclusive of the word "station", in line 3.

Amendment adopted.

AMENDMENT No. 3.

Strike out all of Section 3 of said Act.

Amendment adopted.

Bill read second time.

Senate Bill No. 1327—An Act to appropriate \$12,000 to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Bill read second time.

Senate Bill No. 277—An Act to punish the making or use of false statements to obtain property or credit.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 935—An Act to amend Section 384 of the Penal Code, relating to forest fires, approved May 1, 1911.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 1, strike out the word "that", and insert in lieu thereof the word "the".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1204—An Act to amend Section 637*b* of the Penal Code of the State of California, relating to imported fish and game.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 12, strike out all after the comma following the word "country," and insert in lieu thereof the following: "except that when any fresh salmon, crabs, or trout are shipped into this state from any other state, territory or foreign country, during the closed season in this state for such salmon, crabs, or trout, the same shall be accompanied by an invoice in duplicate showing the name and address of the consignor and consignee, together with the specific number and pounds in weight of such salmon, crabs, or trout caught or taken without the waters of this state and bearing after inspection such evidence of having been so caught or taken as shall be hereafter prescribed by the fish and game commission; *provided, further*, that the expense of such inspection shall be borne by the person or persons importing such salmon, crabs, or trout. Upon receiving any such consignment of such fish or shellfish the consignee shall forthwith transmit to the fish and game commission the invoice as herein provided, and no wholesale or retail dealer in such fish and shellfish, or other person shall have any such imported fish or shellfish in their possession without the invoice or a copy thereof as herein provided; *and provided, further*, that the fish and game commissioners or their deputies shall at all times have the right to examine or inspect the contents of any box, package or container, whether sealed or otherwise, containing fish or shellfish; *provided, further*, it shall be unlawful for any person to have in possession, sell, or offer for sale any fish or shellfish that are not of the lawful size of such fish or shellfish as are allowed to be taken, caught, possessed, sold or offered for sale in the open season in this state; *provided, further*, the violation of any provision of this Act is hereby declared a misdemeanor, and every person violating any of its provisions shall, upon conviction thereof, be fined in a sum not less than one hundred nor more than five hundred dollars, or by imprisonment in the county jail of the county in which the conviction shall be had, for a term of not less than one hundred nor more than five hundred days, or by both such fine and imprisonment; and all fines or forfeitures collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

Senate Bill No. 1155—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerks, assistant justices' clerks and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1156—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 72—An Act to amend Section 167 of the Penal Code of California, relating to false certificates and acknowledgments of notary publics and other officers.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 13, strike out the word "felony", and insert in lieu thereof the words "a misdemeanor".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1554—An Act for the relief of purchasers of school lands.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out all after the "enacting clause", and insert in lieu thereof the following:

"SECTION 1. When application has been made to purchase lands from this state and payment of the full purchase price of twenty per cent thereof has been made to the treasurer of the proper county for the same and a certificate of purchase was issued on or after May 1, 1911, to the applicant therefor and such applicant has failed to pay the interest on the unpaid balance of the purchase price of such land, said certificate shall be in full force and effect; *provided*, all interest due on the balance of the purchase price is paid to the proper county treasurer on or before December 31, 1913."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1191—An Act appropriating the sum of \$5,000 for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Bill read second time.

Senate Bill No. 895—An Act making an appropriation to pay the claim of the California Highway Construction Company against the State of California.

Bill read second time.

Senate Bill No. 50—An Act to declare the Sonora and Mono road in Tuolumne County a state highway.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1259—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 7, of the printed bill, strike out the period and insert in lieu thereof the following: ", and twelve and one half cents for each elector registered."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 1, of the printed bill, strike out all after the word "paid", down to and including all of line 15 on same page, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 3.

On page 2, strike out line 16 down to and including line 32, and insert in lieu thereof the following: "2. The sheriff, forty-eight hundred dollars per annum. The sheriff shall also receive for his own use the fees for mileage which are now or which may hereafter be allowed by law, and the fees and commissions for the service of all papers whatsoever issued by any court of this state, outside of this county, and shall also receive the necessary expenses in all criminal cases; *provided*, that no constructive mileage shall be allowed. In counties of this class the sheriff may appoint six deputy sheriffs, which offices of deputy sheriffs are hereby created; one at a salary of fifteen hundred dollars per annum; and five at a salary of twelve hundred dollars per annum; said deputy sheriffs to hold office at the pleasure of the sheriff. The salaries and compensation of the said deputy sheriffs herein provided for, each of whom shall be a deputy sheriff, shall be paid by said county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the sheriff is paid."

Amendment adopted.

AMENDMENT No. 4.

On page 2 of the printed bill, strike out line 33 and down to and including line 7, on page 3, of the printed bill, and insert in lieu thereof the following: "3. The recorder, four thousand dollars per annum, and said recorder may appoint one deputy recorder who shall receive a salary of twelve hundred dollars per annum. Said recorder may also appoint four copyists at a salary of nine hundred dollars each per annum; *provided*, that said copyists being eligible, may be appointed deputy recorders without further compensation. The county recorder may also employ such additional copyists, not to exceed two, as may be required to copy instruments filed for record within a reasonable time after the same are filed for record, and which the other copyists herein provided, are unable to copy within such time. The copying done by such additional copyists shall be paid for out of the general fund of said county at the rate of five cents per folio for the work actually and necessarily done in recording such instruments, and proper claims therefor shall be presented to and allowed by the board of supervisors. The salaries and compensation of the deputies and copyists herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid; *provided*, that such recorder may be allowed the actual necessary expenses incurred by him in the performance of his official duties, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived."

Amendment adopted.

AMENDMENT No. 5.

On page 3, of the printed bill, strike out line 8, down to and including line 15, and insert in lieu thereof the following: "4. The auditor, four thousand dollars per annum; and said auditor may appoint one deputy auditor, which office of deputy auditor is hereby created, who shall receive a salary of twelve hundred dollars per annum. The deputy herein provided for shall be paid at the same time and in the same manner and out of the same fund as the auditor is paid; *provided*, that such auditor shall pay into the county treasury all fees received by him in his official capacity."

Amendment adopted.

AMENDMENT No. 6.

On page 3 of the printed bill, strike out line 27 and down to and including line 35 on same page, and insert in lieu thereof the following: "6. The tax and license collector, four thousand dollars per annum. In counties of this class the tax and license collector may appoint one deputy tax and license collector, which office of deputy tax and license collector is hereby created, at a salary of twelve hundred dollars per annum; *provided*, further, they appoint five clerks to serve as such only for a period of four months each year, and who shall receive a salary of sixty dollars each per month. The deputies hereby provided for shall be paid at the same time and in the same manner and out of the same fund as the tax and license collector is paid. Said salaries shall be in full for all services rendered, and all fees and commissions shall be paid into the county treasury."

Amendment adopted.

AMENDMENT No. 7.

On page 3, strike out lines 36 and 37, and down to and including line 18 on page 4, of the printed bill, and insert in lieu thereof the following: "7. The assessor, five thousand dollars per annum. In counties of this class there shall be and there is hereby allowed to the assessor the following deputies and employees, who shall

be appointed by the assessor and who shall be paid salaries as follows: One deputy assessor, who shall receive a salary of fifteen hundred dollars per annum; one deputy assessor, who shall receive a salary of twelve hundred dollars per annum; two deputies for a period not to exceed four months each year, whose per diem shall be six dollars each when actually employed; two deputies for a period not to exceed four months each year, whose per diem shall be five dollars when actually employed; fourteen deputies for a period not to exceed four months each year, whose per diem shall be four dollars when actually employed; two copyists for a period not to exceed four months each year, whose per diem shall be two and one half dollars when actually employed, and one stenographer for a period not exceeding four months in each year, at a salary of eighty dollars per month; *provided*, that the above salaries and compensations shall be in full for all services rendered by him as such assessor and that no commission for the collection of state taxes or infirmity poll taxes or road taxes or personal property taxes shall be retained by him, nor shall the assessor receive any compensation for making out the military roll of persons returned to him as subject to military duty as provided by section nineteen hundred and one of the Political Code of the State of California, but that all fees and commissions shall be paid into the county treasury. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the county assessor; *provided*, that the assessor shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties."

Amendment adopted.

AMENDMENT No. 8.

On page 4, of the printed bill, strike out line 19 and down to and including line 23, on page 5, and insert in lieu thereof the following: "8. The district attorney, four thousand dollars per annum. In counties of this class the district attorney may appoint one deputy district attorney, which office of deputy district attorney is hereby created, at a salary of eighteen hundred dollars per annum; to be paid monthly out of the county treasury in the same manner and at the same time and out of the same fund as the county officers are paid; the said deputy district attorney to hold office at the pleasure of the district attorney; and *provided*, further, that in counties of this class there shall be and there is hereby allowed the district attorney as an employee of the county, a stenographer, to be appointed by the district attorney, at a salary of one hundred dollars per month, to be paid monthly out of the county treasury in the same manner and at the same time and out of the same fund as the county officers are paid."

Amendment adopted.

AMENDMENT No. 9.

On page 6, strike out line 3, of the printed bill, and down to and including line 28, page 6, and insert in lieu thereof the following:

"11. The surveyor shall receive one thousand eight hundred dollars per annum, and actual and necessary traveling and official expenses in the county.

12. Each supervisor, six dollars per day while in the service of the county, and actual and necessary traveling expenses incurred in performing the duties of his office."

Amendment adopted.

AMENDMENT No. 10.

On page 6, commencing with line 29, strike out down to and including line 37, page 6, and all of pages 7, 8 and 9, and insert in lieu thereof the following:

"14. In counties of this class the township officers shall receive the following compensation, to wit: In townships having a population of ten thousand or more, justices of the peace shall receive a monthly salary of two hundred dollars per month, and constables a monthly salary of one hundred and twenty-five dollars.

In townships having a population of six thousand, or more, and less than ten thousand, justices of the peace shall receive a monthly salary of one hundred and twenty-five dollars per month, and constables a monthly salary of one hundred dollars per month;

In townships having a population of twenty-one hundred and eighty-five, or more, and less than six thousand, justices of the peace shall receive a monthly salary of one hundred dollars per month, and constables a monthly salary of one hundred dollars per month;

In townships having a population of seventeen hundred and seventy, or more, and less than twenty-one hundred and ninety, justices of the peace shall receive a monthly salary of sixty-five dollars per month, and constables a monthly salary of seventy-five dollars per month;

In townships having a population of sixteen hundred, or more, and less than seventeen hundred and seventy, justices of the peace shall receive a monthly salary of twenty dollars per month, and constables a monthly salary of twenty-five dollars per month;

In townships having a population of fourteen hundred and twenty, or more, and less than sixteen hundred, justices of the peace shall receive a monthly salary of fifty dollars per month, and constables a monthly salary of sixty dollars per month;

In townships having a population of thirteen hundred and fifteen, or more, and less than fourteen hundred and forty, justices of the peace shall receive a monthly salary of fifty dollars per month, and constables a monthly salary of sixty dollars per month;

In townships having a population of twelve hundred and ninety, or more, and less than thirteen hundred and fifteen, justices of the peace shall receive a monthly salary of ninety dollars per month, and constables a monthly salary of ninety dollars per month;

In townships having a population of twelve hundred and eighty, or more, and less than thirteen hundred, justices of the peace shall receive a monthly salary of one hundred dollars per month, and constables a monthly salary of one hundred dollars per month;

In townships having a population of ten hundred and forty-five, or more, and less than twelve hundred and eighty, justices of the peace shall receive a monthly salary of sixty-five dollars per month, and constables a monthly salary of seventy-five dollars per month;

In townships having a population of nine hundred and ten, or more, and less than ten hundred and forty-five, justices of the peace shall receive a monthly salary of fifty dollars per month, and constables a monthly salary of fifty dollars per month;

In townships having a population of six hundred and seventy-five, or more, and less than nine hundred and twenty-five, justices of the peace shall receive a monthly salary of twenty dollars per month, and constables a monthly salary of twenty-five dollars per month;

In townships having a population of five hundred and forty-five, or more, and less than six hundred and seventy-five, justices of the peace shall receive a monthly salary of thirty dollars per month, and constables a monthly salary of thirty dollars per month;

In townships having a population of two hundred, or more, and less than five hundred and forty-five, justices of the peace shall receive a monthly salary of twenty dollars per month, and constables a monthly salary of twenty dollars per month;

In townships having a population of one hundred and fifty-five, or more, and less than two hundred, justices of the peace shall receive a monthly salary of fifteen dollars per month, and constables a monthly salary of twenty dollars per month.

The above salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases; *provided*, that each constable shall be allowed and paid out of the county treasury for transporting prisoners to the county jail, the actual expenses of such transportation; *and provided, further*, that the board of supervisors shall allow to each constable his necessary expenses for traveling, when in pursuit of criminals, or transacting any criminal business; said justices of the peace and constables may retain for their own use the fees allowed by law in civil cases; *and provided, further*, that for the purpose of this section, the population of the several townships shall be ascertained by multiplying the number of registered voters at the presidential election held in the year 1908, A. D., by five. The salaries of township officers as herein provided for, shall be paid in the same manner and at the same time and out of the same fund that county officers are paid.

14. The fees of grand jurors and of trial jurors in the superior court, in criminal cases, shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of twenty-five cents per mile for each mile necessarily traveled in attending said court, in going only.

SEC. 2. The legislature hereby declares that subdivisions 3, 5, 6, 7, 8, and 13, do not increase the incumbents' compensation and shall apply to said incumbents when the law takes effect."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 613—An Act to amend Section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 3, line 21, of the printed bill, after the word "exceed", strike out the words "nine hundred", and insert in lieu thereof the words "seven hundred and twenty".

Amendment adopted.

AMENDMENT NO. 2.

On page 3, line 24, of the printed bill, after the word "shall", strike out the remainder of line 24, and all of line 25, and all of line 26, and down to and including the period (.) following the word "equalization", in line 27, on the same page, and insert in lieu thereof the following: "furnish the county assessor with maps of colony, subdivision, or tracts filed for record in the recorder's office, desired by him for his official plat books."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1720—An Act to amend Section 20 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, by adding a new section thereto, to be numbered 77a, relating to the doing of work and making improvements upon railroad tracks and the roadbed thereof existing upon the streets of municipalities and the proceedings relating thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, by adding a new section thereto, to be numbered 36, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

Bill read second time, and ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 70, 192, 186, 101, 104, 227, 128, 126, 1701, 750, 268, 269, 200, 1725, 85, 118, 120, 349, 350, 954, 229, 103, 480, 225, 1327, 1191, and 805.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 70, 192, 186, 101, 104, 227, 128, 126, 1701, 750, 268, 269, 200, 1725, 85, 118, 120, 349, 350, 954, 229, 103, 480, 225, 1327, 1191, and 805 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 70, 192, 186, 101, 104, 227, 128, 126, 1701, 750, 268, 269, 200, 1725, 85, 118, 120, 349, 350, 954, 229, 103, 480, 225, 1327, 1191, and 805, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 953, 955, and 449.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 953, 955, and 449 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 953, 955, and 449, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered on file for third reading.

REFERENCE OF SENATE BILLS.

On motion of Mr. Bohnett, Senate Bills Nos. 92, 90, 89, 88, 98, 99, and 91 were referred to Committee on Ways and Means.

SPECIAL ORDER.

The hour of four o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1228 passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Byrnes, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Murray, Nelson, Palmer, Ryan, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—43.

NOES—Messrs. Alexander, Ambrose, Brown, Clarke, Geo. A., Guill, Johnston, T. D., Polsley, Schmitt, and Wyllie—9.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Clark moved that the vote whereby Assembly Bill No. 970 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Brown, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Fish, Ford, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Roberts, Schmitt, Scott, Simpson, Slater, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—50.

NOES—Messrs. Murray, Polsley, and Wyllie—3.

The question being on the passage of the bill.

Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 12, after the period, strike out the balance of the page, and strike out all of page 2, beginning with line 1, and down to and including the period in line 15, and insert in lieu thereof the following: "Two members of the board shall be chosen by the senate from its members for a term of four years subject to the power of the senate to at any time change such members. Two members of the board shall be chosen by the assembly from its members for a term of two years, subject to the power of the assembly to at any time change such members. The two members chosen by the senate shall not be of the same political party, and the two members chosen by the assembly shall not be of the same political party. The first selection of said members chosen by the senate and assembly, respectively, shall be made prior to adjournment of the fortieth regular session of the legislature of the State of California, said terms to commence upon the taking effect of this Act: *provided, however,* that if either or both the senate and the assembly shall fail to make such selection before the adjournment of said session, then the governor shall make such selections of two members from each house so failing to select for the terms herein provided, subject to the restrictions hereinbefore set forth as to party affiliation of members. Subsequent selections by the respective houses shall be made at the regular session of the legislature next preceding the expiration of said terms of office or any vacancy therein, and incumbents on the board chosen by either house of the legislature shall be eligible to re-election. Vacancies in the board occurring during the interim between sessions of the legislature shall be filled by the governor, subject to the above restrictions as to the political affiliations of the appointees, such appointees to hold office until the succeeding session of the legislature.

Also: On page 2, line 25, strike out the words "the unanimous vote", and insert in lieu thereof the following: "an affirmative vote of four members".

Also: On page 3, line 24, strike out the following: "with the approval of the governor of the state".

Also: On page 5, line 32, strike out all after the period to and including the word "board", in line 37, and insert in lieu thereof the following: "The material (including books and other publications) of the state library shall be made available to said bureau."

Also: On page 5, beginning on line 14, strike out beginning with the word

"Sac." down to but not including the word "but", in line 16, and insert in lieu thereof the following: "the state capitol in Sacramento (and in the state library except as said board may otherwise direct).".

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 970, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Bohnett moved that the vote whereby Assembly Bill No. 1126 was refused passage be reconsidered.

Consideration of above motion postponed until the next legislative day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 742—An Act to amend Sections 2, 3, 10, 12 and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities", approved March 18, 1885, and adding a new section to said Act to be known as Section 12½, relating to reassessments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Assembly Bill No. 1577—An Act to create a state school insurance fund and to provide for the insurance of all properties belonging to school districts—have had the same under consideration, and respectfully report the same back, without recommendation, as amended.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 489—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 367—An Act to amend Section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1572—An Act to amend Section 4283 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district, to be called 'Reclamation District No. 831,' and providing for the control and management thereof," approved April 8, 1911.

Also: Senate Bill No. 593—An Act to amend Sections 3456, 3457, 3465 and 3480 of the Political Code of the State of California, relating to reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MORGENSTERN, Chairman.

The above reported bills ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 16—Relative to the appointment of a committee of the legislature to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters, to constitute a commission with a view of reporting to the governor ways and means of improving the standard of architecture, sculpture and painting in the furnishing, decoration, repair and construction of all state, county school and municipal buildings, grounds and public works throughout the State—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BROWN, Chairman.

The above ordered on file.

COMMUNICATIONS.

The following communications were filed, and ordered printed in the Journal:

HOUSE OF REPRESENTATIVES, UNITED STATES,
WASHINGTON, D. C., April 18, 1913.

MR. L. B. MALLORY, *Sacramento, Cal.*

DEAR SIR: Enclosed please find letter sent by Mr. Graves concerning the live stock pasturage in forest reserves. I presume this will not be news to you as the matter must have been handled, at the California end.

Yours truly,

WILLIAM KENT.

(Dictated by Mr. Kent and signed in his absence.)

UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE,
WASHINGTON, April 16, 1913.

Hon. WILLIAM KENT, *House of Representatives.*

DEAR MR. KENT: Referring to my letter of April 9th, I am in receipt of a full report from the District Forester at San Francisco relative to the serious condition

that exists among the stockmen in the region of Livermore and throughout the western portion of the San Joaquin Valley.

Immediately upon receipt of instructions from this office the District Forester took up with the various supervisors in his district the question as to how many of the stock could be taken care of on each forest in addition to the animals belonging to the regular users of the forest. From these reports I am informed that between eight and ten thousand head of cattle and twenty-five to thirty thousand head of sheep can be grazed without seriously injuring the range or interfering with the stock already using the forest ranges.

Naturally, the local users are inclined to object to the incoming of these foreign stock, which will, of course, somewhat crowd them on their ranges, and the District Forester anticipates some criticism from them. However, he has taken it up with the local stock associations wherever there are such organizations, and by placing it before them as an emergency act and intended to save their fellow stockmen from perhaps ruin he hopes to overcome this feeling, or at least minimize it.

In order to get into closer touch with the interested stockmen the District Forester sent the Acting Assistant District Forester in charge of grazing to Livermore to meet personally with the stockmen and learn from them the real status of affairs.

On April 6th he attended a meeting of the Stockmen's Protective Association at Livermore, upon whose initiative the resolutions passed by the California Assembly was introduced. The membership of this association consists of small stockmen belonging in that vicinity and in the western side of the San Joaquin Valley.

He reports that the serious conditions are due to the long-continued dry weather, the shortage of hay in the region (the ordinary hay crop of the Livermore Valley being 30,000 tons, and the last season it was but 8,000 tons), and the lack of water in wells, the failure of which has forced many of them to haul water for their stock long distances. All of the stockmen agreed that never before in the history of the stock business in that region had conditions been as bad as at present. Up to date few animals have died, the stockmen having so far fed hay and grain, but their feed and resources are almost exhausted, and without some way of securing range the stock will either die or have to be shipped elsewhere for feed.

On account of the expense of shipping the stock to feed and the disarrangement of their business, none of the stockmen will ship to the forest ranges until they feel certain that rain can not help them, and, taking the region over, the District Forester believes the stockmen will be at the end of their resources about May 10th, and that if by that time rain has not come they will have to ship out everything.

Taking the region as a whole, it is estimated that there is about 25,000 head of cattle and 100,000 head of sheep which will have to be taken care of belonging to these small owners. There is also a large number belonging to the larger owners which will also have to be taken away for feed, but the District Forester believes the owners are able to handle them without help from the Forest Service.

Therefore the assistance which the forest service can render in this case will be given to the small owners, the men whose homes and families depend almost wholly upon their live stock for a livelihood.

I regret that we are unable to take care of all the suffering stock, but the measure of aid which can be rendered will relieve the situation very materially and protect a portion of the owners from further losses.

Very sincerely yours,

(Signed) A. G. GRAVES, Forester.

UNITED STATES SENATE. April 12, 1913.

Hon. L. B. MALLORY, Chief Clerk, Assembly, Sacramento, California.

DEAR SIR: I inclose for the information of the members of the Legislature who are interested, a letter from the Secretary of Agriculture in relation to grazing stock on forest reserves, which is self-explanatory.

Yours truly,

GEO. C. PERKINS.

DEPARTMENT OF AGRICULTURE,
WASHINGTON, April 9, 1913.

Hon. GEO. C. PERKINS, United States Senate.

DEAR SENATOR PERKINS: Your letter of April 7th is received.

On March 28th practically the same telegram which is referred to in your letter was received by me direct from the Chief Clerk of the California Legislature. Some days previous to that a resolution passed by the Stockmen's Protective Association at Livermore, California, reached me. This petition called my attention to the serious condition which confronted the stockmen in certain portions of California, especially in the San Joaquin Valley, and requested that, as far as possible, the various national forests be thrown open for the reception of as many of the animals as could be taken care of without injury to the forests or the permittees already using the ranges. The District Forester at San Francisco, who is in direct charge of all matters concerning the administration of the various national forests in the State of California, was at once wired to give the matter his attention and ascertain as

early as possible the number of additional stock which could be provided with range within the national forests in that state. In response to this telegram the District Forester immediately called upon the various supervisors in his district for a detailed report as to the number of stock that could be taken care of on their forests, and as soon as this information is in his possession he will take such steps to relieve the situation as the conditions on the various forests will warrant.

This department will do everything within its power to assist the stock growers of your state in the present emergency and co-operate with them as fully as possible to that end. As soon as the District Forester has received this information and decided what can be done to take care of the suffering stock, he has been requested to inform this office, and the information will be immediately transmitted to you. Meantime I would suggest that the stockmen be advised to confer directly with the District Forester, which will save them considerable time in securing whatever aid he may be able to give them.

Very sincerely yours,

D. F. HOUSTON, Secretary.

UNITED STATES SENATE,
WASHINGTON, April 19, 1913.

L. B. MALLORY, ESQ., *Chief Clerk of the Assembly, Sacramento, California.*

MY DEAR MR. MALLORY: I have received the enclosed further communication from the Secretary of Agriculture bearing upon the question of allowing the grazing of stock upon the forest reserves.

It is evident that the department is giving very careful consideration to this matter and is desirous of rendering any help possible.

Sincerely yours,

JOHN D. WORKS, U. S. S.

DEPARTMENT OF AGRICULTURE,
WASHINGTON, April 15, 1913.

Hon. JOHN D. WORKS, United States Senate.

DEAR SENATOR WORKS: Referring to my letter of April 9th.

The Forester is in receipt of a full report from the District Forester at San Francisco relative to the serious condition that exists among the stockmen in the region of Livermore and throughout the western portion of the San Joaquin Valley.

Immediately upon receipt of instructions from Washington, the District Forester took up with the various supervisors in his district the question as to how many of the stock could be taken care of on each forest in addition to the animals belonging to the regular users of the forest. From these reports I am informed that between eight and ten thousand head of cattle and twenty-five to thirty thousand head of sheep can be grazed without seriously injuring the range or interfering with the stock already using the forest ranges.

Naturally the local users are inclined to object to the incoming of these foreign stock, which will, of course, somewhat crowd them on their ranges, and the District Forester anticipates some criticism from them. However, he has taken it up with the local stock associations wherever there are such organizations, and by placing it before them as an emergency act and intended to save their fellow stockmen from perhaps ruin, he hopes to overcome this feeling, or at least minimize it.

In order to get into closer touch with the interested stockmen, the District Forester sent the acting Assistant District Forester in charge of grazing to Livermore to meet personally with the stockmen and learn from them the real status of affairs.

On April 6th he attended a meeting of the Stockmen's Protective Association, at Livermore, upon whose initiative the resolution passed by the California Assembly was introduced. The membership of this association consists of small stockmen belonging in that vicinity and in the western side of the San Joaquin Valley.

He reports that the serious conditions are due to the long continued dry weather, the shortage of hay in the region (the ordinary hay crop of the Livermore valley being 30,000 tons, and last season it was but 8,000 tons), and the lack of water in wells, the failure of which has forced many of them to haul water for their stock long distances. All of the stockmen agreed that never before in the history of the stock business in that region had conditions been as bad as at present. Up to date few animals have died, the stockmen having so far fed hay and grain, but their feed and resources are almost exhausted, and without some way of securing range the stock will either die or have to be shipped elsewhere for feed.

On account of the expense of shipping the stock to feed and the disarrangement of their business, none of the stockmen will ship to the forest ranges until they feel certain that rain can not help them, and, taking the region over, the District Forester believes the stockmen will be at the end of their resources about May 10th, and that if by that time rain has not come they will have to ship out everything.

Taking the region as a whole, it is estimated that there are about 25,000 head of cattle and 100,000 head of sheep which will have to be taken care of belonging to these small owners. There is also a large number belonging to the larger owners which will also have to be taken away for feed, but the District Forester believes the owners are able to handle them without help from the Forest Service.

Therefore the assistance which the Forest Service can render in this case will be given to the small owners, the men whose homes and families depend almost wholly upon their live stock for a livelihood.

I regret that the Forester is unable to take care of all the suffering stock, but the measure of aid which can be rendered will relieve the situation very materially and protect a portion of the owners from further losses.

Very sincerely yours,

D. F. HOUSTON, Secretary.

UNITED STATES SENATE,

WASHINGTON, D. C., April 19, 1913.

Hon. L. B. MALLORY, Chief Clerk, Assembly, Sacramento California.

DEAR SIR: I inclose for the information of those members of the Legislature who are interested, a letter from the Secretary of Agriculture in relation to grazing stock on forest reserves, which is self-explanatory.

Yours truly,

GEO. C. PERKINS.

DEPARTMENT OF AGRICULTURE,

WASHINGTON, D. C., April 16, 1913.

Hon. GEO. C. PERKINS, United States Senate.

DEAR SENATOR PERKINS Referring to my letter of April 9th.

The Forester is in receipt of a full report from the District Forester at San Francisco relative to the serious condition that exists among the stockmen in the region of Livermore and throughout the western portion of the San Joaquin Valley.

Immediately upon receipt of instructions from Washington the District Forester took up with the various supervisors in his district the question as to how many of the stock could be taken care of on each forest in addition to the animals belonging to the regular users of the forest. From these reports I am informed that between eight and ten thousand head of cattle and twenty-five to thirty thousand head of sheep can be grazed without seriously injuring the range or interfering with the stock already using the forest ranges.

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He reports that the serious conditions are due to the long-continued dry weather, the shortage of hay in the region (the ordinary hay crop of the Livermore Valley being 30,000 tons, and last season it was but 8,000 tons), and the lack of water in wells, the failure of which has forced many of them to haul water for their stock long distances. All of the stockmen agreed that never before in the history of the stock business in that region had conditions been as bad as at present. Up to date few animals have died, the stockmen having so far fed hay and grain, but their feed and resources are almost exhausted and without some way of securing range the stock will either die or have to be shipped elsewhere for feed.

On account of the expense of shipping the stock to feed and the disarrangement of their business, none of the stockmen will ship to the forest ranges until they feel certain that rain can not help them, and, taking the region over, the District Forester believes the stockmen will be at the end of their resources about May 10th, and that if by that time rain has not come, they will have to ship out everything.

Taking the region as a whole, it is estimated that there is about 25,000 head of cattle and 100,000 head of sheep which will have to be taken care of belonging to these small owners. There is also a large number belonging to the larger owners which will also have to be taken away for feed, but the District Forester believes the owners are able to handle them without help from the Forest Service.

Therefore, the assistance which the Forest Service can render in this case will be given to the small owners, the men whose homes and families depend almost wholly upon their live stock for a livelihood.

I regret that the Forester is unable to take care of all the suffering stock, but the measure of aid which can be rendered will relieve the situation very materially and protect a portion of the owners from further losses.

Very sincerely yours,

D. F. HOUSTON, Secretary.

RECESS.

At four o'clock and fifty minutes p.m., on motion of Mr. Mouser, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Young in the chair.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 982—An Act to promote the safety of employees of electric light, power, telephone and telegraph plants and electric street railways, and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Gelder moved a call of the House.

Motion carried.

Time, eight o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Bohnett, Bowman, Cary, Clark, Wm. C., Cram, Ferguson, Fish, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Murray, Nelson, Richardson, Roberts, Ryan, Simpson, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—34.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eight o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Ryan.

POINT OF ORDER.

Mr. Schmitt rose to the following point of order:

That there was not a quorum present during the debate on the bill, and the debate should be reopened.

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

The roll of absentees was called, and Assembly Bill No. 982 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Brown, Bush, Canepa, Clark, Wm. C., Ellis, Ferguson, Finnegan, Ford, Gelder, Hayes, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Palmer, Richardson, Ryan, Scott, Simpson, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—30.

NOES—Messrs. Bagby, Beck, Bowman, Bradford, Clarke, Geo. A., Cram, Dower, Emmons, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Murray, Nelson, Roberts, Schmitt, Shannon, and Sutherland—27.

Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 32 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Canepa, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Stuckenbruck, Sutherland, Wall, Weisel, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1168—An Act making an appropriation to pay the claim of the McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1168 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Richardson, Roberts, Ryan, Schmitt, Simpson, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—46.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1335 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Richardson, Roberts, Ryan, Schmitt, Shannon, Simpson, Sutherland, Tulloch, Wall, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments, and places of amusement, and to provide for the enforcement thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1110 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bradford, Brown, Canepa, Cary, Clarke, Geo. A., Collins, Ellis, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Richardson, Roberts, Ryan, Scott, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 410—An Act to amend Section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 410 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Scott, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 944—An Act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same, for the holding of agricultural fairs, exhibitions and displays, creating a commission to select the location or site for such fairs, exhibitions or expositions, appropriating money to pay the expenses of such commission, and repealing all Acts and parts of Acts in conflict with this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 944 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bowman, Brown, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Wall, Weisel, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Board of Fish Commissioners of the State of California the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea, and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such

reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2045 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Murray, Richardson, Roberts, Simpson, Slater, Strine, Stuckenbruck, Weisel, Wyllie, and Mr. Speaker—43.

NOES—Messrs. McDonald, Morgenstern, Nolan, Ryan, Shannon, Tulloch, and Wall—7.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At eight o'clock and fifty-five minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 2033—An Act concerning fish and game and prohibiting the hunting or taking of the same upon private property under certain circumstances.

Bill read third time.

Mr. Libby moved that Assembly Bill No. 2033 be re-referred to Committee on Judiciary.

Motion lost.

SPEAKER IN THE CHAIR.

At nine o'clock and fifteen minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

PREVIOUS QUESTION.

Mr. Ryan moved the previous question.

Motion carried.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2033 refused passage by the following vote:

AYES—Messrs. Canepa, Collins, Farwell, Ferguson, Guill, Hayes, Johnson, Geo. H., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Murray, Nolan, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Slater, Stuckenbruck, Tulloch, Wall, and Weisel—26.

NOES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Nelson, Roberts, Schmitt, Simpson, Strine, White, Wyllie, and Mr. Speaker—38.

Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, strike out all of the bill after the word "not", in line 22, and insert in lieu thereof the following: "more than five hundred dollars or by imprisonment in the county jail in the county in which the conviction shall be had of not more than

six months, or by both such fine and imprisonment, and all fines and forfeitures imposed and collected for any violation of the provisions of the section shall be paid into fish and game preservation fund."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 948, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendment adopted.

Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 33, insert the word "salmon" after the word "kill".

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 948, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendment adopted.

Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 8, after the word "length", insert the following: "*provided*, that any person may take, catch or kill striped bass in the bay of San Francisco and San Pablo Bay as far up as the Vallejo Light at the mouth of Napa Creek, with a net, drag net or paranzella, the meshes of which are, when drawn closely together and measured inside the knots, not less than five inches."

Motion carried.

The Speaker appointed Mr. Gelder as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 948, with instructions, do now report that the instructions of the Assembly have been carried out.

GELDER, Select Committee.

Report of select committee and amendment adopted.

Mr. Murray moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 28, add the following: "No owner or lessee of real property, nor any one by their permission, shall hunt or take game or fish thereon except the like right and privilege be enjoyed by the general public."

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the

city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

During third reading of the bill, Mr. Canepa moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 18, strike out, beginning with Section 3, all of Section 3 to and including the period after the word "exchanged", on line 2, page 3.

Also: On page 3, line 3, strike out, after the word "Section", the figure "4", and insert in lieu thereof the figure "3."

Also: On page 3, line 11, strike out, after the word "Section", the figure "5", and insert in lieu thereof the figure "4."

Motion carried.

The Speaker appointed Mr. Canepa as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1605, with instructions, do now report that the instructions of the Assembly have been carried out.

CANEPA, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1749, 1750, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 71 passed by the following vote:

AYES—Messrs. Alexander, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kuck, McCarthy, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, White, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 663—An Act to regulate the practice of steam engineering, the registering and licensing of persons to carry on such practice and insure the better education and promote competency and skill among steam engineers in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 663 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McCarthy, Morgenstern, Murray, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Strine, Stuckenbruck, Tulloch, Wall, Weisel, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1251—An Act regulating the employment of women and minors, and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1251 passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Roberts, Ryan, Scott, Shannon, Slater, Strine, Stuckenbruck, Weisel, White, and Mr. Speaker—46.

NOES—Messrs. Bradford, Ford, Griffin, Guill, Johnston, T. D., Killingsworth, Libby, Murray, Palmer, Schmitt, Tulloch, and Wall—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2022 passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, White, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 218—An Act to authorize payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 218 passed by the following vote:

AYES—Messrs. Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Tulloch, Wall, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2032—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2032 passed by the following vote:

AYES—Messrs. Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Stuckenbruck, Wall, Weisel, White, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 66—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of examination of cities and cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 66 passed by the following vote:

AYES—Messrs. Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Kuck, Libby, McCarthy, McDonald, Mouser, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Wall, Weisel, White, and Mr. Speaker—44.

NOES—Mr. Morgenstern—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 383—An Act to amend Section 534 of the Political Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 383 passed by the following vote:

AYES—Messrs. Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hayes, Hinkle, Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, White, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF MOTIONS TO RECONSIDER POSTPONED.

On request of Mr. Weisel, consideration of the motion to reconsider Senate Bill No. 1104 was postponed until next legislative day.

On request of Mr. Libby, consideration of the motion to reconsider Assembly Bill No. 1120 was postponed until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 642—An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state

water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the attorney general, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this Act; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared unconstitutional—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 321—An Act to amend Section 1665a of the Political Code of the State of California, relating to the establishment and maintenance of cosmopolitan schools in cities of the first, first and one half, second and second and one half classes.

Assembly Bill No. 717—An Act to add a new section to the Penal Code to be known as Section 402f regulating the packing, preparing and shipping for sale within the State of California of any fruit infected with insect pests or disease injurious to trees, shrubs, plants or fruits, and providing a penalty for the violation thereof.

Assembly Bill No. 1194—An Act creating a reclamation district to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Assembly Bill No. 550—An Act to amend Section 4286 of the Political Code of the State of California, relating to county and township officers in counties of the fifty-seventh class.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 29—An Act to amend Sections 2651, 2654 and 2655 of the Political Code of the State of California, relating to the levy and apportionment of road tax.

Assembly Bill No. 346—An Act to amend Section 4255 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class.

Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers and fees and mileage of jurors in counties of the thirty-third class.

Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County; appointing a commission therefor and providing an appropriation to carry this Act into effect.

Assembly Bill No. 576—An Act to amend Section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Assembly Bill No. 743—An Act to amend an Act entitled "An Act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending Section 15 thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof, relating to free and reduced-rate transportation for freight and passengers,' approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act," by amending Section 47 thereof, so as to provide that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county, city and county, incorporated city or town, or municipal water district for the taking in eminent domain proceedings of any existing public utility or lands, property and rights of any character whatsoever connected with such existing public utility, or any part or portion thereof.

Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Assembly Bill No. 881—An Act to amend Sections 1917, 1918, 1919, and 1920 of the Civil Code, and to add a new section to said Code, to be designated as Section 1921, relating to the loan of money, and the rate of interest to be allowed and charged therefor.

Assembly Bill No. 1052—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to provide sheets of certain dimensions and individual towels for the guests of such hotel.

Assembly Bill No. 1078—An Act making an appropriation to pay the claim of W. J. Burns against the State of California.

Assembly Bill No. 1103—An Act to amend Section 607 $\frac{1}{2}$ of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

Assembly Bill No. 1111—An Act to amend Section 4285 of the Political Code, relating to the salaries and compensation of officers of counties of the fifty-sixth class.

Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Assembly Bill No. 1263—An Act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and providing for the administration of such fund.

Assembly Bill No. 1277—An Act to amend Section 2445 of the Political Code in relation to powers and duties of boards of pilot commissioners.

Assembly Bill No. 1285—An Act to amend Section 1577 of the Political Code of the State of California with reference to the formation of new petition for changing boundaries of old joint districts.

Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738 $\frac{1}{2}$, with reference to the location of county high schools.

Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants and the salaries of the deputy and assistants.

Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

Assembly Bill No. 1451—An Act to amend Section 628a of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code.

Assembly Bill No. 1741—An Act to appropriate the sum of \$3,500 for the purpose of clearing obstructions from the Pitt River and its tributaries.

Assembly Bill No. 1828—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating seven thousand five hundred dollars therefor.

Assembly Bill No. 1852—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in the year 1915.

Assembly Bill No. 1948—An Act appropriating money for building and furnishing an observatory at San Francisco.

Assembly Bill No. 1994—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Assembly Bill No. 2048—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Also: Assembly Joint Resolution No. 30—Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the state to which it is consigned through the parcel post.

Also: Assembly Joint Resolution No. 31—Relative to asking Congress to revise the tariff upward.

Also: Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article XIII thereof, relating to revenue and taxation.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Nolan, Hon. Warren John was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Messrs. Geo. A. Smith and A. Harron were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. M. C. Callaghan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Messrs. J. W. Felt and E. H. O'Donnell were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. F. P. Robinson was granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At ten o'clock and fifty-five minutes p.m., on motion of Mr. Guill, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, April 24, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finne-

gan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—78.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. McDonald, Mr. Walsh was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Gelder, the further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, April 14, Tuesday, April 15, Wednesday, April 16, Thursday, April 17, Friday, April 18, and Saturday, April 19, 1913, were approved as corrected by the Minute Clerk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Bowman:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey," and to prohibit taking the same from such preserve for commercial purposes."

Referred to Committee on Introduction of Bills.

By Mr. Finnegan:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act prescribing a certain kind of water-glass for use on locomotives, prescribing the penalty for the neglect to use said glass, and defining negligence in connection therewith.

Referred to Committee on Introduction of Bills.

By Mr. White:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 2349 of the Political Code, relating to navigable streams and public ways.

Referred to Committee on Introduction of Bills.

By Mr. McDonald:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city or city and county of this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

Referred to Committee on Introduction of Bills.

By Mr. Kuck:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Referred to Committee on Introduction of Bills.

By Mr. Nelson:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 626 $\frac{1}{2}$ of the Penal Code of the State of California, relating to the protection of wild geese and brant.

Referred to Committee on Introduction of Bills.

By Mr. Richardson:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money to pay the claim of John Ewart for the expense incurred in improving American street, between Park and Poplar streets, fronting the property belonging to the Stockton State Hospital, in the city of Stockton.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF CONCURRENT RESOLUTIONS.

By Mr. Johnson: Assembly Concurrent Resolution No. 32—Approving amendments to charter of the city of San Bernardino.

Read, and ordered on file without reference.

By Mr. Clark: Assembly Concurrent Resolution No. 33—Relative to the appointment of a recreational inquiry committee.

Read, and referred to Committee on Education.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the secretary thereof.

Also: Senate Bill No. 450—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Also: Senate Bill No. 443—An Act making application to repay to L. H. Boggs moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Also: Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 187—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1013—An Act appropriating the sum of ten thousand

dollars to defray the expenses during the sixty-fifth and sixty-sixth fiscal years of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies, and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Also: Senate Bill No. 1264—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Also: Senate Bill No. 1705—An Act providing for the purchase and proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California; creating the "Gold Discovery Landmark Commission," and making an appropriation to carry out the purposes of this Act.

Also: Senate Bill No. 1761—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 160—An Act to prevent the introduction and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Also: Senate Bill No. 150—An Act to amend Section 739 of the Political Code, relating to the salaries of officers connected with the Supreme Court.

Also: Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Also: Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services.

Also: Senate Bill No. 1331—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereof outside of the State.

Also: Senate Bill No. 1728—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Also: Senate Bill No. 1563—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase, and appropriating seven thousand five hundred dollars therefor.

Also: Senate Bill No. 1536—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Also: Senate Bill No. 151—An Act to appropriate the sum of eleven thousand four hundred thirty-three and eighty-two one-hundredths dollars out of the general fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Also: Senate Bill No. 592—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers, C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Captain, Corps of Engineers of the United

States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Also: Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions, and making an appropriation therefor.

Also: Senate Bill No. 904—An Act to establish the Yolo and Lake highway; to define its course; to provide for its survey and construction; and to make an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 18, 1913, adopted Senate Joint Resolution No. 18—Memorializing the Congress of the United States for favorable consideration of the request of the Legislature of the State of California, for investigations and surveys by the California Debris Commission under the provisions of an Act of Congress, approved March 1, 1893, to aid in the preparation and making of a report on a project for the relief from floods in the San Joaquin Valley and the delta of the Sacramento and San Joaquin rivers and for improvements in aid of commerce and navigation.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 727 read first time, and referred to Committee on Revision and Taxation.

Senate Bill No. 450 read first time, and referred to Committee on Claims.

Senate Bill No. 443 read first time, and referred to Committee on Claims.

Senate Bill No. 189 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 187 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1013 read first time, and referred to Committee on Military Affairs.

Senate Bill No. 1264 read first time, and referred to Committee on Claims.

Senate Bill No. 1705 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1761 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 160 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 150 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1343 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 868 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1331 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1662 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1728 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1563 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1536 read first time and referred to Committee on Claims.

Senate Bill No. 151 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1661 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 592 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 509 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 904 read first time, and referred to Committee on Ways and Means.

Senate Joint Resolution No. 18 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 26—Relative to the payment of expenses incurred by the joint commission appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Assembly Concurrent Resolution No. 26 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 720—An Act to amend Section 2681 of the Political Code of the State of California, relating to who may apply to alter, discontinue or lay out roads.

Also: Assembly Bill No. 847—An Act defining the term "quasi-public uses," as applied to grants, leases or approval of leases, heretofore or hereafter made by the State, of tide or submerged lands.

Also: Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804b, relating to the cancellation of erroneous assessments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 649—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or lands or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, draw-bridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Also: Assembly Bill No. 599—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Also: Assembly Bill No. 514—An Act to amend Section 271a of the Penal Code relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment book to be furnished cities, towns and irrigation districts on request.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 1297 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1896—An Act to amend Section 374½ of the Penal Code of the State of California, relating to the pollution of streams.

Also: Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees, instead of establishing a separate county free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Also: Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, to provide penalties for the violation of the provisions of this Act, to create a board of examiners of chiropody, to define its duties and to authorize it to carry out the purposes of the Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions and providing penalties for the violation thereof," approved March 23, 1907, as amended April 1, 1911.

Also: Assembly Bill No. 308—An Act to amend Section 67a of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of six additional Superior Court judges in counties of the first class and providing for their compensation.

Also: Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure of the State of California, relating to the extension of time in which an act is to be done.

And respectfully requests your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 237?"

Amend title by striking out the period at the end of line 6 and inserting in lieu thereof the following: "as amended April first, 1911."

Also: On page 1, line 5, after the comma following the figure 7, insert the following: "as amended April first, 1911,".

Also: On page 3, line 29, strike out the word "the" and insert in lieu thereof the word "any."

The roll was called, and Senate amendments to Assembly Bill No. 237 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Murray, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Shearer, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 308?"

On page 2, line 2, strike out the word "eight", and insert in lieu thereof the word "six".

Also: On page 2, line 7, strike out the word "eight", and insert in lieu thereof the word "six".

The roll was called, and Senate amendments to Assembly Bill No. 308 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gates, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Murray, Nolan, Palmer, Polsley, Richardson, Ryan, Schmitt, Shearer, Stuckenbruck, Sutherland, Wall, Woodley, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 886?"

On page 1, line 2, of the title, after the word "procedure", insert the following: "of the State of California".

The roll was called, and Senate amendment to Assembly Bill No. 886 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shearer, Simpson, Strine, Stuckenbruck, Sutherland, Wall, Woodley, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

SENATE MESSAGE.

The following message from the Senate was received and read:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

Also: Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 653e, relating to blacklisting.

Also: Assembly Bill No. 374—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and amended April 14, 1911.

Also: Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

And respectfully requests your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1280?"

In line 16, Section 2, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1280 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Schmitt, Strine, Stuckenbruck, Sutherland, Woodley, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1118?"

On page 1, line 16, of the printed bill, after the word "shall", insert the word "knowingly".

Also: On page 2, lines 2 and 3, strike out the words "the necessary", and insert in lieu thereof the words "all reasonable".

The roll was called, and Senate amendments to Assembly Bill No. 1118 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gates, Gelder, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Strine, Tulloch, Woodley, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 374?"

AMENDMENT No. 1.

On page 1, line 1, of the title, of the printed bill, strike out the words "section one of".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 6, of the printed bill, after the period, insert:

SEC. 2. No minor under the age of eighteen years shall be employed or permitted to work between the hours of ten o'clock in the evening and five o'clock in the morning.

SEC. 3. No minor between the ages of twelve and fifteen years shall be employed in any mercantile institution, office, laundry, manufacturing establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, unless said minor is supplied with a permit to work as hereinafter provided.

SEC. 4. The superintendent of schools of any city, or of any city and county, or of any county (over such portions of any such county as are not within the jurisdiction of any superintendent of city schools) shall have authority to issue a permit to work to any minor between the ages of twelve and fifteen years, in any of the following circumstances:

(1) Where such minor has completed the prescribed grammar school course, and is physically fitted for the labor contemplated; or

(2) Where upon the sworn statement being made by the parent, or foster-parent, or guardian, of such minor, that such minor is past the age of twelve years, that the parent or parents, or foster-parents, or guardian of such minor is incapacitated for labor through illness or injury, or that through the death or desertion of the father of such minor, the family is in need of the earnings of such minor, and that sufficient aid cannot be secured in any other manner. The person authorized to issue such permit shall make a signed statement in granting such permit that he, or a competent person designated by him for this purpose, has carefully investigated the conditions under which the application for such permit has been asked, and has found that in his judgment the earnings of such minor are necessary for such family to support such minor, and that in his judgment sufficient aid can not be secured in any other manner.

SEC. 5. No permit as specified in Section 4 of this Act shall be issued except upon written evidence that suitable work is waiting for such minor, and such

permit shall specify the kind of labor. Permits issued under subdivision (2) of said Section 4 shall in no case be issued for a longer period than shall seem necessary, nor for longer than six months, at the end of which period such superintendent shall see that such minor returns to school, unless a new permit to labor is issued. Such permit shall be kept on file by the person, firm or corporation employing the minor therein designated, during the term of said employment, and shall be given up to such minor upon his quitting such employment. Where such minor works for himself and not for others, such minor shall keep in his possession such permit. Such permit shall be issued on forms in accordance with this Act, which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California. Such permit shall be subject to revocation at any time by such commissioner of the bureau of labor statistics, or by the authority issuing such permit, whenever such commissioner, or the authority issuing such permit shall find that the conditions for the legal issuance of such permit do not exist. Such permit shall be always open to the inspection of the attendance and probation officers, or of the officers of the state bureau of labor statistics. A duplicate copy of each permit to work granted under the provisions of this Act shall be kept by the person issuing such permit, such copy to be filed with the superintendent of schools of the city, or city and county, or county, as the case may be; *provided*, that all copies of permits issued between June 25th and December 25th of any year shall be filed not later than December 31st of each year; and those issued between December 25th and June 25th of the ensuing year shall be filed not later than June 30th of each year. Corresponding semi-annual reports of all such permits issued shall be made by such superintendents in such form as may be required by the commissioner of the bureau of labor statistics of the State of California.

SEC. 6. The attendance officer of any county, city and county, or school district in which any place of employment, in this Act named, is situated, or the probation officer of such county, shall have the right and authority, at all times to enter into any such place of employment for the purpose of investigating violations of the provisions of this Act, of violations of the provisions of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of the Act," approved March 24, 1903, and any Act amending or superseding the same; *provided, however*, that if such attendance or probation officer is denied entrance to such place of employment, any magistrate may, upon the filing of an affidavit by such attendance or probation officer setting forth the fact that he has a good cause to believe that the provisions of this Act, or the Act hereinbefore referred to, are being violated in such place of employment, issue an order directing such attendance or probation officer to enter said place of employment for the purpose of making such investigations; and *provided*, that any such minor over the age of twelve years may be employed at any of the occupations mentioned in this Act on the regular weekly school holidays, or during the regular vacation of the public schools of the city, county, or city and county, in which the place of employment is situated, upon the production of a permit signed by the principal, vice-principal of the school, or secretary of the board of school trustees or board of education of the school which such minor is attending, or has attended during the term next preceding any such vacation. Such permit shall contain the name and age of the minor to whom it is issued, and when issued for the regular vacation, the date of the termination of the vacation for which it is issued, and in any case shall be kept on file by the employer during the period of employment, and at the termination of such employment shall be returned to the minor to whom it was issued.

SEC. 7. No minor who is under sixteen years of age shall be employed or permitted to work at any gainful occupation during the hours that the public schools of the city, town or school district in which his place of employment is situated are in session, unless he or she has completed the prescribed grammar school course, or unless he or she is a regular attendant for the then current term at a regularly conducted night school; *provided, however*, that if the bodily or mental condition of said minor is such as to render inadvisable attendance at school or application to study, a certificate from any licensed physician that said minor should not attend school shall be sufficient excuse for such non-attendance.

SEC. 8. Every person, firm or corporation employing minors under eighteen years of age, in any manufacturing establishment, shall post and keep posted, in a conspicuous place in every room where such minors are employed, a written or printed notice stating the number of hours per day for each day of the week required of such minors.

SEC. 9. Every person, firm or corporation, agent or officer of a firm or corporation, employing or permitting minors under sixteen and over fifteen years of age to work in any mercantile institution, office, laundry, manufacturing establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, shall keep a record of the names, ages and places of residence of such minors, and shall have on file a certificate of age and schooling, as provided in this Act, for every such minor so employed, said record and certificate to be open at all times to the inspection of the school attendance and probation officers of the city and county, city, or county, in which the place of employment is situated, or of the officers of the state bureau of labor statistics.

SEC. 10. An age and schooling certificate shall be approved only by the superintendent of schools of the city, or city and county, or by a person authorized by him in writing, or, where there is no city or city and county superintendent of schools, by a person authorized by the local school trustees; *provided*, that the superintendent or principal of any school of recognized standing shall have the right to approve an age and schooling certificate, and shall have the same rights and powers as the superintendent of public schools to issue the certificates herein provided for the children attending such schools. The person authorized to issue age and schooling certificates shall have the authority to administer the oaths necessary for carrying out the provisions of this Act, but no fees shall be charged for issuing such certificates.

An age and schooling certificate shall be issued only upon the written request of the prospective employer of such minor, which written request shall be filed by the person issuing the certificate.

An age and schooling certificate shall not be approved unless satisfactory evidence is furnished by the last school census, the certificate of birth or baptism of such minor, the public register of birth of such minor, or in some other manner, that such minor is of the age stated in such certificate. A duplicate copy of each age and schooling certificate granted under the provisions of this Act shall be kept by the person issuing such certificate such copy to be filed with the county superintendent of schools in the county where the certificate is issued; *provided*, that all such copies of certificates issued between June 25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year, shall be filed not later than June 30th of each year.

The county superintendent of schools of each county shall file with the commissioner of the bureau of labor statistics a report showing the number of age and schooling certificates issued to male and female minors, and such other detailed information as the commissioner may require. Said report to be filed during the months of January and July of each year for the preceding six months, ending June 25th and December 25th of each year, and cover certificates issued during said periods and on file in the office of the county superintendent of schools as described in this section.

SEC. 11. Age and schooling certificates shall be issued on forms which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California, and shall be substantially in the following form, to wit:

Age and schooling certificate.—This certifies that I am the (father, mother, or guardian) of (name of the minor) and that (he or she) was born at (name of the city or town), in the county of (name of county, if known), and state (or country) of (name) on the day (day and year of birth), and is now (number of years and of months) old.

Signature as provided in this Act.

City or town, and date.

There personally appeared before me the above named (name of person signing) and made oath that the following certificate by (him or her) signed is true to the best of (his or her) knowledge and belief.

I hereby approve the foregoing certificate of (name of minor), height (feet and inches), complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified, and I hereby certify that (he or she) (has or has not) completed the prescribed grammar school course.

Signature of the person authorized to sign, with his official character and authority.

Town or city and date.

This certificate belongs to the minor in whose behalf it is drawn and it shall be presented to (him or her) whenever (he or she) leaves the services of the person, firm, or corporation holding the same.

The certificate as to the birthplace and age of the minor under sixteen years of age shall be signed by his father, his mother, or his guardian; if a minor has no father, mother or guardian living in the same city or town, his own signature to the certificate may be accepted by the person authorized to approve the same.

Every person authorized to sign the certificate prescribed by this Act, who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment not more than thirty days, or by both such fine and imprisonment.

SEC. 12. No minor having a permit to work, as described in Sections 3, 4 and 5 of this Act, and no minor having an age and schooling certificate, as described in Sections 9, 10 and 11 of this Act, and no other minor under sixteen years of age, who would by law be required to attend school, shall, while the public schools are in session, be and remain idle and unemployed for a period longer than two weeks but must enroll and attend school: *provided*, that within one week after any minor having such a permit to work or such age and schooling certificate shall have ceased to be employed by any employer, such employer shall, in writing, giving the latest correct address of such minor known to such employer, notify the county superintendent of schools of such county, that such minor is no longer employed by

such employer; and such county superintendent of schools shall thereupon immediately notify the attendance officer having jurisdiction in the place of such minor's residence, giving the said latest known correct address of such minor, that such minor is neither at work nor in school; and *provided, further*, that no such minor shall be permitted to cease school attendance without securing a permit to work, or an age and schooling certificate, as provided in this Act.

SEC. 13. Any person, firm, corporation, agent, or officer of a firm or corporation that violates or omits to comply with any of the foregoing provisions of this Act, or that employs or suffers or permits any minor to be employed in violation thereof, is guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than fifty dollars or more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment, for each and every offense. A failure to produce any age and schooling certificate or permit to work or to post any notice required by this Act, shall be *prima facie* evidence of the illegal employment of any minor whose age and schooling certificate or permit to work is not produced, or whose name is not so posted. Any fine collected under the provisions of this Act shall be paid into the school funds of the county, or city, or city and county in which the offense occurred; except such fines imposed and collected as the result of prosecutions by the officers of the bureau of labor statistics. In such cases one half of the resultant fine or fines shall be paid into the state treasury and credited to the contingent fund of the bureau of labor statistics, and one half paid into the school fund of the county, or city, or city and county in which the offense occurred.

SEC. 14. Nothing in this Act shall be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor during the time the public schools are not in session, or during other than school hours. For the purpose of this Act, horticultural shall be understood to include the curing and drying, but not the canning, of all varieties of fruit. Nor shall anything in this Act be construed to prohibit any minor between the ages of fifteen and eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theater, or other place of amusement, previous to the hour of ten o'clock p.m., in the presentation of a performance, play or drama, continuing from an earlier hour till after the hour of ten o'clock p.m., from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p.m.; *provided*, the written consent of the commissioner of the bureau of labor statistics is first obtained. Nor shall anything in this Act prevent, or be construed to prohibit, the employment of any minor, whether resident or non-resident, in the presentation of a drama or dramatic play with the written consent of the commissioner of the bureau of labor statistics; but no such consent shall be given unless the officer giving it is satisfied that the environment in which the drama or dramatic play is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama or dramatic play, and every such written consent shall specify the name and age of the minor, together with such other facts as may be necessary for the proper identification of such minor, and the dates when, and the theaters or other places of amusement in which, such dramas or dramatic plays are to be produced, and shall specify the dramas or dramatic plays in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer giving it.

SEC. 15. The bureau of labor statistics shall enforce the provisions of this Act. The commissioner, his deputies and agents, shall have all the powers and authority of sheriffs or other peace officers to make arrests for violations of the provisions of this Act, and to serve any process or notice throughout the state.

The roll was called, and Senate amendments to Assembly Bill No. 374 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Schmitt, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 661?"

On page 2, line 13, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 661 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C. Clarke, Geo. A. Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, White, Woodley, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 956—An Act permitting the board of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Also: Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter any street in any incorporated city or town, lying adjacent to or upon the property of any such county, and providing for the payment thereof.

Also: Assembly Bill No. 954—An Act permitting school districts to construct sidewalks, and to pave, curb or gutter any street or alley in any incorporated city or town, lying adjacent to or upon the property of any such school district, and providing for the payment thereof.

And respectfully requests your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 956?"

In line 4, page 1, insert after the word "in" and before the word "any", the words "whole or in part in".

Also: On page 1, line 3, of the printed bill, after the word "city", insert the words "of the sixth class".

The roll was called, and Senate amendments to Assembly Bill No. 956 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Emmons, Farwell, Finnegan, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Morgenstern, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Ryan, Schmitt, Slater, Strine, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 955?"

AMENDMENT NO. 1.

On page 1, line 4, strike out the words "and the costs thereof", and insert in lieu thereof the following: "and to enter into a contract for doing such work (the same to be done subject to the supervision and under the control of the city or town) or to agree to reimburse the city or town therefor. The cost of such work or the amount of such reimbursement, as the case may be,".

AMENDMENT NO. 2.

On page 1, strike out lines 8 and 9.

The roll was called, and Senate amendments to Assembly Bill No. 955 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons,

Farwell, Finnegan, Fish, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—58.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 954?"

AMENDMENT No. 1.

On page 1, line 4, strike out the words "and the costs", and insert in lieu thereof the following: "and to enter into a contract for doing such work (the same to be done subject to the supervision and under the control of the city or town) or to agree to reimburse the city or town therefor. The cost of such work or the amount of such reimbursement, as the case may be,".

AMENDMENT No. 2.

On page 1, strike out lines 11 and 12.

The roll was called, and Senate amendments to Assembly Bill No. 954 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Simpson, Slater, Sutherland, Tulloch, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 958—An Act to amend Section 367e of the Penal Code of the State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person or another vehicle containing a person, and prescribing a penalty for the failure to perform such duty.

Also: Assembly Bill No. 1949—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Also: Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 10, 17, 42, 56, 57, 59 and 86 thereof.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 958?"

On page 2, line 7, strike out the words "of each person", and insert in lieu thereof the following: "of the passengers not exceeding five".

The roll was called, and Senate amendment to Assembly Bill No. 958 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Green, Griffin, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth,

Kingsley, McCarthy, McDonald, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Schmitt, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1949?"

On page 2, lines 3, 4, 5, 6 and 7, of the printed bill, strike out the following: "in a paper having a general circulation in the county where the work is to be done and shall likewise be published in two trade papers, one published in Los Angeles and one in San Francisco, having the largest paid circulation", and insert in lieu thereof the following: "in two trade papers of general circulation, one published in Los Angeles and one in San Francisco."

The roll was called, and Senate amendment to Assembly Bill No. 1949 was concurred in by the following vote:

AYES—Messrs. Alexander, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnson, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Peairs, Polsley, Richardson, Scott, Shannon, Shearer, Simpson, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 196?"

AMENDMENT No. 1.

On page 3, line 3, of the printed bill, after the word "own", add a hyphen (-).

AMENDMENT No. 2.

On page 3, line 13, after the words "common carrier", add a comma.

AMENDMENT No. 3.

On page 10, line 37, after the word "surgeons", add a comma.

AMENDMENT No. 4.

On page 14, line 27, strike out the first word "or", and in lieu thereof insert the word "of".

Also:

AMENDMENT No. 1.

On page 9, Section 17, line 9, after the word "research", insert the words "or in patriotic work,".

AMENDMENT No. 2.

On page 11, Section 17, line 16, after the word "purposes", insert the words "or for patriotic purposes,".

The roll was called, and Senate amendments to Assembly Bill No. 196 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Morgenstern, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1 of printed bill, strike out everything from and inclusive of the word "fourteen" in line 1, down to and inclusive of the word "school" in line 6, and insert in lieu thereof the following: "Seven thousand five hundred dollars (\$7,500.00), or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury, not otherwise appropriated, to be used by the trustees of the Santa Barbara Normal School of Manual Arts and Home Economics to purchase land, to become part of the present property of said school. The land so purchased shall not be less than six acres in extent, the purchase of which shall be subject to the approval of the state board of control."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California, relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 3 and 4, of the printed bill, omit the words "public office may be nominated otherwise than at a", and insert in lieu thereof the following: "any public office for which no non-partisan candidate has been nominated at any primary election may be nominated subsequent to said primary election, or in lieu of any".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 7, of the printed bill, omit the words "primary law", and insert in lieu thereof the following: "direct primary law enacted at the fortieth session of the legislature of the State of California,".

Amendment adopted.

AMENDMENT No. 3.

On page 1, lines 9 and 12, of the printed bill, omit the word "division", and insert in lieu thereof, in each case, the word "subdivision".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 12, of the printed bill, before the period, insert a comma and the following: "subject to the restrictions contained in said direct primary law."

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 13, of the printed bill, omit the words and figures "Subdivisions 1, 2, 3, and 4"; also, omit all of lines 14, 15 and 16 on page 1, and lines 1 and 2 and the letters and word "stantially govern" on line 3, page 2, of the printed bill, and insert in lieu thereof the following: "Sections 5, 6 and 7 of said direct primary law, as said sections apply to the nominees for judicial, school, county, and township officers, shall substantially govern as to".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 10, of the printed bill, omit the words "said candidate", and insert in lieu thereof the words "a candidate under this section".

Amendment adopted.

AMENDMENT No. 7.

On page 2, lines 16 and 17, of the printed bill, omit the words "has not been elected as a delegate to any political party convention that he".

Amendment adopted.

AMENDMENT No. 8.

On page 2, lines 19, 20, 21, 22 and 23 of the printed bill, omit the semicolon on line 19 and everything following to the period on line 23.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1750—An Act to amend Section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 7 and 8, strike out the following: "whose names appear upon the last assessment roll of the county or city and county".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 12, strike out the words "and two ballot clerks", and insert in lieu thereof the following: " : *provided*, that in any precinct which has a total registration of less than seventy-five voters, the election board may, in the discretion of the board of supervisors or other board having charge and control of elections in such precincts, consist of one inspector, one judge, and two clerks ;".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 13, strike out the words "and ballot clerks", and insert in lieu thereof the following: "so appointed shall constitute a board of election for such precinct".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 13, strike out the word "The", and insert in lieu thereof the following: "At all primary and general elections the".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 17, strike out the words "and multiple thereof".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 11, strike out all after the period and all of lines 12 and 13, and insert in lieu thereof the following: "The inspectors, judges and clerks upon each board of election shall distribute the extra duties devolving upon such board of election, in addition to their own duties, in such a manner as they themselves shall deem most advantageous, and such extra duties assigned to the several officers or clerks of boards of election by other sections of this code shall be performed by the members of each board as the said duties have been distributed in accordance with this provision. Not more than two members of any board of election shall be absent from the polling place at any one time."

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 15, after the word "elections", insert the following: "must notify each person appointed as a member of an election board, by written notice mailed to such person at the address shown on the affidavit of registration, at least seven days before the election and".

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 18, strike out the word "five", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 18, strike out the word "days", and insert in lieu thereof the following: "issues, the last publication to be".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 19, strike out the semicolon and all of the balance of line 19, all of line 20, and all of line 21 to, but excluding, the period.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1697—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1083a.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 7, strike out all after the word "qualified" and all of lines 8, 9 and 10, and insert in lieu thereof the following: "if said elector is a registered qualified elector at the time he signs the petition."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1890—An Act to amend Section 1204 of the Political Code of the State of California, relating to the manner of voting.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1, before the word "Section", insert the following: "Section 1."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, after the word "his", insert the following: "or her".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, after the word "he", insert the following: "or she".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 5, after the word "him", insert the following: "or her".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 6, strike out the words "ballot clerks", and insert in lieu thereof the following: "election officers".

Amendment adopted.

AMENDMENT No. 6.

On page 1, lines 7 and 8, strike out the words "the other ballot clerk", and insert in lieu thereof the following: "another election officer".

Amendment adopted.

AMENDMENT No. 7.

On page 1, line 10, after the period following the word "code", insert the following: "In case the surname of the person offering to vote has been changed by reason of marriage since registration such person shall sign her name as it was before such marriage and also her name as it is at the time she votes, indicating on the roster, by brackets or other means, that the two names are the names of one person."

Amendment adopted.

AMENDMENT No. 8.

On page 1, line 13, strike out the words "ballot clerk", and insert in lieu thereof the following: "election officer".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 1, strike out the word "challenges", and insert in lieu thereof the following: "challenge".

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 2, strike out the words "ballot clerk", and insert in lieu thereof the following: "election officer".

Amendment adopted.

AMENDMENT No. 11.

On page 2, line 8, strike out the words "ballot clerk", and insert in lieu thereof the following: "election officer".

Amendment adopted.

AMENDMENT No. 12.

On page 2, line 13, strike out the words "ballot clerk", and insert in lieu thereof the following: "election officer".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as the King's River Canyon road.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out the entire title and in lieu thereof insert the following: "An Act appropriating money for work on the state highway, known as Kings Canyon road, to authorize changes in the location of said road, and to repeal all Acts and parts of Acts in conflict herewith."

Amendment adopted.

AMENDMENT No. 2.

On page 1, add Sections 2 and 3 as follows:

"SEC. 2. The department of engineering is hereby authorized to make such changes in the location of said road as it may deem best.

SEC. 3. All Acts and parts of Acts in conflict with this Act are hereby repealed."

Amendment adopted.

Bill read second time.

Assembly Bill No. 386—An Act providing for the extension of the agricultural pavilion on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, of printed bill, after the word "hundred" and before the word "thousand", strike out the words "and fifty".

Amendment adopted.

Bill read second time.

Assembly Bill No. 84—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, strike out the words "one hundred", and insert in lieu thereof the word "seventy".

Amendment adopted.

Bill read second time.

Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1312—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County.

During second reading of the bill, the following amendment was submitted by Mr. Finnegan:

In the printed bill, page 1, strike out all after the words "An Act", and insert in lieu thereof the following:

"Making an appropriation to pay the claim of Duane Bliss against the State of California.

The people of the State of California do enact as follows:

SECTION 1. The sum of nineteen thousand one hundred sixty-eight dollars and seventy-six cents is hereby appropriated out of any money in the state treasury not otherwise appropriated to pay the claim of Duane Bliss against the State of California.

SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the State shall, under the provisions of Section 1 of Article IV of the constitution, take effect immediately."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Graham against the State of California.

Bill read second time.

Assembly Bill No. 2073—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 332—An Act to amend Sections 344, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 2, after the figure "1", and before the word "to", insert the following: "To appoint four deputies at the salary of \$150 per month, who may each appoint a secretary at a salary of \$80 per month, one deputy to have his office at Los Angeles, one at Fresno, one at Sacramento, and one at San Francisco, respectively; to appoint for the general office of the state fish and game commissioner, a secretary at a salary of \$150 per month; one assistant secretary at a salary of \$125 per month; one cashier at a salary of \$100 per month; three clerks at salaries of \$100 per month; and a stenographer at the salary of \$85 per month."

Amendment adopted.

AMENDMENT No. 2.

On page 2, of printed bill, line 7, strike out the words "three thousand dollars", and insert in lieu thereof "three thousand six hundred dollars."

Amendment adopted.

AMENDMENT No. 3.

Insert after the period in line 9, page 3, the following: "All moneys collected by the state fish and game commissioner or his deputies or assistants shall be paid into the general fund of the state treasury. All moneys paid out by the state fish and game commissioner or his deputies or assistants shall be so drawn and paid out subject to the control and supervision of the state board of control."

Amendment adopted.

AMENDMENT No. 4.

After the period, in line 9, page 3, add the following: "For the purpose of carrying out the provisions of this Act the sum of two hundred and fifty thousand dollars is hereby appropriated for the fiscal years 1913-1914 and 1914-1915 out of any money in the state treasury not otherwise appropriated; and the state controller is hereby authorized and directed to draw warrants upon such sum from time to time upon the requisition of the state game commissioner approved by the state board of control, and the state treasurer is hereby authorized and directed to pay such warrants."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 952—An Act to amend Section 792 of the Political Code of the State of California, relating to the qualifications of appointees to the office of notary public.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 953—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known and designated as Section 792a, relating to the examination of applicants for appointment to the position of notary public and the issuing of certificates thereto.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2089—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 861—An Act to provide a reader for blind students in certain educational institutions and to make an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out the title, and insert in lieu thereof the following: "An Act to provide for the instruction of blind students in certain state institutions".

Amendment adopted.

AMENDMENT No. 2.

Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Whenever one or more blind persons with the proper educational and moral qualifications shall regularly matriculate, enter and work for a degree in the University of California or for a diploma of graduation in any one of the state normal schools the trustees or governing authorities of said institutions shall out of the funds appropriated for the maintenance of such institution provide a reader to instruct such student from the text-books and other printed matter provided or required for the course taken by such student; *provided, however*, that no more than three hundred dollars per annum shall be expended by any such institution for the instruction of any one student and not more than a total of nine hundred dollars shall be expended in any one school year by any such institution, except the University of California, for the purpose of so instructing blind students."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 206—An Act to amend Section 635½ of the Penal Code, relating to two-mesh, three-mesh, and trammel nets.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, of the printed bill, strike out everything after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Section six hundred and thirty-five and one half of the Penal Code is hereby amended to read as follows:

635½. Every person who, at any time, shall cast, extend, set, draw, use or continue, or assist in casting, extending, setting, drawing, using or continuing, any two-mesh or three-mesh or trammel nets, for the catching of fish, shellfish, shrimp or crabs, in the waters of this state, shall be guilty of a misdemeanor; *provided, however*, that it shall be lawful to use two-mesh or three-mesh or trammel nets, the meshes of which, when drawn closely together and measured inside the knots, are nine (9) inches or more in length, in the waters of the Pacific ocean outside of one mile from the shore line thereof; *and provided, further*, that such two-mesh or three-mesh or trammel nets, the meshes of which when drawn closely together and measured inside the knots shall be not less than seven and one half (7½) inches in length, may be used in the waters of Monterey bay outside of existing fish and animal reservations and outside of one mile from the shore line of said Monterey bay, and outside of an imaginary line in said bay, drawn from the outer end of the Moss Landing wharf just south of the mouth of Elkhorn slough, northerly and westerly to Point Santa Cruz; *and provided, further*, that no person shall cast, extend, set or use any two-mesh, three-mesh or trammel net in any of the waters of this state and permit such net to remain in a set or fixed position for a period of time of more than six hours from the time of casting, extending or setting such net, without taking up such net and removing any fish that may have been taken therein. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars, or by imprisonment in the county jail of the county in which conviction shall be had, not less than fifty days or by both such fine and imprisonment; and all fines and forfeitures imposed and collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 579—An Act to amend the Penal Code of the State of California, by adding thereto a new section, to be known and

numbered Section 628*g*, relating to the importation of predatory fishes and animals into the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 879—An Act to add three new sections to the Penal Code, to be designated as Sections 373*b*, 373*c* and 373*d*, relating to public nuisances, and their abatement, and conferring certain powers upon the State Board of Health.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 175—An Act to amend Section 759 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and prescribing his duties and compensation.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1134—An Act to amend Section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 939—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services.

Bill read second time.

Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California, to be known and designated as Section 459*a*, relating to the giving of bonds by the deputy state treasurer, cashier, and bond officer of the Treasurer and providing for the payment of premiums thereon.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma, in Imperial County.

Bill read second time.

Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Malibu county road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Bill read second time.

Assembly Bill No. 1559—An Act providing for the construction of highways by the State in counties, cities and counties and cities, and providing for the payment of the expense of the construction and maintenance thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out everything in the entire bill after the words "An Act", in the enacting clause, and insert in lieu thereof the following:

Providing for the construction and maintenance by the state of state aid highways in counties and towns.

The people of the State of California do enact as follows:

SECTION 1. The board of supervisors of any county; or the governing body of any town may on a not less than four-fifths vote of such board or governing body, petition the state department of engineering, hereinafter in this Act called department, upon forms prepared by said department, or under its direction to have any main public highway in the said county, or town improved and maintained under the pro-

visions of this Act. Such petition shall contain a detailed description of the highway petitioned to be improved, a statement as to whether or not the rights of way for the said highway have been secured by the public; a statement of the kind of construction work with which it is sought to have the highway improved, and such other information and data as the department may prescribe.

SEC. 2. Upon receipt of such a petition the department shall give careful consideration to the matters contained therein, and may authorize the body filing the petition to file an amended or modified petition conforming to such regulations and conditions as in the discretion of the department may be deemed just and proper.

If said department determine that public necessity and convenience require that such highway should be laid out and be taken charge of by the state, it shall cause the engineer or surveyor of the county in which the road to be improved is located to make adequate surveys, plans, specifications and estimates thereof subject to the approval and acceptance of the department. Upon approval by the department, a copy of the petition, resolution or undertaking, plans, specifications and estimate shall be filed with the department and also in the office of the recorder of the county in which the highway is situated and thereafter it shall be a state highway, and shall be constructed and kept in good repair as the department shall direct, under the supervision of the engineer or surveyor of the said county, the expense for construction and repair of same to be proportioned and paid as hereafter provided. Such highways shall be known as state aid highways.

SEC. 3. The department shall not grant the prayer of any petition for the improvement of a highway under the provisions of this Act unless all necessary bridges and culverts shall have first been constructed by the county, or town in which the highway is situated, in a manner satisfactory to the department, nor unless all necessary rights of way have been secured by the public. All expenditures under the provisions of this Act shall be distributed equitably throughout the state.

SEC. 4. When the department is prepared for construction it shall so notify the governing body of the town or county in which the highway is located and furnish them a verified copy of the approved plans and specifications and the said governing body shall proceed to advertise for bids and let the contract for construction in the manner provided for by the statutes for advertising and letting contracts for work on public highways by counties.

Should the bids for constructing the highways exceed the figure mutually agreed upon between the department and the county engineer as a reasonable compensation for the work the bids shall be rejected and the work be done as the department shall direct. In either case the county surveyor shall represent the department in the supervision of the construction. Whenever the department deems it necessary, it may appoint an inspector.

SEC. 5. Payment for the work shall be made by the local governing body in the manner provided by law for the payments of claims against the county or city for work of this class, on presentation of bills verified by the supervising engineer and approved by the department. The cost of construction shall include therein the cost of the surveys, drafting, engineering, inspection and other necessary expenses as well as the cost of the actual work of construction. Two thirds of the cost of construction as shown by the bills approved by the department and paid by the city or county shall be paid by the city or county in which the highway is located and one third by the state. The cost of maintenance thereafter shall be equally divided between the state and the county, the work to be done as the department shall direct under the supervision of the county engineer. All bids for maintenance shall be approved and paid in the same manner as the cost of construction.

On the tenth of each month following the month in which work of any kind has been done, or expenses of any sort have been incurred in connection with the construction or maintenance of a state aid highway, the treasurer of the city or county where the highway is situated shall present to the department a verified statement of the amounts paid for work performed during the previous month and a demand for a payment of the amount due from the state. Upon verification and approval of this demand the state treasurer shall forward the amount to the city or county treasurer. The amount to be paid by a county may be paid out of the proceeds of a bond issue, the general fund, the general road district fund or out of the district funds of the road district in which the said highway is located.

The proportion of expense borne by the state shall be paid out of any fund now available, or which may hereafter be made available for the purpose, or out of special appropriations for the purpose made by the legislature.

Moneys shall be paid by the state treasurer upon warrants duly drawn by the controller of the state, upon demands made by the department and audited by the state board of control.

SEC. 6. All of the provisions of law relating to state highways and to the department shall apply so far as they are applicable to all work done and to all methods employed under this Act.

SEC. 7. This Act shall be known and cited as the "State Aid Highway Act."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 177—An Act to amend an Act to establish a uniform system of county and township government (approved April 1, 1897), by amending Section 228 thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 818—An Act to amend Sections 2, 12 and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvements and adding a new section thereto, to be numbered Section 3a, relating to the payment by the city of a portion of the cost of the improvement.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1253—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, by amending Section 12 of said Act, relating to the commencement of suits upon the warrant or assessment and the judgment to be rendered in such suits and the costs thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1352—An Act to amend Sections 764 and 862 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1893—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1918—An Act to amend Section 4458 of the Political Code by providing therein for the publication of notices given or made by public officers, or by law, in cities operating under freeholders' charters, wherein a municipal paper is being published by authority of such charter.

Assembly Bill No. 2068—An Act to amend Section 1 of an Act entitled "An Act to provide for the alterations of the boundaries of, and for annexation of territory to incorporated towns and cities and for the incorporation of such annexed territory in, and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 309—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 355—An Act to amend section six of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board

of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2053—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

During second reading of the bill, the following amendment was submitted by Mr. Kuck:

On page 11, line 21, of the printed bill, immediately after the comma following the figures "1911", and before the word "shall", insert the following: "or of any Act or Acts amendatory thereof or supplemental thereto".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1053—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, beginning line 8, strike out all of Section 6, and insert in lieu thereof the following: "Three forms of certificate shall be issued by said board under the seal thereof and signed by the president and the secretary: *first*, a certificate authorizing the holder thereof to practice medicine and surgery; *second*, a certificate authorizing the holder thereof to practice osteopathy; *third*, a certificate authorizing the holder thereof to practice any other system or mode of treating the sick or afflicted not referred to in this section. In order to procure a certificate to practice medicine and surgery, the applicant for such certificate must file with said board, at least two weeks prior to a regular meeting thereof, satisfactory testimonials of good moral character, and a diploma issued by some legally chartered medical school, the requirements of which shall have been at the time of granting such diploma in no particular less than those prescribed by this Act or satisfactory evidence of having possessed such diploma, and he must also file with said diploma an application sworn to before some person authorized to administer oaths, and attested by the hand and seal of such officer, if he have a seal, stating that he is the person named in said diploma, that he is the lawful holder thereof, and that the same was procured in the regular course of instruction and examination, without fraud or misrepresentation. The said application shall be made upon a blank furnished by said board, and it shall contain such information concerning the medical instruction and the preliminary education of the applicant as said board may by rule provide. Applicants who have failed to meet the above requirements must be rejected. Applicants for a certificate to practice osteopathy shall be subject to the above regulations, except that in place of the diploma hereinbefore referred to, they shall be required to file a diploma from a legally chartered college of osteopathy, having a course of instruction of at least twenty months, requiring actual attendance, and after 1908, of three years of nine months each, and including the studies examined upon under this Act. Applicants for a certificate to practice any other system or mode of treatment not in this Act

referred to, shall be subject to the above regulations, except that in place of the diplomas hereinbefore referred to, they shall be required to file a diploma from a legally chartered college of the system or mode of treatment which the applicant claims or intends to follow: *provided, however*, that the state board of medical examiners may issue a certificate to any person who has practiced a special branch of medicine and surgery, at the time this Act goes into effect, for a period of not less than thirty-five years, fifteen years of which time shall have been within the State of California; an applicant to practice a special branch of medicine and surgery must file an affidavit with the board of medical examiners, sworn to before some person authorized to take and administer an oath and attested by the hand and seal of such person, stating that he has successfully and effectively practiced the special branch of medicine and surgery for the term of years as hereinbefore mentioned; and such applicant to practice a special branch of medicine and surgery, shall not be required to file a diploma, as hereinbefore referred to, but such applicant may be required to take an examination, which shall be practical in character and shall consist of a practical demonstration in the special branch of medicine and surgery set forth in the affidavit of such applicant; and such practical demonstration shall be for the purpose of ascertaining an applicant's fitness to practice the special branch of medicine and surgery set forth in the affidavit of the applicant; and in addition thereto, such applicant may be required to produce testimony to the effect that he has successfully and effectively practiced the special branch of medicine and surgery as set forth in the affidavit hereinabove referred to; and if, after such practical demonstration, an applicant shall qualify, by effecting a cure, the state board of medical examiners shall issue a certificate to such applicant to practice the special branch of medicine and surgery set forth in the affidavit of such applicant. In addition to the requirements above set forth, except as otherwise stated, all applicants for a certificate must be personally examined by said board as to their qualifications. The examination shall be conducted in the English language, shall be practical in character and designed to discover the applicant's fitness to practice his profession, and shall be, in whole or in part, in writing on the following fundamental subjects, to wit: Anatomy, histology, gynecology, pathology, bacteriology, chemistry and toxicology, physiology, obstetrics, general diagnosis, hygiene. Examinations in each subject shall consist of not less than ten questions, answers to which shall be marked upon a scale of zero to ten. But all applicants must obtain not less than a general average of seventy-five per cent and not less than sixty per cent in any one subject; *provided*, that applicants who can show at least ten years of reputable practice shall be granted a credit of five per cent upon the general average, and five per cent additional for each subsequent ten years of such practice; *provided, further*, that any applicant obtaining seventy-five per cent each in seven subjects shall be subsequently re-examined in those subjects only in which he failed, and without additional fee. The examination papers shall form a part of the records of the board, and shall be kept on file by the secretary for a period of one year after each examination. In said examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application. The secretary of the board shall in no instance participate as an examiner in any examination held by the board.

All applicants applying to the board of medical examiners shall possess the following minimum requirements: a completed or unconditioned medical student's certificate, to be granted by a state medical examining and licensing board, or a board empowered by statute to grant such certificates, or a certificate of entrance to the academic department of any state university, or a teacher's permanent or life high school certificate, or a certificate of entrance to an accredited university or college, or a diploma from a high school in the State of California or its equivalent.

In addition to the minimum requirements herein set forth, all applicants applying to said board of medical examiners for a certificate to practice medicine and surgery, must have a diploma issued by some legally chartered medical college or school, the requirements of which medical college or school must have been at the time of granting such diploma as follows:

Candidates for the degree of doctor of medicine shall have attended four courses of study in four calendar years, each annual course to have been of not less than thirty-two teaching weeks' duration, and at least ten months shall intervene between the beginning of any course and the beginning of the preceding course. Each student shall be obliged to attend not less than 80 per cent of the exercises in every annual course of study for which he seeks credit. No student shall be given credit on examination unless he attains a grade of at least 70 per cent, or its equivalent in any other marking system. And no student shall be graduated unless he shall have attained a passing grade in each and all subjects of the required curriculum.

Required Curriculum.

The entire course of four years shall consist of at least 4,000 hours for each student, and shall be grouped in divisions and subdivided into subjects, each division and subject to be allowed the number of hours as shown in the following schedule:

Division No. 1. Anatomy, 710 hours.

(a) Gross anatomy (including applied anatomy)-----	510 hours
(b) Histologic and microscopic anatomy-----	135 hours
(c) Embryology -----	75 hours

Division No. 2. Physiology and Chemistry, 600 hours.

(a) Inorganic chemistry -----	180 hours
(b) Organic chemistry -----	75 hours
(c) Physiologic chemistry -----	104 hours
(d) Physiology -----	240 hours

Division No. 3. Pathology, Bacteriology and Hygiene, 450 hours.

(a) Bacteriology -----	135 hours
(b) Hygiene and general dietetics -----	45 hours
(c) Pathology -----	270 hours

Division No. 4. Pharmacology, Materia Medica and Therapeutics, 240 hours.

(a) Pharmacology -----	105 hours
(b) Materia Medica and Pharmacology -----	80 hours
(c) Therapeutics -----	55 hours

Division No. 5. Medicine and Medical Specialties, 970 hours.

(a) General medicine (including clinical microscopy) -----	640 hours
(b) Pediatrics -----	150 hours
(c) Nervous and mental diseases -----	105 hours
(d) Jurisprudence, ethics and economics -----	30 hours
(e) Dermatology and syphilis -----	45 hours

Division No. 6. Surgery and Surgical Specialties, 720 hours.

(a) General surgery -----	510 hours
(b) Orthopedic surgery -----	45 hours
(c) Genito-urinary diseases -----	45 hours
(d) Eye -----	60 hours
(e) Ear, nose and throat -----	60 hours

Division No. 7. Obstetrics and Gynecology, 300 hours.

(a) Obstetrics -----	195 hours
(b) Gynecology (including some abdominal surgery) -----	105 hours

Colleges may reduce the number of hours in any subject not more than 20 per cent, provided that the total number of hours in a division is not reduced. Where the teaching conditions in a college are best subserved, the subject may be, for teaching purposes, transferred from one division to another.

SEC. 2. An Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, as amended by certain act approved March 19, 1909, is hereby amended by adding a new section thereto, as follows:

6a. The board of medical examiners, upon the presentation of a certificate of registration or license issued to an applicant by an examining board of any state, or territory of the United States, or of the District of Columbia, or an examining board of osteopathy, and upon payment of the license fee herein provided, license such applicant without examination, in either of the following cases, to wit: (1) Where the legal requirements of the examining board of such state, territory, or District of Columbia, shall have been at the time of issuing such certificate of registration or license therein, in no degree or particular less than the examining board of this state; or (2) where the applicant at the time the certificate of registration of license was issued to him in such state, territory, or District of Columbia, was the legal possessor of a diploma issued to such applicant at a time prior to the time when an examination test was required by the laws of such state, territory, or District of Columbia, by a medical college in good standing therein and the applicants' preliminary and medical educational qualifications shall have been at the time the certificates of registration or license was issued to him in such state, territory or District of Columbia, in no degree or particular less than the preliminary and medical educational qualifications required by the laws of this state: *provided*, that the provisions of this section shall be held to apply only to the certificate of registration or licenses issued by such of said medical examining boards, or boards of osteopathy, as accept and register and license, without examination, persons who are authorized by law to practice medicine, surgery, or osteopathy in this state. Each applicant upon making application under the provisions of this section shall pay to the secretary of the board to which such applicant applies a license fee of fifty (50) dollars."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1054—An Act to provide for the publication and issuing of an official register and directory of physicians, surgeons, and

specialists, in medicine, surgery, or osteopathy, or other systems of medicine, in the State of California, providing for the printing thereof; making regulations in connection with the same; and providing for a penalty for violations thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2101—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2105—An Act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil for petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Act known as the Public Utilities Act of the State of California, approved December 23, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 58—An Act entitled an Act to amend Section 1858 of the Political Code of the State of California, relating to the method of determining the number of teachers to which a school district is entitled and the apportionment of county school funds by the county superintendent of schools.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line 1 of the title, strike out the words "entitled an Act".

Amendment adopted.

AMENDMENT No. 2.

On page 3, strike out all of lines 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17, and insert in lieu thereof the following: "Fifth units of average daily attendance wherever used in this section shall be construed to be the quotient arising from dividing the total number of days of pupils' attendance in the schools of the district by the number of days school was actually taught in the district. A school day is hereby construed and declared to be that portion of the calendar day or night in which one twentieth of the school work of a school month may be performed. The maximum school day in the elementary day and evening and secondary day and evening schools shall be six hours, the minimum four hours, exclusive of the recess periods; *provided*, that for the first, second and third grades of the elementary schools the minimum shall be four hours, inclusive of the recesses but exclusive of the noon period. Schools maintaining less than the minimum day of four hours shall reduce their average daily attendance accordingly, using the minimum day of two hundred and forty minutes as a divisor. The attendance of pupils present less than one fourth of any day shall not be counted for that school day and pupils present for one fourth of a day or more than one fourth of a day shall be counted as present for one fourth of a day, one half of a day, three fourths of a day, or for a whole day as the case may be. Incompleted quarter days shall be recorded by entering the number of minutes the pupil was present. At the end of the month or term, incompleted quarter days may be added and reduced to completed days attendance by dividing by the number of minutes in the minimum day, namely, two hundred and forty.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California defining the powers and duties of boards of school trustees and city boards of education.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, lines 34 and 35, strike out the following: "May be employed for four years and any".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 37, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 33, after the word "that", insert the following: "where the kindergarten is a part of the day elementary schools".

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 11, strike out the word "terms", and insert in lieu thereof the word "term".

Amendment adopted.

AMENDMENT No. 5.

On page 4, line 23, after the word "and" and before the word "pay", insert the following: "in their discretion".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 992—An Act to amend Sections 1560 and 1564 of the Political Code, relating to teachers' institutes.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 12 and 13, strike out the word "adjacent", and insert the word "adjoining".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 4, strike out the word "equally", and insert the word "proportionately".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 11, strike out the period and insert the following: "*; and provided, further, that during the year 1915 the superintendent of any county, or city and county, or city school district may convene an institute with the educational department of any international exposition held within the State of California, and may on an affirmative vote of two thirds of all teachers engaged in teaching in such county requesting that such institute be called in connection with said international exposition, direct the teachers of his county, city and county, or city school district, to attend the same in lieu of all or a designated part of the county, or city and county, or city school district institute under the same conditions and compensations as are herein provided for the county, city and county, or city school district*".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 425—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, a board of drugless examiners and a board of registration of religious practitioners.

During second reading of the bill, the following amendments were submitted by the committee:

Strike out all after the word "surgery", in the title and insert in lieu thereof as follows:

Osteopathy, naturopathy, chiropractic, mechanotherapy and other systems or modes of treating sick or afflicted human beings in the State of California; fixing the standard for the admission to such practice; for the appointment of a board of medical examiners; providing for the duties thereof in the matter of said regulation; appointing medical inspectors thereunder; imposing certain duties and obligations upon all persons who shall practice or shall attempt to practice, medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy, or other systems or modes of treating sick or afflicted human beings in the State of California; providing penalties for a violation of any of the provisions of this Act; to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation" which became a law under constitutional provision without governor's approval February 27, 1901; to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907; to repeal an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of the said regulation,' approved March 14, 1907; to repeal an Act entitled "An Act to amend an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, as amended by a certain Act approved March 19, 1909, by amending Section 16 thereof, and by adding a new section to said Act, which section shall be numbered 13a, relating to the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and imposing certain duties and obligations upon all persons who shall practice or shall attempt to practice, medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and providing penalties for a violation of any of the provisions of said Act, or of any of the provisions of Section 13a hereby added thereto," approved May 1, 1911; to repeal an Act entitled "An Act to regulate the practice of osteopathy in the State of California, and to provide for a state board of osteopathic examiners, and to license osteopaths to practice in this state, and punish persons violating the provisions of this Act" which became a law under constitutional provision without governor's approval March 9, 1901; to repeal an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 19, 1909; to repeal all Acts, or parts of Acts, in anywise conflicting with the provisions of this Act.

The people of the State of California do enact as follows:

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert in lieu thereof, as follows:

SECTION 1. The governor shall appoint a board to be known as the board of medical examiners of the State of California. Said board shall consist of eleven members appointed as follows: Two members from the school or system of medicine known as the allopathic; two members from the school or system of medicine known as the homeopathic; two members from the school or system of medicine known as the eclectic; two members from the school or system known as the osteopathic; one member from the school or system known as the naturopathic; one member from the school or system known as chiropractic and one member from the school or system known as mechanotherapy. Each person so appointed

shall at the time of his appointment, have been a citizen of the United States, a resident of the State of California, and been engaged in practice in accordance with the principles of the school or system from which he is appointed, for at least one year next preceding his appointment. All vacancies in the said board occurring by expiration of term or otherwise, shall be filled by appointment from the school or system in which the vacancy occurs. No professor, instructor or other person in any manner connected with or financially interested in any college or school of medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of training the sick or afflicted human beings, shall be appointed a member of said board. The term of office of each member shall be four years and until his successor is appointed and qualifies. It shall require a majority vote of the members of said board to carry any motion, resolution, adopt any rule or pass any measure, except to authorize the issuance of certificates, which shall be done in the manner as in this Act provided.

SEC. 2. Each member of said board shall, before entering upon the duties of his office, qualify by filing with the secretary of state the constitutional oath of office and in addition shall make and file on oath that he has been for one year next preceding the date of his appointment a citizen of the United States, a bona fide resident of the State of California, and a graduate and a practitioner in and of the school or system from which he is appointed.

SEC. 3. Said board shall organize on or before the second Tuesday in July, 1913, by electing from its members a president, a vice-president, a secretary, and a treasurer, who shall hold their offices respectively for the period of one year, and until their successors are duly elected and qualify. The secretary and treasurer shall each give a bond in the sum of five thousand dollars to the State of California for the faithful performance of their respective duties. The president, or in his absence the vice-president, shall preside over all meetings of the board and sign all orders or other documents requiring his signature. The secretary shall collect all moneys and fees, as in this Act provided, give his receipt therefor and within ten days pay the same over to the treasurer, taking his receipt therefor, and perform such other duties as may be required of him by said board. The treasurer shall receive all money from the secretary and receipt therefor.

SEC. 4. The governor may also appoint, subject to his revocation at any time, two medical inspectors. Such inspectors when appointed shall be under the direction of the board of medical examiners, and shall perform such duties as said board may require, and shall also make such reports to the governor as he may require. The pay of each inspector shall be one hundred dollars per month, payable out of the board of medical examiners' contingent fund, upon requisition of the board.

SEC. 5. All fees and fines or other moneys collected on behalf of the board of medical examiners shall be reported by the secretary at the beginning of each month for the month preceding to the state controller, and at the same time the treasurer shall pay over the amount of collections received by him to the state treasurer, reserving however, a petty cash fund of not more than two hundred dollars. The amount transmitted to the state treasurer shall be credited to a fund to be known as the board of medical examiners contingent fund, which fund is hereby created. Such contingent fund shall be for the use of the board of medical examiners and out of it shall be paid all salaries and all other expenses lawfully incurred in carrying into effect the provisions of this Act. The board shall have power to employ clerical assistance and to fix the salaries of the same. It shall fix the salary of the secretary at a sum not to exceed twelve hundred dollars per annum and shall fix the compensation to be paid to other members of the board, not to exceed the rate of ten dollars per diem each, for each and every day of actual service in the discharge of official duties; and said board may in its discretion, add to said sums, necessary traveling and incidental expenses, and incur such other expenses as may be deemed necessary to carry into effect the provisions of this Act.

SEC. 6. Said board shall hold its regular meetings for examination and other purposes in the city and county of San Francisco, on the first Tuesday of April and August and in the city of Los Angeles on the first Tuesday of December of each year, and shall have the power to adjourn from time to time until its business shall have been concluded. A quorum shall consist of seven members. If at any time less than a quorum shall be present, such number shall have the power to adjourn from day to day until a quorum shall be present but such number less than a quorum shall have no other power. Said board may, in its discretion, conduct examinations of applicants for certificates in any part of the state designated by the board, but the board must examine every applicant presenting the evidence of his qualifications specified in this Act. Notice of each regular meeting of the board shall be given by publication twice a week for each of the two weeks next preceding each meeting, in four daily newspapers of general circulation published in the city and county of San Francisco, in one daily newspaper published in the city of Sacramento and in three daily newspapers published in the city of Los Angeles; said notice shall also specify the time and place of holding the examinations of applicants for certificates. Special meetings of the board may be held at such times and places as may

be designated by the board and the same notice thereof shall be given as herein required to be given in the case of regular meetings. The secretary shall receive all applications for certificates as provided in this Act to be issued by the board, and shall keep a correct account of all such applications in a book to be kept for such purposes, and said board shall on or before the first day of January of each year, transmit to the governor of the state, a full and true report of all its proceedings, number of applications received, number of certificates issued, together with a full and true report of its receipts and disbursements.

SEC. 7. It shall be the duty of the state board of control of the State of California to audit the accounts of said board and transmit a copy of its report to the governor of the state on or before the first day of January each year.

SEC. 8. The board of medical examiners shall maintain an office exclusively for the transaction of the business of the board, which office shall remain open for the transaction of such business during regular business hours. The said office of said board shall be in the city and county of San Francisco and in all legal proceedings against said board, the said city and county of San Francisco shall be deemed to be the residence of the members thereof.

SEC. 9. Any member of said board may administer oaths in all matters pertaining to the duties of said board and the board shall have the power and authority to take evidence in any matter cognizable by it, in accordance with the provisions of the Code of Civil Procedure of the State of California pertaining to the rules of evidence and the manner of its production.

SEC. 10. Said board shall keep an official record of all its proceedings, a part of which record shall consist of a register of all applicants for certificates under this Act, with the result of each application. Said record shall be evidence of all the proceedings of said board which are set out therein.

SEC. 11. Certificates of the following classes shall be issued by said board under the seal of the board and signed by the president and secretary as follows:

First—A certificate authorizing the holder thereof to practice medicine and surgery.

Second—A certificate authorizing the holder thereof to practice osteopathy.

Third—A certificate authorizing the holder thereof to practice naturopathy.

Fourth—A certificate authorizing the holder thereof to practice chiropractic.

Fifth—A certificate authorizing the holder thereof to practice mechanotherapy.

Sixth—A certificate authorizing the holder thereof to practice any other system or mode of treating the sick or afflicted, shall be issued to each applicant within the provisions of this Act.

SEC. 12. Every person desiring to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings, in this state, except as hereinafter provided, shall at least two weeks prior to any regular or special meeting of the board of medical examiners of the State of California, file with the secretary thereof an application in a form prescribed by said board, sworn to before some person authorized to administer oaths, and attested by the hand and seal of such officer, if he have a seal, setting forth that such applicant is not less than twenty-one years of age, of good moral character, that he possesses a diploma from a recognized incorporated or chartered school or college as is hereinafter provided, and that the same was procured in the regular course of instruction and examination, without fraud or misrepresentation, or that he did have such diploma, and shall in addition furnish satisfactory evidence of that fact. Such application shall also state the school or system the principles of which the applicant intends to practice and that he desires a certificate authorizing him to practice according to the principles of that school or system.

A school or college of medicine and surgery to be deemed a recognized incorporated or chartered school or college, by this Act, shall have required after 1902 at least four courses of not less than seven months each before graduation, no two of such courses to have been taken within any one twelve months, and shall have required for admission thereto a preliminary education equivalent to graduation from a high school having a four years' course, including one year of Latin, and after May 6, 1907, two years of Latin; and after July 1, 1913, a recognized incorporated or chartered school or college of medicine and surgery shall be one requiring for matriculation a medical student's certificate as provided for in section 15 of this Act, or an equivalent certificate from some other state or territory of the United States, or the District of Columbia, or the equivalent education required for such a medical student's certificate; shall literally observe its own published requirements regarding tuition, time of attendance at annual sessions and requirements for graduation, which must be definitely expressed and not in conflict with this Act; shall have an active and competent faculty for teaching the art and science of medicine and surgery; and the curriculum of which shall be in no particular less than that set forth in the following table: Histology 90 hours, embryology 90 hours, osteology 30 hours, anatomy 420 hours, physiology 300 hours, chemistry and toxicology 300 hours, materia medica 60 hours, pharmacology 60 hours, therapeutics 90 hours, bacteriology 140 hours, pathology 240 hours, comparative anatomy, post-mortem

work and clinical microscopy 90 hours, physical diagnosis 100 hours, practice of medicine 540 hours, surgery 540 hours, obstetrics 160 hours, gynecology 160 hours, pediatrics 100 hours, eye and ear 60 hours, nose and throat 60 hours, mental and nervous diseases 120 hours, medical jurisprudence 30 hours, electrotherapeutics 60 hours, genito-urinary diseases 60 hours, dermatology and syphilis 40 hours, hygiene and public health 30 hours and dietetics 30 hours; *provided*, that a leeway of ten per cent may be allowed in the above schedule of a minimum total of four thousand hours; the hours in didactic, laboratory and clinical instruction shall be regulated by such schools or colleges as to them may seem proper; shall have clinical and hospital facilities; shall require actual attendance of eighty per cent of four courses of instruction, in a medical school or college, of not less than 32 continuous weeks, excluding holidays, in four separate years. Such schools or colleges may allow advanced standing from other medical schools or colleges having equal requirements on presentation of official credentials, excepting in the subjects embraced in the fourth year of their own curriculum.

A school or college of osteopathy to be deemed a recognized incorporated or chartered school or college, by this Act, shall have required a course of instruction of at least twenty months requiring actual attendance and after 1908 three years of nine months each and after July 1, 1913, shall require for matriculation a medical student's certificate as provided for in section 15 of this Act, or an equivalent certificate for some other state or territory of the United States, or the District of Columbia, or the equivalent education required for such a medical student's certificate; shall literally observe its own published requirements regarding tuition, time of attendance at annual sessions and requirements for graduation which must be definitely expressed and not in conflict with this Act; shall have an active and competent faculty for teaching the science and art of osteopathy; and the curriculum of which shall be in no particular less than that set forth in the following table: Histology 90 hours, embryology 90 hours, osteology 30 hours, anatomy 420 hours, physiology 300 hours, chemistry and toxicology 300 hours, bacteriology 140 hours, pathology 240 hours, comparative anatomy, post-mortem work and clinical microscopy 90 hours, practice of osteopathy 640 hours, obstetrics 160 hours, gynecology 160 hours, medical jurisprudence 30 hours, hygiene and public health 30 hours, dietetics 30 hours and general diagnosis 100 hours; *provided*, that a leeway of ten per cent may be allowed in the above schedule, but there shall be a minimum requirement of not less than a total of 3000 hours; the hours in didactic, laboratory and clinical instruction, shall be regulated by such schools and colleges as to them may seem proper; shall have clinical and hospital facilities; shall require actual attendance on eighty per cent of three courses of instruction, in an osteopathic school or college, of not less than 32 continuous weeks, excluding holidays, in three separate years. Such schools or colleges may allow advanced standing from other osteopathic schools or colleges having equal requirements, on presentation of official credentials, excepting in the subjects embraced in the third year of their own curriculum.

A school or college of naturopathy to be deemed by this Act, a recognized incorporated or chartered school or college, shall require for matriculation a medical student's certificate as provided for in Section 15 of this Act, or an equivalent certificate from some other state or territory of the United States, or the District of Columbia, or the equivalent education required for such a medical student's certificate; shall literally observe its own published requirement regarding tuition, time of attendance at annual sessions and requirements for graduation, which must be definitely expressed, and not in conflict with this Act; shall have an active and competent faculty for teaching the science and art of naturopathy; and the curriculum of which shall be in no particular less than that set forth in the following table: Histology 90 hours, embryology 90 hours, osteology 30 hours, anatomy 420 hours, physiology 300 hours, bacteriology 140 hours, pathology 240 hours, comparative anatomy, post-mortem work and clinical microscopy 90 hours, physical diagnosis 100 hours, practice of naturopathy 540 hours, obstetrics 160 hours, gynecology 160 hours, medical jurisprudence 30 hours, hygiene and public health 30 hours, dietetics 30 hours; *provided*, that a leeway of ten per cent may be allowed in the above schedule, but there shall be a minimum requirement of not less than a total of 4000 hours; the hours in didactic, laboratory and clinical instruction shall be regulated by such schools or colleges as to them may seem proper; shall have clinical and hospital facilities; shall require actual attendance on eighty per cent of four courses of instruction, in a naturopathic school or college, of not less than 32 continuous weeks, excluding holidays, in four separate years. Such schools or colleges may allow advanced standing from other naturopathic schools or colleges having equal requirements, on presentation of official credentials, excepting in the subjects embraced in the fourth year of their own curriculum.

A school or college of chiropractic to be deemed a recognized incorporated or chartered school or college, by this Act, shall literally observe its own published requirements regarding tuition, time of attendance at annual sessions and requirements for graduation, which must be definitely expressed and not in conflict with this Act; shall have an active and competent faculty for teaching the art of chiropractic; and the curriculum of which shall include instruction in anatomy, physiology, pathology, etiology, nerve tracing, palpation, specific adjusting, chiropractic orthopedy

and the principles of the theory and practice of chiropractic; shall have clinical facilities; shall require actual attendance of eighty per cent of two courses of instruction, in a chiropractic school or college, of not less than 32 continuous weeks, excluding holidays, in two separate years; but there shall be a minimum requirement of not less than 1,000 hours. Such schools or colleges may allow advanced standing from other chiropractic schools or colleges having equal requirements, on presentation of official credentials, excepting in the subjects embraced in the second year of their own curriculum; and after July 1, 1913, shall require of matriculants a certificate of grammar school education as provided for in Section 15 of this Act or an equivalent certificate from some other state or territory of the United States, or the District of Columbia, or the equivalent education required for such a certificate.

A school or college of mechanotherapy to be deemed a recognized incorporated or chartered school or college, by this Act, shall literally observe its own published requirements regarding tuition, time of attendance at annual sessions and requirements for graduation, which must be definitely expressed and not in conflict with this Act; shall have an active and competent faculty for teaching the science and art of mechanotherapy; and the curriculum of which shall include instruction in anatomy, physiology, hygiene, hydrotherapy, manual manipulation, suggestive therapeutics and the theory and practice of mechanotherapy; shall have clinical facilities; shall require actual attendance of eighty per cent of two courses of instruction, in a mechanotherapy school or college, of not less than 32 continuous weeks, excluding holidays in two separate years; but there shall be a minimum requirement of not less than 1,000 hours. Such schools or colleges may allow advanced standing from other mechanotherapy schools or colleges having equal requirements, on presentation of official credentials, excepting in the subjects embraced in the second year of their own curriculum; and after July 1, 1913, shall require of matriculants a certificate of grammar school education, as provided for in Section 15 of this Act, or an equivalent certificate from some other state or territory of the United States, or the District of Columbia, or the equivalent education required for such a certificate.

SEC. 13. In addition to the requirements set forth in Section 12 of this Act, every applicant for a certificate to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings, except as hereinafter provided, shall be examined by said board as to his qualification to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating the sick or afflicted human beings. The examination shall be practical in character, and designed to discover the applicant's fitness to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings, which the applicant shall state in his application that he desires or intends to follow. Said examination shall be in whole or in part in writing.

An applicant for a certificate to practice medicine and surgery shall be examined in surgery by the representatives of the allopathic, homeopathic and eclectic schools or systems of medicine, and in materia medica and therapeutics and the principles and practice of medicine by the representative or representatives of that school or system of medicine which he shall select.

An applicant for a certificate to practice medicine and surgery, osteopathy, or naturopathy shall be examined in anatomy, histology, gynecology, pathology, bacteriology, chemistry and toxicology, physiology, obstetrics, general diagnosis and hygiene, by the representatives of the allopathic, homeopathic, eclectic, osteopathic and naturopathic schools or systems, and if desiring or intending to practice osteopathy by the representatives of the school or system of osteopathy, in the theory and practice of osteopathy; and of desiring or intending to practice naturopathy, by the representative of the school or system of naturopathy, in the theory and practice of naturopathy.

An applicant for a certificate to practice chiropractic shall be examined by the representative of the school or system of chiropractic, in anatomy, physiology, pathology, etiology, nerve tracing, palpation, specific adjusting, chiropractic orthopedy and the principles and theory of chiropractic.

An applicant for a certificate to practice mechanotherapy shall be examined by the representative of the school or system of mechanotherapy, in anatomy, physiology, hygiene, hydrotherapy, manual manipulation, suggestive therapeutics and the theory and practice of mechanotherapy.

Any person desiring to practice any other system or mode of treating sick or afflicted human beings shall be examined as to his qualifications by the member or members of the board who represent the system that most nearly corresponds to that of the applicant or the member or members of the board whom the applicant shall for this purpose select.

Examinations in each subject shall consist of not less than ten questions, answers to which shall be marked, giving the value of each answer separately on the scale of zero to ten.

Each applicant must obtain a general average of not less than seventy-five per cent; *provided*, that every applicant shall be granted a credit of five per cent on each subject examined upon, for each ten years of reputable practice in the school

or system for which he is an applicant for a certificate, which he can show; *provided*, further, that any applicant obtaining seventy-five per cent in each of seven subjects, if he be examined by the representatives of the school or system of allopathy, homeopathy, eclectic medicine, osteopathy, or naturopathy, or in six subjects, if he be examined by the representatives of the school or system of chiropractic or mechanotherapy, shall be subsequently re-examined in those subjects only in which he failed, and without additional fee.

All questions shall be prepared by the examiner and submitted to the board for approval before examination.

All examination papers shall form a part of the records of the board and shall be kept on file, by the secretary, for a period of two years after each examination. At all said examinations the applicants shall be designated and known by number only and the name attached to the number shall be kept secret until the board shall have finally voted upon and either granted, conditioned, or rejected such applicant. The secretary of the board shall in no instance participate as an examiner in any examination held by the board, except the examination of applicants for certificate to practice the school or system of which he is the sole representative; and it shall be good cause for removal by the governor, if it shall be shown that such secretary shall give the number and name of any applicant to any member of the board, or any other person, or allow the same to be placed in such a place or position, that any member of the board or any other person can, or would be able, to obtain the same, until such application shall have been finally voted upon.

SEC. 14. Each applicant on making application shall pay to the secretary of the board a fee of twenty-five dollars, which shall be paid to the treasurer of the board by said secretary. In case the applicant's credentials are insufficient, or in case he does not desire to take the examination the sum of ten dollars shall be retained, the remainder of the fee being refunded upon application.

SEC. 15. A medical student's certificate as provided for in this Act shall be issued by the superintendent of public instruction of the State of California to every applicant who shall give satisfactory evidence that he has:

(1) The degree of A.B., or B.S., or Ph.D., or B.L., or a degree equivalent to any of them, from a university or college; (2) a state teacher's permanent or life certificate; (3) a diploma from a California high school or its equivalent normal, parochial or other school or academy, requiring for admission evidence of the completion of an eight-year course in primary and intermediate grades, and for graduation not less than four years of study; (4) a medical student's certificate from any other state or territory of the United States, or the District of Columbia, issued upon requirements equal to those herein provided; (5) or upon examination in writing with a general average of seventy-five per cent in the following branches:

Mathematics, (a) algebra, (b) plane geometry; English, (a) English grammar, (b) rhetoric and composition; Latin, (a) Latin grammar, (b) Latin prose composition, (c) reading four books of Cæsar or equivalent; physics; history; German or French, grammar and composition; physiology and hygiene; drawing.

Every application for a medical student's certificate shall contain the full name of the applicant, age, when born, where born, and if a foreigner if naturalized or not, what schools or institutions of learning he has attended, the time spent therein, where such schools are situated, how long a resident of this state and the place where he last resided, together with a certificate signed by two reputable practitioners of the school or system for which the applicant desires or intends to prepare, who have been practicing their profession in the state or territory of the United States, or the District of Columbia, where said applicant is a resident, for at least one year before the filing of such application, stating how long the applicant has been known to them, and such other and further facts as may tend to show whether or not the applicant would be a suitable person morally to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings. Such application shall be accompanied by a fee of five dollars.

Every applicant failing to obtain a general average of seventy-five per cent in the above examination, and not falling below fifty per cent in more than two branches, shall be given a conditional certificate. Any school or college of medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in this state may matriculate the holder of any conditional medical student's certificate to within twelve months of its date contingent upon the condition being removed within twelve months from the date of the certificate. Such conditions can be removed only by the presentation of a certificate from the superintendent of public instruction that such applicant has passed a satisfactory examination in the branches in which he was conditioned. If such conditions are not removed within twelve months from the date of the certificate, such school or college shall cancel the matriculation. The superintendent of public instruction shall keep a record of all medical students' certificates issued, and upon the issuance of any conditional certificate shall send a copy of the record thereof to the state board of medical examiners.

A certificate of grammar school education as provided for in this Act shall be issued by the superintendent of public instruction of the State of California to

every applicant who shall on examination give evidence of educational qualifications equivalent to those required for graduation from the grammar schools of this state. Every application for a certificate of grammar school education shall contain the full name of the applicant, age, when born, where born, and if a foreigner if naturalized or not, what schools or institutions of learning he has attended, the time spent therein, where such schools are situated, how long a resident of this state, and the place where he last resided, together with a certificate signed by two reputable practitioners of the school or system for which the applicant desires or intends to prepare, who have been practicing their profession in the state or territory of the United States, or the District of Columbia, where said applicant is a resident, for at least one year before the filing of such application stating how long the applicant has been known to them, and such other further facts as may tend to show whether or not the applicant would be a suitable person morally to practice chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings. Such application shall be accompanied by a fee of five dollars.

Any school or college of medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in this state, may admit to matriculation any applicant to whom such a certificate has been issued.

SEC. 16. Any person who holds an unrevoked certificate authorizing him to practice medicine and surgery, osteopathy, naturopathy, or any other system or mode of treating sick or afflicted human beings heretofore issued under or by authority of any law of the State of California shall be entitled to practice that mode or system of treating the sick or afflicted specified in such certificate the same as if such certificate had been issued under this Act; every person who holds an unrevoked certificate issued prior to May 1, 1913, by the Board of California Federation of Liberal Physicians, Surgeons and Healers, incorporated on the 21st day of October, 1911, under the laws of the State of California, or by the California Association of Chiropractors, incorporated under the laws of the State of California, or by the California Association of Mechanotherapists, incorporated under the laws of the State of California, or by the Federated Chiropractors of California, incorporated under the laws of the State of California, certifying that the holder is qualified to practice medicine and surgery or osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in the State of California, shall be entitled to practice that system or mode of treating sick or afflicted human beings, specified in such certificates, the same as if such certificate had been issued under this Act; *provided*, that such person shall present his certificate to the board of medical examiners created by this Act for endorsement, not later than December 31, 1913, and paying such board a fee of twenty-five dollars. Such board of medical examiners upon such presentation shall endorse said certificate by the signature of its president and secretary, and affix its official seal; every certificate in this section mentioned, may be revoked for unprofessional conduct in the same manner and upon the same grounds as if it had been issued under this Act.

SEC. 17. Any physician or surgeon who was previous to 1902 duly and regularly graduated, and licensed to practice his profession in any state or territory of the United States, or the District of Columbia, and whose said license is still unrevoked and in force, is hereby authorized to practice medicine and surgery in the State of California by presenting his diploma and his license, or satisfactory evidence thereof, to the state board of medical examiners and paying such board a fee of fifty (\$50.00) dollars; and the said board shall thereupon issue him a certificate to practice medicine and surgery in this state.

SEC. 18. The state board of medical examiners shall establish reciprocal relations with similar boards of other states and territories of the United States and of the District of Columbia for the issuance of certificates to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings. When any such reciprocal relations have been established, a certificate to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in this state shall be issued without examination to any person who presents a certificate issued after 1902 by a reciprocating board upon requirements equivalent to those of this state at the time such certificate was issued, upon the payment by such person, to the board, of a fee of fifty dollars. The certificate issued by the state board of medical examiners of the State of California shall authorize the practice only of that school or system authorized by the certificate issued by the reciprocating board, and it shall appear on the face of the certificate that it was issued without examination.

SEC. 19. Any surgeon retired or relieved from active duty or honorably discharged from the medical department of the United States army or navy, or United States Public Health Service, is herewith authorized to practice medicine and surgery in the State of California, by filing a copy of the order retiring or relieving him from active duty or a copy of his discharge, duly sworn to by such surgeon, with the state board of medical examiners and paying said board a fee of fifty dollars.

SEC. 20. Every person holding a certificate authorizing him to practice medicine

and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in this state must have it recorded in the office of the county clerk of the county or counties in which the holder of said certificate has an office, and the fact of such recording shall be endorsed on the certificate by the county clerk recording the same. Any person holding a certificate who shall practice or attempt to practice medicine and surgery, osteopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in this state without first having filed his certificate with the county clerk as herein provided, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not to exceed one hundred (\$100.00) dollars, or by imprisonment not to exceed sixty (60) days or by both such fine and imprisonment.

SEC. 21. The county clerk shall keep in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of record; and said book shall be open to public inspection during his office hours.

SEC. 22. Said board may refuse a certificate to any applicant guilty of unprofessional conduct, as the same is defined in this Act; but such refusal shall be only upon complaint in writing verified by oath and filed with the secretary of the board, charging the applicant with having been guilty of unprofessional conduct within two years next preceding the filing of the complaint, and upon citation personally served upon the applicant and upon hearing of the complaint or such other proceedings as are hereinafter provided for. A copy of the complaint shall be attached to the citation. The citation shall be made returnable at the next regular meeting of the board, occurring not less than thirty days next after the filing of the complaint, and shall notify the applicant of the time and place of the hearing of such charge, which shall be the time and place of the next regular meeting of the board occurring not less than thirty days after the filing of the complaint. The applicant so cited shall have twenty days after service on him of said citation and complaint to file his answer, which answer shall be verified by oath; and in default of answer a certificate shall be refused. If the board shall hold any regular or special meeting, within thirty days after the filing of such complaint, or any special meeting after thirty days from the filing of the complaint, but before the regular meeting to which the citation is made returnable, the applicant may, if he chooses, enter appearance and file answer and move for a hearing at such regular or special meeting, as the case may be; and except for good reason to the contrary, such hearing shall be held. The attendance of witnesses at such hearing shall be compelled by subpoenas issued by the secretary of the board under its seal, and said secretary shall in no case refuse to issue any such subpoena. Said subpoenas shall be served and returned in accordance with the statutes of this state then in force. If any person refuses to obey a subpoena served upon him the fact of such refusal shall be certified by the secretary of said board under the seal thereof, to the superior court of the county in which the services was had, and said court shall thereupon proceed to hear said matter in accordance with the statutes of this state then in force as to contempt for disobedience of process of the court; and should said court find that the subpoena has been legally served and that the party so served has wilfully disobeyed the same, it shall proceed to impose such penalty as is provided in cases of contempt of court. In all cases of alleged unprofessional conduct arising under this Act, depositions of witnesses may be taken, the same as in civil cases, and all the provisions of the statutes of this state then in force as to the taking of depositions are hereby made applicable to the taking of depositions under this Act. If the applicant shall fail to file with the secretary of said board his answer under oath to the charges made against him within twenty days after service on him of said citation and complaint, or within such further time as may be granted, and the charges on their face be sufficient, default shall be entered against him and his application refused. If issue be joined, the board shall proceed to determine the matter, and to that end shall hear such evidence as may be adduced before it; and if it appear to the satisfaction of the board that the applicant is guilty as charged, no certificate shall be issued to him. Whenever any holder of a certificate herein provided for is guilty of unprofessional conduct, as the same is defined in this Act, and the said unprofessional conduct has been brought to the attention of the board granting the said certificate, in the manner hereinafter pointed out, or whenever a certificate has been procured by fraud or misrepresentation, or issued by a clerical mistake, it shall be the duty of the board to and it must revoke the same, and the holder of said certificate shall not be permitted to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy, or any other system or mode of treating sick or afflicted human beings in this state. But no such revocation shall be made unless such holder is cited to appear and the same proceedings are had as is hereinbefore provided in this section in case of refusal to issue certificates. The secretary in all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of revocation under the seal of the board, to the county clerk of the counties in which the certificate of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person,

the following: "This certificate was revoked on the ——— day of ———," giving the day, month and year of such revocation in accordance with said certification to him by the secretary. The record of such revocation so made by the said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of said board in the matter of said revocation. From the time of the revocation of a certificate, the holder thereof shall be disqualified from practicing medicine, osteopathy, naturopathy, chiropractic, mechanotherapy, or any other system or mode of treating sick or afflicted human beings in this state. The words "unprofessional conduct" as used in this Act, are hereby declared to mean:

First—The procuring, or aiding or abetting in procuring a criminal abortion.

Second—Wilfully betraying a professional secret, which if divulged would tend to hold the patient up to public scorn and contempt, except when ordered to do so by a court of competent jurisdiction.

Third—All advertising of medical business which is intended to deceive the public or impose upon credulous or ignorant persons, and so be harmful or injurious to public morals or safety.

Fourth—All advertising of any medicine, means, methods or appliances whereby it is claimed or intended that the monthly periods of pregnant women can be regulated or re-established if suppressed.

Fifth—Conviction of a felony or an act involving moral turpitude, in which case the record of such conviction shall be conclusive evidence.

Sixth—Habitual alcoholic or drug intemperance.

Seventh—The impersonation of another licensed practitioner of a like or different name.

SEC. 23. The said board shall, on or before the first day of January in each year, cause to be prepared a correct register and directory of the names in alphabetical order, classified according to their respective schools or systems of practice, of all persons duly licensed in this state to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy, or any other mode or system of treating sick or afflicted human beings, together with the names of any medical or other titles, degrees or diplomas, the name of the school, college, or university from which such person graduated, the date of granting said license, and the present residence of such person. The register and directory so kept in the office of said board, shall at all times have, either printed or written therein, the names of all licensees, and shall be prima facie evidence of the rights of any person whose name appears therein to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy, or any other mode or system of treating sick or afflicted human beings in this state. Printing of the register and directory provided for in this section and all the mechanical work connected therewith, shall be done by and under the supervision of the superintendent of state printing at the state printing office.

SEC. 24. Any person or number of persons who shall practice or attempt to practice or advertise or hold himself or themselves out as practicing medicine and surgery, or osteopathy, or naturopathy, or chiropractic, or mechanotherapy, or any other system or mode of treating sick or afflicted human beings in this state, or any person or number of persons, members or stockholders of any corporation, co-partnership, or association, using the term or terms of Dr. or Doctor, or Dr. ——— & Co., or Doctor ——— and Company, or the Dr. or Doctor ——— Co., or M.D., in such a way as would tend to lead any person of ordinary understanding to believe that such person or persons, corporation, co-partnership, or association will or does treat sick or afflicted human beings in this state without each of such persons having at the time of so doing a valid, unrevoked certificate as provided in this Act, shall be guilty of misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, or by imprisonment for a term of not less than sixty (60) days, nor more than one hundred and eighty (180) days, or by both such fine and imprisonment. In each such conviction, the fine imposed, if such there be, shall be forwarded by the clerk of the court of judgment to the state treasurer, who shall deposit the same to the credit of the board of medical examiners' contingent fund, as provided in Section 5 of this Act, and the said board is hereby directed and authorized to collect evidence of all persons guilty of a violation of provisions of this section, or any part thereof, or any or all provisions of this Act, and to submit the same to the proper officials to prosecute the same.

SEC. 25. If any person holding a valid, unrevoked certificate, as in this Act provided, shall use the name of any other person, whether real or imaginary, as the person who is maintaining the office for the purpose of treating sick or afflicted human beings or if any person holding a valid, unrevoked certificate, as in this Act provided, shall permit another person to use his certificate, issued as in this Act provided, for the purpose of impersonating him or practicing under his name he shall be guilty of a misdemeanor and upon conviction thereof, shall be punished as in Section 24 of this Act provided. In addition to the penalty herein provided for such misdemeanors, the person allowing another to use his name as aforesaid, upon trial and conviction shall forfeit the right to practice his profession as in his certificate provided and his said certificate shall be delivered to the court having jurisdiction over such person or persons, and the judge of such court shall, after final judgment, write the word "revoked" across the face of such certificate, sign

his name, title and date and deliver the same to the secretary of the board of medical examiners of this state. The secretary of said board shall thereupon enter upon his record and register a notation of the revocation of said certificate and shall certify the fact of revocation under the seal of the board, to the county clerk of the county in which the certificate of the person, whose certificate has been revoked, is recorded, and said clerk must thereupon write upon the margin or across the face of his register of the certificate of said person the following: "This certificate was revoked on the — day of —," giving the day, month and year of such revocation in accordance with said certification to him by said secretary.

SEC. 26. Every person filing for record, or attempting to file for record, the certificate issued to another, falsely claiming himself to be the person named in such certificate, or falsely claiming himself to be the person entitled to the same, shall be guilty of a felony and upon conviction thereof, shall be subject to such penalties as are provided by the law of this state for the crime of perjury.

SEC. 27. Any person assuming to act as a member of the state board of medical examiners without being so, or who shall sign, or subscribe, or issue, or cause to be issued, or seal, or cause to be sealed, a certificate authorizing any person to practice medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy or any other system or mode of treating sick or afflicted human beings in this state shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred (\$100) dollars, or more than five hundred (\$500) dollars, or by imprisonment for a term of not less than sixty (60) days nor more than one hundred and eighty (180) days, or by both such fine and imprisonment.

SEC. 28. Nothing in this Act shall be so construed as to inhibit service in the case of emergency, or the domestic administration of family remedies; nor shall this Act apply to any commissioned medical officer in the United States army, navy or United States public health service in the discharge of his official duties; nor to any licensed dentist when engaged exclusively in the practice of dentistry; nor to hospitals; nor to nurses acting under the direction of a physician or surgeon; nor to the selling of proprietary medicines in original packages when guaranteed by the manufacturer under the United States Pure Food and Drugs Act of June 30, 1906, or under the California Pure Drugs Act, Chapter 186, statutes of 1907, approved March 11, 1907. Nor shall this Act apply to any practitioner from another state or territory when in actual consultation with a licensed practitioner of this state, if such practitioner is, at the time of such consultation, a licensed practitioner in the state or territory in which he resides; *provided*, that such practitioner shall not open an office or appoint a place to meet patients, or receive calls within the limits of this state. Nor shall this Act be construed so as to discriminate against any particular school of medicine and surgery, or osteopathy, or naturopathy, or chiropractic, or mechanotherapy or any other system or mode of treating sick or afflicted human beings or to interfere in any way with the practice of religion; *provided*, that nothing in this Act shall be construed to regulate, prohibit or apply to any kind of treatment by occult or by metaphysical methods, whether gratuitously or for compensation; *and provided*, that nothing in this Act shall be construed to regulate, prohibit, or apply to, any kind of treatment by prayer, whether gratuitously or for compensation.

SEC. 29. An Act entitled "An Act for the regulation of the practice of medicine and surgery, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation" which became a law under constitutional provision without governor's approval February 27, 1901; and an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation" approved March 14, 1907; and an act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' which became a law March 19, 1909; and an Act entitled 'An Act to amend an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation' approved March 14, 1907, as amended by a certain act approved March 19, 1909, by amending Section 16 thereof, and by adding a new section to said Act, which section shall be numbered 13a, relating to the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and imposing certain duties and obligations upon all persons who shall practice or shall attempt to practice, medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and providing penalties for a violation of any of the provisions of said Act, or of any of the provisions of Section 13a hereby added thereto," approved May 1, 1911; and an Act entitled "An Act to regulate the practice of osteopathy in the State of California, and to provide for a state board of osteopathic examiners, and to license osteopaths to practice in this state, and punish persons violating the provision of this Act" which became a law under constitutional provision without

governor's approval March 9, 1901; and an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,'" approved March 19, 1909; and all Act, and parts of Acts, in anywise conflicting with the provisions of this Act, are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1473—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a section to be numbered and known as Section 13 of said Act.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1843—An Act to repeal Section 409 of the Political Code.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out everything after the words "An Act", and insert in lieu thereof the following:

To amend Section four hundred and nine of the Political Code.

The people of the State of California do enact as follows:

SECTION 1. Section 409 of the Political Code is hereby amended so as to read as follows:

409. The secretary of state, for services performed in his office, must charge and collect the following fees:

1. For a copy of any law, resolution, record, or other document on file in his office, twenty cents per folio.

2. For comparing a copy of any law, resolution, record, or other document or paper with the original, or the certified copy of the original, on file in his office, five cents per folio.

3. For affixing certificate and seal of state, unless otherwise provided for, two dollars.

4. For filing articles of incorporation of corporations organized under the laws of this state, if the capital stock amounts to twenty-five thousand dollars or less, fifteen dollars; if the capital stock amounts to over twenty-five thousand dollars and not over seventy-five thousand dollars, twenty-five dollars; if the capital stock amounts to over seventy-five thousand dollars and not over two hundred thousand dollars, fifty dollars; if the capital stock amounts to over two hundred thousand dollars and not over five hundred thousand dollars, seventy-five dollars; if the capital stock is over five hundred thousand dollars and not over one million dollars, one hundred dollars; if the capital stock is over one million dollars, fifty dollars additional for every five hundred thousand dollars or fraction thereof of capital stock over and above one million dollars; for filing articles of incorporation without capital stock, except co-operative associations, five dollars; for filing articles of incorporation of co-operative associations formed under the Act of eighteen hundred and ninety-five, and Acts supplementary thereto or amendatory thereof, fifteen dollars. For filing articles of incorporation of corporations organized under the laws of any foreign state or nation, one hundred dollars.

5. For recording articles of incorporation, twenty cents per folio.

6. For issuing certificates of incorporation, three dollars.

7. For filing certificate of increase of capital stock of corporations organized un-

der the laws of this state, five dollars for every fifty thousand dollars or fraction thereof of such increase. For filing certificate of increase of capital stock of corporations organized under the laws of any foreign state or nation, twenty dollars.

8. For filing certificate of decrease of capital stock, five dollars.

9. For filing notice of removal of principal place of business, five dollars.

10. For filing amended articles of incorporation, unless otherwise provided for, five dollars.

11. For filing certificate of creation of bonded indebtedness, or increase or decrease thereof, five dollars.

12. For issuing certificate of increase or decrease of capital stock, three dollars.

13. For filing certificate of continuance of existence, five dollars.

14. For issuing certificate of continuance of existence, three dollars.

15. For filing claim to trade-mark, and issuing certificate of filing, five dollars.

16. For issuing certificate of filing of any document, not otherwise provided for, three dollars.

17. For filing certificate of increase or decrease of number of directors, five dollars.

18. For issuing certificate of increase or decrease of number of directors, three dollars.

19. For receiving and recording each official bond, five dollars.

20. For filing notice of appointment of agent, five dollars.

21. For each commission, passport, or other document signed by the governor and attested by the secretary of state (pardons, military commissions, commissions issued to non-salaried state officers, and extradition papers excepted), five dollars.

22. For each patent for land issued by the governor, if for one hundred and sixty acres or less, one dollar; and for each additional one hundred and sixty acres, or fraction thereof, one dollar.

23. For issuing certificate of official character, two dollars.

24. For recording miscellaneous documents or papers, twenty cents per folio.

25. For filing certified copy of order and decree of court, changing name, or certified copy of order and decree of court, dissolving a corporation, five dollars.

No member of the legislature or state officer shall be charged for any search relative to matters appertaining to the duties of his office, nor shall he be charged any fee for a certified copy of any law or resolution passed by the legislature relative to his official duties.

All fees collected by the secretary of state must, at least once each week, be paid into the state treasury.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 367—An Act to amend Section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8, strike out the words "fifteen hundred", and insert in lieu thereof the following: "fourteen hundred".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 15, strike out the words "one thousand", and insert in lieu thereof the following: "sixteen hundred".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 18, after the word "law", strike out the comma and the words following, on lines 18 and 19, of page 1, and lines 1 to 7, inclusive, on page 2, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 8, strike out the words "five hundred", and insert in lieu thereof the following: "fifteen hundred".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 11, strike out the words "fifteen hundred", and insert in lieu thereof the following: "twenty-one hundred".

Amendment adopted.

AMENDMENT No. 6.

On page 2, lines 32 and 33, strike out the words "of not less than two thousand and".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 33, strike out the word "thirty", and insert in lieu thereof the following: "twenty-five".

Amendment adopted.

AMENDMENT No. 8.

On page 3, lines 15 and 16, strike out the words "six dollars per day when board is in session", and insert in lieu thereof the following: "five hundred dollars".

Amendment adopted.

AMENDMENT No. 9.

On page 3, after line 37, add the following:

"18. Jurors' fees: For attending as a grand juror or juror in the superior court, for each day's attendance, per day, two dollars. For attending justice's court, in civil cases only, per day, two dollars. For each mile actually traveled in attending court as a juror, in going only, per mile, twenty cents.

19. Witnesses' fees: For each day's actual attendance, when legally required to attend upon the superior court, per day, two dollars. For each day's actual attendance, when legally required to attend before a grand jury, per day, two dollars. For each day's attendance upon a justice's court, in civil cases only, when legally required to attend, per day, two dollars. For each mile actually traveled in attending court as a witness, in going only, per mile, twenty cents. Witnesses in civil cases may demand the payment of their mileage and fees for one day in advance, and when so demanded shall not be compelled to attend until the same shall have been paid."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1572—An Act to amend Section 4283 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 10, strike out the words "one thousand six hundred and fifty", and insert in lieu thereof the following: "two thousand one hundred".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1577—An Act to create a state school insurance fund and to provide for the insurance of all properties belonging to school districts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, after the words "The people of the State of California do enact as follows:", insert the following:

"SECTION 1. There is hereby created a school district mutual insurance association with the superintendent of public instruction as its agent and manager."

Amendment adopted.

AMENDMENT No. 2.

"SEC. 2. The purpose of this association is merely to provide a mutual insurance of all school district properties of the State of California, and to establish a state school insurance fund."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 1, strike out the figure "1", and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 10, strike out the word "commercial", and insert in lieu thereof the word "authorized".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 12, strike out the word "commercial", and insert in lieu thereof the word "authorized".

Amendment adopted.

AMENDMENT No. 6.

On page 1, line 17, strike out the figure "2", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT No. 7.

On page 2, between lines 6 and 7, insert the following: "Whenever a fire loss occurs either in whole or in part on any school property insured under the provisions of this Act, the superintendent of public instruction is hereby empowered, and it is made his duty, to collect the claims of the district sustaining the loss, if the risk is carried by any insurance company other than the school district mutual insurance association. When thus collected he shall at once pay over to the school district sustaining the loss the money so collected. If, however, any loss occurs wherein the risk is carried by the school district mutual insurance association, then he is, whenever such loss shall have been determined, to pay such loss out of the state school insurance fund to the district sustaining the loss."

Amendment adopted.

AMENDMENT No. 8.

On page 2, line 7, after the word "instruction", insert the following: "By and with the consent of the board of control".

Amendment adopted.

AMENDMENT No. 9.

On page 2, line 9, strike out the word "commercial."

Amendment adopted.

AMENDMENT No. 10.

On page 2, line 16, strike out the figure "3", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT No. 11.

On page 2, line 18, after the word "may", insert the following: "lower or vary the rate of insurance to an extent such as, in his discretion, the two hundred fifty thousand dollar fund shall be maintained at that amount or more and".

Amendment adopted.

AMENDMENT No. 12.

On page 2, line 20, strike out the word "commercial", and insert the word "insurance".

Amendment adopted.

AMENDMENT No. 13.

On page 2, line 23, strike out the word "commercial."

Amendment adopted.

AMENDMENT No. 14.

"SEC. 6. The superintendent of public instruction, the clerk of the district wherein the loss occurs and the school superintendent of the county thereof shall constitute a board of arbitration to determine and adjust all differences as to the amount of loss sustained, which amount shall be due and payable."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Mr. Sutherland moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 386, 609, 1644, 175, 1134, 939, 2096 and 2097.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 386, 609, 1644, 175, 1134, 939, 2096 and 2097 were considered.

Mr. Sutherland moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 386, 609, 1644, 175, 1134, 939, 2096 and 2097, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Sutherland moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 99, 2026, 1570, 84 and 1312.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 99, 2026, 1570, 84 and 1312 were considered.

Mr. Sutherland moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 99, 2026, 1570, 84 and 1312, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

AMENDMENT OF BILLS.

Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also creating a board whose duty it shall be to determine the order and manner of placing all questions, propositions and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board.

During third reading of the bill, Mr. Roberts moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, in line 4, of the title of said Act, strike out, commencing with the word "also" following the word "amended", down to and including the word "board" following the word "said", in line 8 of said title, and insert in lieu thereof the following: "also providing for the secretary of state determining the order of placing all questions, propositions, proposed laws and constitutional amendments on the ballot and providing for the preparation of the designation or ballot title by the attorney general and by a board of title commissioners, created by this Act, if objection be made to the ballot title prepared by the attorney general, by which all such questions, propositions, proposed laws and constitutional amendments shall be designated on the ballot and providing the procedure therefor."

Also: On page 8, lines 24 and 25, strike out the words "by said board hereinbefore referred to", and insert in lieu thereof the following: "as hereinbefore provided for".

Also: On pages 4 and 5, strike out all of subdivision (3), and insert in lieu thereof the following:

"3. The order in which all questions and propositions (including proposed laws and constitutional amendments), which are to be submitted to the vote of the electors, shall appear upon the ballot shall be determined by the secretary of state. The attorney general shall provide and return to the secretary of state a ballot title or designation by which all such questions, propositions, proposed laws and constitutional amendments shall be designated upon the ballot; *provided, however*, any person who is interested in any question, proposition, proposed law or constitutional amendment, the petition as to which is being circulated for the purpose of having the same submitted under an initiative petition, as provided in section one of Article IV of the Constitution, to a vote of the electors, or any proposed constitutional amendment to be submitted to a vote of the electors, may, at any time prior to one hundred and thirty days before the election at which such question, proposition, proposed law or constitutional amendment is to be submitted to a vote of the electors, file a copy of said question, proposition, proposed law or proposed constitutional amendment with the secretary of state, together with a request that a ballot title be prepared for the same; such request shall be accompanied with the address of the person or association of persons proposing such measure. The secretary of state shall forthwith transmit a copy of said question, proposition, proposed law or constitutional amendment to the attorney general. Within ten days after the same is filed with him, said attorney general shall provide and return to the secretary of state a ballot title for said measure. The ballot title may be distinguished from the legislative or other title of the measure and shall express in not exceeding one hundred words, the purpose of the measure. In making such ballot title, the attorney general shall give a true and impartial statement of the purpose of the measure and in such language that the ballot title shall not be an argument or likely to create prejudice either for or against the measure. Immediately upon receipt of the ballot title as prepared by the attorney general, the secretary of state shall mail to any and all persons who may have requested the preparation of such ballot title, a notice addressed to such person or persons at the address accompanying such request, stating that the attorney general has made

and returned such ballot title, which notice shall also contain a copy of the ballot title as prepared by the attorney general. Any person who is dissatisfied with the ballot title prepared by the attorney general for any such question, proposition, proposed law or constitutional amendment may, after the same has been returned to the secretary of state as hereinbefore provided, and within ten days after said notice shall have been mailed by the secretary of state, as above provided, file in writing with the secretary of state his objections, who shall forthwith file a copy of such question, proposition, proposed law or constitutional amendment, together with the title thereof as so prepared by the attorney general and the said objections thereto, with the board of title commissioners, which board shall consist of the three justices of the district court of appeal of the State of California, in and for the third appellate district, who shall be ex officio title commissioners for the purposes of this Act and which board is hereby created; said board shall fix a time at which any person may be heard either for or against the objection so made and shall notify all persons interested of the time so set, and thereupon said board of title commissioners shall proceed to consider the said title prepared by the attorney general and the objections filed thereto, and shall prepare a title by which such question, proposition, proposed law or constitutional amendment shall be designated upon the ballot. Said title commissioners shall certify the said designation to the secretary of state within ten days after said written objections have been received by them. The determination by the said board of title commissioners shall be final and conclusive. Such questions, propositions, proposed law and constitutional amendments shall be designated on the ballot by the said ballot title certified to the secretary of state by the said attorney general, or in case a different title has been prepared, certified and filed by the said board of title commissioners, then such title shall be the title and designation by which any such question, proposition, proposed law or constitutional amendment shall be designated upon the ballot.

Motion carried.

The Speaker appointed Mr. Roberts as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 459, with instructions, do now report that the instructions of the Assembly have been carried out.

ROBERTS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California, relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and creating a board for the purpose of preparing statement as to the effect and purpose of such questions, propositions and constitutional amendments.

During third reading of the bill, Mr. Roberts moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, of the title, strike out all of said title, commencing with the word "and" following the word "people", and insert in lieu thereof the following: "and providing for the designation of the same by the same ballot title, or designation as the same will appear on the ballots".

Also: On page 2, line 5, strike out, commencing with the word "and" following the word "ballot", down to and including the word "ballot", in line 31, and insert in lieu thereof the following: "and shall be designated thereon by the ballot title or designation which may be provided therefor. Said ballot title shall be printed on the sheets and pamphlets herein referred to immediately prior to the particular question, proposition or constitutional amendment therein referred to. There shall also be printed on said sheets and pamphlets the copy of said ballot title or designation as the same will appear on the ballots when voted on in the order and with the proper number which ballot title or designation shall be the method by which said questions, propositions and constitutional amendments shall be designated on the ballot".

Motion carried.

The Speaker appointed Mr. Roberts as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 451, with instructions, do now report that the instructions of the Assembly have been carried out.

ROBERTS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1451—An Act to amend Section 628a of the Penal Code of the State of California, relating to the protection and preservation of fish.

During third reading of the bill, Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

"Provided, however, that striped bass, not less than three pounds in weight, may be caught in any waters of this state where the use of a net, drag net or paranzella, the meshes of which are, when drawn closely together and measured inside the knots, not less than five inches, is permitted by law."

Motion carried.

The Speaker appointed Mr. Gelder as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1451, with instructions, do now report that the instructions of the Assembly have been carried out.

GELDER, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

During third reading of the bill, Mr. Ellis moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, strike out the word "seven", and insert in lieu thereof the word "eight".

Also: On page 1, line 10, strike out the word "three", and insert in lieu thereof the word "four".

Also: On page 2, line 35, strike out the word "seven", and insert in lieu thereof the word "eight".

On page 3, line 1, strike out the word "three", and insert in lieu thereof the word "four".

Also: On page 3, line 17, strike out the word "three", and insert in lieu thereof the word "four".

Also: On page 3, line 31, strike out the word "seven", and insert in lieu thereof the word "eight".

Also: On page 4, line 4, strike out the word "seven", and insert in lieu thereof the word "eight".

Also: On page 4, line 25, strike out the word "seven", and insert in lieu thereof the word "eight".

Also: On page 4, line 31, strike out the word "six", and insert in lieu thereof the word "seven".

Also: On page 5, line 23, strike out the word "nine", and insert in lieu thereof the word "twelve".

Also: On page 6, line 28, strike out the words "of the fifth class", and insert in lieu thereof the following: "having a population of twelve thousand or more".

Also: On page 6, line 29, strike out the word "monthly".

Also: On page 7, line 7, strike out the word "five".

Also: On page 7, line 15, after the period, strike out all the rest of the section, and insert in lieu thereof the following: "Provided that there shall be but one justice elected in any township in counties of this class".

Also: On page 8, line 12, strike out the words "of the", and on line 13, the words "fifth class", and insert in lieu thereof "having a population of twelve thousand or more".

Also: On page 8, line 28, after the word "thousand", insert the words "three hundred".

Motion carried.

The Speaker appointed Mr. Ellis as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1152, with instructions, do now report that the instructions of the Assembly have been carried out.

ELLIS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Bill No. 954—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

On motion of Mr. Guill, Senate Bill No. 954 was re-referred to Committee on Ways and Means.

Assembly Bill No. 321—An Act to amend an Act entitled "An Act to add a new section to the Political Code, to be known as Section 1665a, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools, in which shall be taught the French, Italian and German languages in connection with the English branches," approved March 18, 1909, relating to cities of the first and first and one half classes.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 3, strike out the word "cities" and also all of line 4 and insert in lieu thereof the following: "any city or city and county when by such board it may be deemed necessary or advisable".

Motion carried.

The Speaker appointed Mr. Shannon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 321, with instructions, do now report that the instructions of the Assembly have been carried out.

SHANNON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

During third reading of the bill, Mr. Griffin moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 12, strike out the figures "\$1,800" and insert in lieu thereof the following: "\$2,000.00".

Also: On page 2, lines 24 and 25, after the words "deputy tax collector" insert the following: "which said office is hereby created".

Also: On page 2, line 35, strike out the word "two" and insert in lieu thereof the following: "three".

Also: On page 4, line 18, after the word "law" add the following: "The compensation allowed each officer above enumerated shall be in full payment for all services performed by them".

Motion carried.

The Speaker appointed Mr. Griffin as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 318, with instructions, do now report that the instructions of the Assembly have been carried out.

GRIFFIN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

During third reading of the bill, Mr. Griffin moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 6, line 17, after the word "only", insert the following: "The compensation allowed each officer above enumerated shall be in full payment for all services performed by them".

Motion carried.

The Speaker appointed Mr. Griffin as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 496, with instructions, do now report that the instructions of the Assembly have been carried out.

GRIFFIN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

UNFINISHED BUSINESS.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to

appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriation may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions, defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

SPECIAL ORDER SET.

On motion of Mr. Johnstone, the consideration of Assembly Bill No. 642 was made a special order for Friday, April 25, 1913, at eleven o'clock a.m.

RESOLUTION.

By Mr. Polsley:

Resolved, That whereas, F. M. Newbert, R. D. Duke, W. H. Shebley and Ernest Schaeffle, in the employ of the Fish and Game Commission during the months of January, February, March and up to and including the tenth day of April, 1913, have been actively engaged in lobbying in the interest of certain bills before the Legislature and concerning which there is much difference of opinion among the people of the state; and

WHEREAS, Said employees are credited with receiving large sums as salary and expenses for their services; therefore, be it

Resolved, That the Fish and Game Commission be requested to furnish to this House, within five days from the date hereof, an itemized statement of salaries and expenses for the months of January, February, March, up to and including April 10, 1913; also, for the months of July, August, September and October, 1912; and also, a detailed report of the services performed, giving manner of services and places where performed.

Dated this 11th day of April, 1913.

Mr. Polsley moved the adoption of the resolution.

Motion lost.

Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

The question being upon the motion of Mr. Nelson, made on a previous day, to reconsider the vote on the above bill.

PREVIOUS QUESTION.

Mr. Johnston moved the previous question.

Motion carried.

The roll was called, and the vote was reconsidered by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bradford, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis,

Farwell, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Scott, Shartel, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—Messrs. Beck, Brown, Bush, Dower, Ferguson, Gelder, Griffin, Guiberson, McDonald, Murray, Nolan, Palmer, Richardson, Schmitt, and Shannon—15.

The question being upon the passage of Assembly Bill No. 1126.

PREVIOUS QUESTION.

Mr. Johnston moved the previous question.

Mr. Brown moved to lay the motion on the table.

Motion lost.

The question reverting to the motion of Mr. Johnston.

Roll call regularly demanded.

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bradford, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Scott, Shartel, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—Messrs. Beck, Brown, Bush, Collins, Ferguson, Gelder, Griffin, McDonald, Murray, Richardson, Ryan, Schmitt, and Shannon—13.

The roll was called, and Assembly Bill No. 1126 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnston, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Scott, Shartel, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—Messrs. Bagby, Beck, Brown, Bush, Collins, Dower, Ferguson, Gelder, Guiberson, Killingsworth, Libby, McCarthy, McDonald, Murray, Nolan, Palmer, Richardson, Ryan, Schmitt, Shannon, Sutherland—21.

Title read and approved.

Bill ordered transmitted to the Senate.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Committee Substitute for Senate Bill No. 376—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 1109—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provisions for fire drills in certain schools—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

STRINE, Acting Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2100—An Act making an appropriation for the location, survey, construction and improving of a state highway from the city of San Bernardino in San Bernardino County, thence in a northeasterly direction by the most feasible route to Needles in San Bernardino County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Concurrent Resolution No. 31—Relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding state roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 1260—An Act relating to the receiving and transmitting of train orders, by telegraph or telephone, by persons under sixteen years of age—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section, to be numbered 14½, to Article XI thereof, relating to the creation, organization, duties and powers of a commission to be known as the fruit commission of the State of California—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CLARK, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds:

to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Also: Senate Bill No. 617—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Also: Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 14, 18, 21, 22 and 23, and adding thereto two new sections, to be numbered 23a and 24a, all relating to revenue and taxation.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SUTHERLAND, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 142—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 667—An Act to amend Sections 1, 2, 6 and 16, and repealing Section 17 of an Act entitled "An Act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, relating to the validity, effect and enforcement of local improvement bonds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 279—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Also: Assembly Bill No. 1252—An Act prohibiting the destruction of foodstuffs, food products or food articles.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 2085—An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate name of each—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CRAM, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 285—An Act to provide for locating, surveying and maintaining a state highway from Pescadero in the county of San Mateo to the Santa Cruz County line, to connect with a road to the California Redwood Park, and making an appropriation therefor.

Also: Assembly Bill No. 594—An Act making an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Also: Assembly Bill No. 1542—An Act making an appropriation for the location, survey, construction and improving of a state highway from Boca to the Nevada state line along the Truckee River, in Nevada County.

Which were re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act—which was re-referred to us from the Committee on Prisons and Reformatories, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1064—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada, at Crystal Bay, in Placer County—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White in the prosecution of criminals in the county of Trinity, State of California—which was re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Norfolk, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1996—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General and defining its use and the liability therefor—which was re-referred to us from the Committee on Public Health and Quarantine, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1947—An Act appropriating money for constructing a hospital building on a site near the Ferry Building in the city and county of San Francisco; arranging for its upkeep by said city and county—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada, at Crystal Bay, in Placer County—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 302—An Act appropriating money for building, equipping and furnishing a nursery for children at Sonoma State Home—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 271—An Act appropriating nineteen thousand dollars therefor, and authorizing and directing the construction and furnishing of a nursery for males, at the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 270—An Act appropriating five thousand dollars therefor, and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Sonoma State Home, at Eldridge, Sonoma County, California.

Also: Senate Bill No. 267—An Act appropriating ten thousand dollars to further develop and increase the water supply and to extend the water system of the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing the work and improvement to be done.

Also: Senate Bill No. 106—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Weisel moved that the vote whereby Senate Bill No. 1104 was refused passage be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Weisel moved a call of the House.

Motion lost.

The roll of absentees was called, and the vote on the bill refused reconsideration by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Finnegan, Gates, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Polesley, Slater, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—37.

NOES—Messrs. Alexander, Bush, Ferguson, Ford, Gelder, Griffin, Hayes, Inman, Palmer, Ryan, Schmitt, Simpson, Stuckenbruck, and Sutherland—14.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1194—An Act creating a reclamation district, to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1194 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Gates, Gelder, Green, Griffin, Guiberson, Inman, Johnson, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polesley, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the Battle of Gettysburg, appointing a commission in connection therewith, and making an appropriation therefor.

Bill read third time.

The question on the passage of the bill.

The roll was called, and Assembly Bill No. 1629 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower,

Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

On motion of Mr. Ryan, the following speech of Mr. Gelder, on Assembly Bill No. 1629, was ordered printed in the Journal.

In 1910 the Congress of the United States, upon the request of the Governor of Pennsylvania, appointed a commission to take into consideration the matter of a joint celebration of the fiftieth anniversary of the battle of Gettysburg, by the men who fought in that battle. Every state in the Union was represented on that commission, and where it was possible the commission was made up of Union and Confederate veterans who took part in that great battle. The commission met as the guests of the State of Pennsylvania during the summer of 1910 at Gettysburg.

A plan of celebration was agreed upon between the Union and Confederate veterans which was to be in the nature of a great peace jubilee to be held in the year 1913, the fiftieth anniversary of the battle.

The committee representing Congress reported back to their respective houses. Their report was accepted and an appropriation of \$100,000 was provided, and the management of the celebration placed in the hands of the War Department.

The Government provides for the free accommodation of all veterans of both armies during the celebration, which commences on the first day of July and closes on the fourth, this year, 1913.

The celebration is open to all veterans of both armies, whether they fought in that battle or not. All who go will be cared for by the War Department. The Government does not provide transportation, but leaves that matter to be cared for by the several states.

Up to this time nearly every state in the Union has made appropriation of from \$5,000 up to \$400,000 for transportation purposes.

The State of New York has arranged for the transportation of 10,000 veterans to Gettysburg.

It is only possible to provide for the transportation of a limited number from California, and must be confined to those only who were engaged in that battle, numbering probably from 250 to 300. The Department of California Grand Army of the Republic is now making an enrollment of both Union and Confederate veterans who were engaged at Gettysburg, to establish the record of each man making application for transportation.

July 4th, the last day of the peace jubilee, will be known as "National day," and will be presided over by the Chief Justice of the Supreme Court of the United States, and the President, Vice President, the Cabinet, the Justices of the Supreme Court, the Speaker of the House of Representatives, and the congressional committee will be the guests of honor.

At ten o'clock a.m. a great mass meeting will be held at the rostrum on the battlefield, at which prayer will be offered. An oration will be delivered by the President of the United States, the son of a Confederate veteran.

At noon the cornerstone of the peace memorial monument will be laid by the President. This act will conclude the official program.

Leading up to the battle of Gettysburg, the Union army had suffered a number of crushing defeats. On the 13th of December, 1862, General Lee defeated General Burnside at Fredericksburg with a loss to the Union army of 12,600. Then followed the battle of Chancellorsville on May 2, 1863, between General Hooker (who had superseded Burnside after the battle of Fredericksburg) and General Lee, commander of the army of Northern Virginia. The latter battle proved another defeat for the Union cause, the loss being 17,000 men.

Shortly after the battle of Chancellorsville, General Lee called a council of his generals and placed before them a plan of campaign into Pennsylvania. The general took the position that in order to bring the North to time a decisive battle would have to be fought, and that battle would have to be fought on Northern soil. Lee believed that after the many victories in Virginia that his army was invincible and that he would be successful. He firmly believed that this battle would force the North to terms, and at the same time gain for the Confederacy the recognition of England and France.

About the middle of June, 1863, Lee commenced his march into the North with a well-seasoned, well-equipped army of veterans, greater in number and fighting quality than any troops previously connected with the army of Northern Virginia.

About June 15th to 17th, General Lee crossed the Potomac into Maryland with about 75,000 men-of-all-arms.

On the morning of July 1st, the advance of both armies met near Seminary Ridge, on the west of Gettysburg. The battle raged all day, and did not close until the

Union forces were battered to pieces and driven in confusion through the streets of the city toward the cemetery on the south side of Gettysburg.

During the day General Hancock arrived on the battleground under instructions from General Meade to select a battlefield. At the close of the first day's engagement General Lee's army was up and ready for action, while Meade's army at that time was very much scattered, but rapidly concentrating toward Gettysburg.

During the night of the first and the morning of the second of July the most of the Union army, with the exception of the Fifth Army Corps, had arrived, and were placed in position as rapidly as possible.

On the afternoon of the second both armies were ready for action. General Longstreet, who commanded Lee's extreme right, opened the ball in front of Round Top, on Meade's extreme left, which was commanded by General Sickles.

The battle between Sickles and Longstreet opened at the wheat field about a mile west of Round Top, or rather Devil's Den, and continued until night forced the close of hostilities for the day. During this engagement General Sickles fell seriously wounded. The day closed with the defeat of the Union's left, and a loss of about ten thousand men killed, wounded and missing. Our right had met with some success, but not of sufficient importance to overcome our severe loss of July 1st and 2d.

The final clash of steel was yet to come. Both armies slept on their arms on the night of the second, preparatory to the final issue, which must come soon, and which must forever decide the cause of the Union.

All through the morning of the third both armies strengthened their respective positions for the final assault, which seemed at best only a few hours away. Between 10 and 11 o'clock a.m. the Confederate chief of artillery planted 150 cannon for two miles along Seminary Ridge, preparatory to the final assault. During this lull in the impending storm which was soon to burst with all the fury of hell, General Hunt, chief of artillery for the Union army, was busily engaged in bringing up his reserve artillery and planting cannon on every available spot where a gun could be placed on Cemetery Ridge. At 1 o'clock the signal gun was fired by the Confederates, and in less than three seconds 150 pieces of artillery opened on the Union position. It seemed but a moment of time when every gun on the Union side which could be brought into action belched forth in reply to Lee's artillery duel. The air seemed full of missiles from every direction. Whole batteries, horses and men were wiped out of existence in a moment's time. Nothing like it had ever been witnessed on earth since the invention of gunpowder or firearms. This blazing volcano of destruction and death lasted for nearly two hours. At its close, General Pickett was given the command to charge on the Union line. Eighteen thousand men rose as one man and pushed forward to the assault. Pickett had to march 1400 yards before he reached Meade's line of battle. In the meantime the Union cannon were cutting wide swaths through his marching columns. At last they met in one titanic crash—Union and Confederate clubbing each other with the butts of their muskets, using every means within reach to destroy human life. For fifteen minutes the life of the Union hangs in the balance. If General Lee breaks and crushes Meade's center nothing can save the Union army from rout and almost annihilation. Seconds seem hours. Maddened men are butchering each other as if human life was of no value. Meade rushes every man that can be found into the breach. The tide turns; Pickett is defeated and driven back. Only one man out of every four who followed Pickett's colors ever returned with their leader. Of all the field officers who went into that charge with General Pickett only one returned.

Thus closed the battle of Gettysburg. Lee returned to Virginia. The spirit of the Confederacy was broken. The battle of Gettysburg was its death blow. No battle of the modern world was ever fought with such intensity or determination on the part of both armies as was this battle. It was American against American. Yes, the ties were even closer—it was brother against brother, schoolmate against schoolmate, comrades at arms against each other—the one fighting to preserve the government at Washington, the other to destroy it.

The combined loss in this battle was about 55,000 men out of the 160,000 engaged.

The living remnants of those two great armies, the one that followed Meade, the other Lee, will meet on the fiftieth anniversary of that battle at Gettysburg in a great peace jubilee, and there dedicate a memorial to peace which we hope and trust will cement this nation in ties of friendship and common interest which we know and believe never can be broken—no, not even in the unmeasured ages to come.

In this connection, it may be well to say that of all the great commanders who fought in the battle of Gettysburg, General Sickles is the only one living.

Gentlemen, I hope the bill will pass.

Assembly Bill No. 503—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts or donations from the public.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 503 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Morgenstern, Mouser, Murray, Palmer, Peairs, Roberts, Ryan, Scott, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—47.

NOES—Messrs. Byrnes, Gabbert, Guiberson, and Schmitt—4.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At two o'clock and thirty minutes p.m., Hon. W. A. Johnstone, speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 828—An Act to amend Section 1 of an Act entitled "An Act to promote the apiculture interests of the State of California by providing county inspectors of apiaries and defining their duties, and providing for their compensation, and repealing the Act entitled 'An Act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883"; approved February 20, 1901.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 828 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Weldon, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 830—An Act to amend Section 4041a of the Political Code of the State of California, by adding a subsection thereto, to be numbered Subsection 20a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 830 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Killingsworth, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Roberts, Ryan, Scott, Shearer, Slater, Tulloch, Weisel, Woodley, and Mr. Speaker—45.

NOES—Messrs. Johnson, Geo. H., Johnstone, W. A., Shannon, and Weldon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 85—An Act defining commission merchants, providing for a license for the conduct of the business of commission merchants and the procedure for obtaining the same, also providing regulations for the conduct of the said business and for penalties for violation of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 85 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1163—An Act to amend Section 1 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

On request of Mr. Tulloch, the above bill was withdrawn, and ordered stricken from the file.

THIRD READING OF SENATE BILLS.

Senate Bill No. 21—An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 21 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Guiberson, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1456—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1456 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Cary, Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Polsley: Strike out the word "miles", and insert the word "mileage".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this state, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

On motion of Mr. Bohnett, the above bill was re-referred to Committee on Prisons and Reformatories, and ordered stricken from the file.

Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

During third reading of the bill, Mr. Hinkle moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, Section 1, line 11, strike out the word "three", and insert in lieu thereof the word "four".

Also: On page 5, Section 6, line 12, strike out the word "seven", and insert in lieu thereof the word "nine".

Motion carried.

The Speaker appointed Mr. Hinkle as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 364, with instructions, do now report that the instructions of the Assembly have been carried out.

HINKLE, Select Committee.

Report of select committee and amendments adopted.

Mr. Judson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, Section 6, line 6, strike out the following words: "and such fees as are allowed by law".

Motion carried.

The Speaker appointed Mr. Judson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 364, with instructions, do now report that the instructions of the Assembly have been carried out.

JUDSON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 402f, providing that certain buildings shall be provided with fire escapes.

During third reading of the bill, Mr. Green moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 2, strike out the period after the word "concrete" and insert in lieu thereof a comma and the following: "Nor to any building situated within any incorporated city or town which is so constructed as to comply with the provisions of municipal ordinances therein relating to fire escapes".

Motion carried.

The Speaker appointed Mr. Green as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1397, with instructions, do now report that the instructions of the Assembly have been carried out.

GREEN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1332—An Act to amend an Act entitled "An Act to create a state board of accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant, and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, by adding thereto a new section, to be numbered Section 3a, relative to the issuance of a certificate permitting any person who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1332 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgestern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Tulloch, Weisel, White, Woodley, Wyllie, and Mr. Speaker—45.

NOES—Mr. Shannon—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1536—An Act to amend an Act entitled “An Act to create a state board of accountancy, and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide the grade of penalty for violation of the provisions hereof.” approved March 23, 1901, by adding thereto a new section, to be numbered Section 3a, relative to the issuance of a certificate permitting any person, who holds a valid and unrevoked certificate as a certified public accountant issued under the authority of any other state or territory of the United States, or any foreign nation, to practice as a certified public accountant in the State of California.

Mr. Woodley asked for and was granted unanimous consent to withdraw Assembly Bill No. 1536.

Bill withdrawn, and ordered stricken from the file.

Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

SPECIAL ORDER SET.

On motion of Mr. Inman, the consideration of Senate Bill No. 10 was made a special order for Friday, April 25, 1913, at three o'clock p.m.

Senate Bill No. 487—An Act to amend Section 4261 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

During third reading of the bill, Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, strike out all of lines 3 to 37, both inclusive, and on page 3 strike out all of lines 1 to 37, both inclusive, and on page 4 strike out all of lines 1 to 15, both inclusive, and insert in lieu thereof the following:

3. The recorder, two thousand dollars per annum, and one copyist at a salary of eight hundred dollars per annum, which office of copyist is hereby created, and one copyist at a salary of eight hundred dollars per annum, which office of copyist is hereby created, the salary of said copyists payable monthly in the same manner as the salaries of other county officers are paid.

4. The auditor, two thousand dollars per annum, and one deputy during the months of July, August, September, October, November and December of each year, at a salary of one hundred dollars per month, which office of deputy auditor is hereby created, the salary of said deputy payable monthly in the same manner as the salaries of other county officers are paid.

5. The treasurer, two thousand dollars per annum.

6. The tax collector, two thousand five hundred dollars per annum, and one deputy at a salary of seventy-five dollars per month, which office of deputy tax collector is hereby created, the salary of said deputy payable monthly in the same manner as the salaries of other county officers are paid.

7. The assessor four thousand five hundred dollars per annum; one chief deputy, which office of chief deputy assessor is hereby created, at a salary of one thousand two hundred dollars per annum, payable monthly in the same manner as the salaries of other county officers are paid; and one copyist for a period of four months in each year, which office of copyist is hereby created, at a salary of seventy-five dollars per month, payable during the months of March, April, May and June of each year, in the same manner as the salaries of other county officers are paid. The assessor may also appoint such number of additional deputies as he shall deem necessary, the salaries of such additional deputies to be paid by the assessor out of his salary above provided for.

All sums collected by the assessor or his deputies as fees or commissions allowed by law for the collection of personal property taxes, for making the military roll and all commissions now or hereafter allowed by law for the collection of poll taxes, shall be paid into the county treasury for the use of said county monthly as collected with a statement of account of such collection.

8. The district attorney, two thousand dollars per annum.

9. The coroner, such fees as are now or may be hereafter provided by law.

10. The public administrator, such fees as are now or may be hereafter provided by law.

11. The superintendent of schools, one thousand eight hundred dollars per annum,

and one clerk, which office of clerk to the superintendent of schools is hereby created, at a salary of six hundred dollars per annum, payable monthly in the same manner as the salaries of other county officers are paid.

12. The surveyor, such fees as are now, or may be hereafter provided by law.

13. Supervisors, each the sum of eight hundred dollars per annum, in full for all services performed by them as supervisors, and as members of the board of equalization, and road commissioners, and in any and every other capacity.

14. In counties of this class the township officers shall receive the following compensation, to wit:

In townships having a population of six thousand or over, justices of the peace shall receive a monthly salary of seventy-five dollars, and constables a monthly salary of one hundred dollars each.

In townships having a population of less than six thousand and over three thousand, each justice of the peace shall receive a monthly salary of fifty dollars, and constables a monthly salary of seventy-five dollars each.

In townships having a population of less than three thousand and over seven hundred and fifty, each justice of the peace shall receive a monthly salary of fifty-five dollars, and constables a monthly salary of fifty dollars each.

In townships having a population of less than seven hundred and fifty, the justice of the peace shall receive a monthly salary of five dollars, and constables a monthly salary of ten dollars each.

The above named salaries of justices of the peace and constables shall be in full compensation for all services of said justices of the peace and constables in criminal cases. They may also retain for their own use all other fees, except those in criminal cases, as are now or may hereafter be provided by law.

Motion carried.

The Speaker appointed Mr. Guiberson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 487, with instructions, do now report that the instructions of the Assembly have been carried out.

GUIBERSON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Joint Resolution No. 16—Relative to the historic liberty bell and requesting the common council of the city of Philadelphia to permit the exhibition of the same at the Panama-Pacific Exposition.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 16 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Schmitt, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Wyllie, and Mr. Speaker—55.

NOES—None.

Senate Joint Resolution No. 16 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 16.

Relative to the historic liberty bell and requesting the common council of the city of Philadelphia to permit the exhibition of the same at the Panama-Pacific International Exposition.

WHEREAS, The Panama-Pacific International Exposition will be held at San Francisco during the year 1915, in commemoration of the building of the Panama Canal and the uniting of two great oceans; and

WHEREAS, All the nations of the world will be the guests of the State of California and of these United States upon that occasion; and

WHEREAS, It is eminently fitting and proper that there be meet and suitable recognition of the growth of this republic and of the spirit of its institutions; and

WHEREAS, It is further greatly to be desired as a deed of patriotism, to symbolize the union of the east and the west, of the old and the new; and

WHEREAS, There still exists the memorable bell which sounded the birth of this great nation and the declaration of its liberties; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California does hereby respectfully urge and earnestly request the common council of the city of Philadelphia, State of Pennsylvania, to grant to the Panama-Pacific International Exposition Committee permission to bring to San Francisco and to exhibit at the said exposition during the year 1915; the historic liberty bell; and every precaution is hereby pledged for the safe transportation, careful preservation and prompt return of the same; and be it further

Resolved, That a copy of this resolution be forwarded to the common council of the city of Philadelphia of the State of Pennsylvania.

Senate Joint Resolution No. 23—Relative to the establishment of a government-owned line of steamships to operate between Pacific and Atlantic ports.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 23 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Shannon, Shartel, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, White, Wyllie, and Mr. Speaker—53.

NOES—None.

Senate Joint Resolution No. 23 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION NO. 23.

Relative to the establishment of a government-owned line of steamships to operate between Pacific and Atlantic ports.

WHEREAS, The shippers of the Pacific coast were for many years at the mercy of the transcontinental railroads in the matter of rates charged upon shipments to and from the Atlantic seaboard and eastern states; and

WHEREAS, These transcontinental railroads have attempted and now are attempting to secure an absolute monopoly of transportation facilities by destroying independent water competition via the Isthmus of Panama and by controlling existing lines of steamships; and

WHEREAS, This monopoly is now threatening to become absolute through the destruction of the California-Atlantic Steamship Company which was controlled by Henry Sears Bates and Arthur Sewall Chesebrough, worthy descendants of illustrious California pioneers; and

WHEREAS, The experience of the California-Atlantic Transportation Company has demonstrated the impossibility of a successful fight by individuals for an independent steamship line because of the sinister and powerful influences controlling the transcontinental railroads and steamship lines now operating; and

WHEREAS, It is vital to the commercial life of the Pacific coast and to the nation as a whole that competition be maintained against the transcontinental railroads and their steamship lines and that that competition be strong enough to withstand the ruthless tactics of organized wealth; and

WHEREAS, The construction of the great Panama Canal will be a menace instead of a benefit to the people of the United States if the transcontinental railroads are allowed to maintain a monopoly of water competition; therefore, be it

Resolved, That the Senate and Assembly of the State of California jointly express their approval of a government-owned and operated line of steamships to operate between Pacific and Atlantic ports via Panama; and be it further

Resolved, That the Senate and Assembly jointly request our Senators and Representatives in Congress to use every possible and honorable influence toward the establishment of such a line.

Senate Joint Resolution No. 27—Relative to the purchase by the United States of the Tioga road.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 27 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Shannon, Shartel, Slater, Smith, Stuckenbruck, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Senate Joint Resolution No. 27 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 27.

Relative to the purchase by the United States of the Tioga road.

WHEREAS, The State of California has by legislation and appropriations therefor, established, constructed and maintained a system of state highways, among which is a highway from Lake Tahoe to Placerville, a distance of sixty-two miles, and a highway from Bridgeport in Mono County to Long Barn in Tuolumne County, a distance of seventy-eight miles, and known as the Sonora and Mono road, and is now constructing a highway from said Lake Tahoe road to a point known as the junction on said Sonora and Mono roads, a distance of eighty-one miles, and has constructed a highway from the east end of the Tioga road to a point near Mono Lake and known as the Mono Lake Basin road, a distance of nine miles, and there is now pending, in this session of the Legislature, a bill for the construction of a state highway from Bridgeport to Independence, a distance of one hundred fifty miles, connecting with said Mono Lake Basin road, all of which are opened to travel of all kind thereover; and

WHEREAS, There is now pending in Congress a bill to purchase by the United States said Tioga road from its owners and to maintain the same by said government as a free, public road for travel thereover, and which bill has been favorably acted upon by the committee in Congress to which it had been referred; and

WHEREAS, Said Tioga road connects at Crockers with the Big Oak Flat road, and if the purchase of said Tioga road be completed, and said road be maintained as a free, public highway for travel, it makes a complete highway system from Sacramento to Lake Tahoe, thence over the Alpine highways to Tioga, Yosemite Valley and San Francisco, traversing the Sierra Nevada Mountains amid nature's most beautiful scenery; therefore, be it

Resolved by the Senate and Assembly, jointly, That we request our Senators and Congressmen to use all honorable means to secure the early passage of said bill providing for the purchase of said Tioga road and an adequate appropriation to place and maintain the same in good condition, to provide for free travel for all kinds of vehicles thereover; and be it further

Resolved, That the Secretary of the Senate be directed to send a copy of these resolutions to the President of the United States Senate and the Speaker of the House of Representatives, and to each of our Senators and Representatives in Congress.

Senate Joint Resolution No. 30—Relative to memorializing the Congress of the United States to initiate proceedings therein for the preparation of and submission to the several states of an amendment to the Constitution of the United States placing women and men on an equality with respect to citizenship and the exercise of the elective franchise.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 30 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Shannon, Shartel, Slater, Smith, Stuckenbruck, Wall, Weisel, Wyllie, and Mr. Speaker—44.

NOES—None.

Senate Joint Resolution No. 30 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 30.

Relative to memorializing the Congress of the United States to initiate proceedings therein for the preparation of and submission to the several states of an amendment to the Constitution of the United States placing women and men on an equality with respect to citizenship and the exercise of the elective franchise.

WHEREAS, The right to equal privileges in the exercise of the elective franchise by women is fast being acknowledged by the people and accorded by the several states of the American Union; and

WHEREAS, The exercise of this privilege should not be restricted to states but should be as complete as that enjoyed by men; therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly. That the Legislature of the State of California memorializes the Congress of the United States to initiate proceedings therein for the preparation of and submission to the several states of an amendment to the Constitution of the United States, placing women and men on an equality with respect to citizenship and the exercise of the elective franchise; and be it further

Resolved, That our Senators in Congress be instructed and our Representatives in Congress requested to use all honorable means to secure the object of this memorial; and be it further

Resolved, That the Governor of the State of California be, and he is hereby, requested to transmit duly authenticated copies of this memorial to the President of the United States, the presiding officers of the two houses of Congress, and to each of our Senators and Representatives in Congress.

Senate Constitutional Amendment No. 13—A resolution proposing to the people of the State of California an amendment to Section 13½ of Article XI of the Constitution of the State of California, relating to the place of payment of bonds, and the interest thereon, of counties, cities and counties, cities, municipalities, irrigation districts, and other public corporations, and to the money in which such bonds and interest may be made payable.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 13 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Wyllie and Mr. Speaker—62.

NOES—Mr. Polsley—1.

Senate Constitutional Amendment No. 13 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 13.

A resolution proposing to the people of the State of California an amendment to Section 13½ of Article XI of the Constitution of the State of California, relating to the place of payment of bonds, and the interest thereon, of counties, cities and counties, cities, municipalities, irrigation districts, and other public corporations, and to the money in which such bonds and interest may be made payable.

The Legislature of the State of California, at its regular session, commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said legislature voting thereon, hereby proposes to the qualified electors of the State of California that section thirteen and one half of article eleven of said Constitution be amended so as to read as follows:

Section 13½. Any county, city and county, city, town, municipality, irrigation district, or other public corporation, issuing bonds under the laws of the state, is hereby authorized and empowered to make said bonds and the interest thereon payable at any place or places within or outside of the United States, and in any money, domestic or foreign, designated in said bonds.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the

Constitution of the State of California, by adding a new section to said Constitution, to be numbered Section 1a of Article XIII thereof, relating to exempting certain property of educational institutions of collegiate grade from taxation.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 15 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Fish, Ford, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Smith, Sutherland, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—59.

NOES—Messrs. Cary and Stuckenbruck—2.

Senate Constitutional Amendment No. 15 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 15.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said Constitution to be numbered Section 1a of Article XIII thereof, relating to exempting certain property of educational institutions of collegiate grade from taxation.

The legislature of the State of California at its regular session, commencing on the sixth day of January in the year nineteen hundred thirteen, two thirds of all the members elected to each of the two houses of the said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California, by adding a new section thereto to be numbered 1a of article XIII thereof, to read as follows:

Section 1a. Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding one hundred and sixty acres in area, its securities and income used exclusively for the purposes of education.

Senate Concurrent Resolution No. 16.—A resolution relative to the appointment of a committee of the Legislature to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture and painting in the furnishing, decoration, repair and construction of all state, county, school and municipal buildings, grounds and public works throughout this State.

The question being upon the adoption of the resolution.

A *viva voce* vote was taken, and Senate Concurrent Resolution No. 16 adopted.

Senate Concurrent Resolution No. 16 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 16.

Relative to the appointment of a committee of the Legislature, to consist of three Senators and three Assemblymen, which committee shall have power to appoint an advisory committee of architects, sculptors and painters to constitute a commission with a view of reporting to the Governor ways and means of improving the standard of architecture, sculpture and painting in the furnishing, decoration, repair and construction of all state, county, school and municipal buildings, grounds and public works throughout this State.

WHEREAS, The State and various counties, municipalities and school districts thereof have from time to time expended large sums of public moneys for the furnishing, decorating, repairing and construction of various public buildings, structures, works and grounds; and

WHEREAS, Said expenditures have in the past been made without reference to maintaining a definite high standard of architecture, sculpture and painting; and

WHEREAS, The results obtained for such expenditures in many instances, from lack of proper advice or complete investigation, are inadequately planned and much below what the people of this civilized State are entitled to receive; and

WHEREAS, The State of California, with its rich heritage of climate and all-inspiring scenery is pregnant with an art that should rival ancient Greece and Italy; and

WHEREAS, The citizens of this State by their labor and industry, and by the early establishment of an unequaled educational system, have advanced to a culture which decries the unprofitable and unsightly perpetuation of the makeshifts and temporary and hasty structures which in pioneer times were necessary; and

WHEREAS, The citizens of this State are entitled to the development of standards of architecture, sculpture and painting equal to, if not better than those existing in the eastern and middle western sections of these United States; and

WHEREAS, The State of Illinois, the city of New York and other states and municipalities have by the establishment of art commissions and other regulating bodies definitely taken steps to elevate and maintain such standards of architecture, sculpture and painting; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring. That a committee of three Senators and three members of the Assembly be appointed by the President pro tem. of the Senate and by the Speaker of the Assembly, which committee shall have power and it shall be its duty to appoint as advisory members thereof, three architects, a painter, a sculptor, and a lawyer, all of whom are known for their desire to improve standard of architecture, sculpture and painting, which committee shall constitute a commission to investigate and report to the Governor, ways and means of improving and elevating throughout this State the standard of architecture, sculpture and painting on all state, county, school districts and municipal buildings, grounds and public works; and the furnishing, decorating and embellishment thereof; and be it further

Resolved, That said report together with the recommendations of said commission shall be filed with the Governor at least forty days prior to the convening of the forty-second session of the California State Legislature; and be it further

Resolved, That the investigations and report of said commission shall be conducted and made without expense to the State.

Senate Bill No. 70—An Act appropriating money for the development and extension of the water system at the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Nolan, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1172—An Act to amend Section 2 of an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, as amended by Act approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1172 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Gates, Griffin, Guiberson, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Morgenstern,

Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Ryan, Scott, Shartel, Simpson, Slater, Sutherland, Tulloch, Wall, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 192—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 192 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Griffin, Guiberson, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Polsley, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Cram asked for and was granted unanimous consent to withdraw Assembly Bill No. 91.

Bill withdrawn, and ordered stricken from the file.

Senate Bill No. 186—An Act appropriating money for the equipment of new buildings at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 186 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Polsley, Scott, Shartel, Simpson, Stuckenbruck, Tulloch, Weisel, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 101—An Act appropriating money for building barracks at the Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Griffin, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Polsley, Scott, Shartel, Simpson, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 104—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 104 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Polsley, Scott, Shartel, Simpson, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 227—An Act appropriating money for purchasing musical instruments for Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 227 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Green, Guill, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Palmer, Polsley, Roberts, Scott, Shartel, Slater, Tulloch, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 128—An Act appropriating money for furnishing and repairing old buildings at San Francisco State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 128 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Shartel, Shearer, Simpson, Slater, Smith, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 126—An Act appropriating money for the reconstruction, equipment and furnishing of the normal school building at San Francisco State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 126 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Inman,

Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Polsley, Schmitt, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1701—An Act to make an appropriation for improving, repairing and protecting the water supply system of the Preston State School of Industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1701 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Polsley, Schmitt, Shartel, Simpson, Slater, Smith, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 750—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building, and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 750 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Shannon, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 268—An Act appropriating \$5,500 for the construction of septic tanks, and making such repairs, alterations and additions, as may be necessary to the present sewer system at the Sonoma State Home at Eldridge, Sonoma County, California, and authorizing and directing such work to be done and performed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 268 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 269—An Act appropriating \$20,000 therefor, and authorizing and directing the construction of a commissary building at the Sonoma State Home at Eldridge, Sonoma County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 269 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Wall, Weisel, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 200—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Schmitt, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1725—An Act providing for the decoration of the rotunda on the main or ground floor of the State Capitol building and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1725 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Cary, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Schmitt, Shannon, Shartel, Simpson, Smith, Tulloch, Weisel, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 85—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 85 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bowman, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Griffin, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILL.

On motion of Mr. Judson, Senate Bill No. 221 was re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS.

Senate Bill No. 588—An Act to amend Sections 1, 2, 3, 4, 6, 8, and 9 of an Act entitled “An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded,” approved March 15, 1907, and repealing conflicting Acts.

During second reading of the bill, the following amendment was submitted by Mr. Benedict:

On page 5, line 17, strike out the period after the word “void”, and insert in lieu thereof the following: “; *provided, however,* that any owner or owners of any such tract or subdivision, who prior to the taking effect of this Act caused to be prepared proper maps or plats thereof in conformity with the provisions of the Act mentioned in section one hereof, and thereafter, through inadvertence or excusable neglect, failed to record the same prior to conveying lots shown thereon, may, within one year after this Act takes effect, petition the superior court of the county wherein such land is situate for an order permitting such map or plat to be filed and recorded as in said Act provided; and the court may, upon the hearing of such petition, if satisfied that good cause exists therefor, make such order. A copy of the petition shall be served upon the county recorder at least ten days prior to such hearing, and a certified copy of such order, if any be made, shall be filed with the map.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

LEAVE OF ABSENCE.

Mr. Fish asked for and was granted leave of absence for Friday and Saturday, April 25 and 26, 1913.

CONSIDERATION OF MOTION TO RECONSIDER POSTPONED.

On request of Mr. Killingsworth, consideration of the motion to reconsider Assembly Bill No. 1120 was postponed until the next legislative day.

RECESS.

At four o'clock and fifty minutes p.m., on motion of Mr. Schmitt, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Young in the chair.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 1065—An Act to amend Section 476a of the Penal Code of the State of California, relating to the making, drawing, uttering, or delivering of bank checks with intent to defraud.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1065 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Emmons, Finnegan, Ford, Gelder, Green, Hinkle, Johnstone, W. A., Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Polsley, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1281—An Act appropriating the sum of \$5,000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1281 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Emmons, Finnegan, Ford, Gelder, Green, Hinkle, Johnstone, W. A., Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Richardson, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At eight o'clock and ten minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 1710—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1710 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Ford, Gelder, Green, Guill, Hinkle, Johnstone, W. A., Kingsley, Libby, Morgenstern, Mouser, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater,

Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Wyllie—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 56—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title to said Act and by amending Sections 1, 15, 17 and 18 thereof to include therein the application of electrical power to the development of water by pumping the same from the lands of said district, and to provide for the acquisition and distribution of electrical power for such purposes, and to add a new section to be known as Section 110½.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 56 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Farwell, Ford, Gelder, Green, Guill, Hinkle, Johnstone, W. A., Kingsley, Libby, Morgenstern, Mouser, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Wyllie—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At eight o'clock and thirty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 2024—An Act to provide for the regulation of smelters and the maintenance and operation thereof in the State of California, and for the licensing and supervision thereof.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill.

Mr. Johnson moved that the amendments be printed in the Journal and the bill passed to unfinished business.

Motion lost.

On page 1, lines 7 and 8, following the word "with" in line 7, strike out the words "the secretary of".

Amendment lost.

Also: On page 3, line 36, following the word "to", strike out the words "the secretary of".

Amendment lost.

Also: On page 4, line 5, following the word "to", strike out the words "the secretary of".

Amendment lost.

Also: On page 2, line 2, strike out the words "district or county".

Amendment lost.

Also: On page 2, line 20, strike out the period following the word "smelter", and insert the following: "within a radius of not less than ten miles and also a diagram showing roughly the situation of such smelter and the towns, cities or villages surrounding the same within a radius of not less than ten miles from such smelter."

Amendment lost.

Also: On page 2, line 33, following the word "board", strike out the words "or some one designated by it".

Amendment lost.

Also: On page 3, strike out commencing with the word "all" on line 1, down to and including the word "issued" on line 4.

Amendment lost.

Also: On page 3, line 6, after the word "shall", insert the words "if deemed expedient".

Amendment lost.

Also: On page 3, following the word "dioxide", in line 7, strike out down to and including the word "amount" in line 8, and insert in lieu thereof the following: "of sulphur trioxide and".

Amendment lost.

Also: On page 3, commencing with the word "at", in line 28, strike out all down to and including the word "health", in line 33, and insert in lieu thereof the following: "at the time of the filing of such application for license each applicant shall pay to the state board of health the sum of twenty-five dollars, which sum shall be deposited by said board with the state treasurer and by him placed in the smelter license fund hereinafter provided for."

Amendment lost.

Also: On page 4, line 6, following the word "him", strike out the word "immediately".

Amendment lost.

Also: On page 4, lines 10 and 11, following the word "controller" in line 10, strike out the words "in favor of the secretary of the state board of health".

Amendment lost.

Also: On page 4, line 17, strike out the period following the word "board", and insert in lieu thereof the following: "; and *provided, further*, that such applicant obtaining a temporary license shall pay to the state board of health as a and by way of license for the time such temporary license is in force and effect, a fee in such proportion to the annual fee as the time for which such temporary license is granted bears to the period of one year."

Amendment lost.

Also: On page 4, line 26, following the word "may", strike out all down to and including the period after the word "revoked" in line 28, and insert in lieu thereof the following: "cause said petition and the conditions therein mentioned to be examined by the proper employee of said board, said employee to report to the board the result of his examination and if, from said report, it shall appear that the petition is well founded and that one or more of the conditions specified in the same upon which the license for the operation of said smelter shall have been issued has been and is being violated, the said board may notify the holder of said license to appear and show cause why said license should not be suspended or revoked."

Amendment lost.

Also: On page 5, lines 1 and 2, strike out the words "at Sacramento, California", and insert in lieu thereof the following: "In the State of California".

Amendment lost.

Also: On page 5, line 14, following the word "to", insert the following: "have a hearing to ascertain whether or not it should properly".

Amendment lost.

Also: On page 5, line 15, following the word "license", insert a comma.

Amendment lost.

Also: On page 5, line 25, following the word "license", strike out the word "shall", and insert in lieu thereof the following: "if the board so determine, may".

Amendment lost.

Also: Strike out all of lines 34 and 35, on page 5.

Roll call regularly demanded.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bagby, Bush, Canepa, Cary, Clark, Wm. C., Johnson, Geo. H., Johnston, T. D., Libby, McCarthy, Murray, Nolan, Palmer, Richardson, Schmitt, Scott, Shannon, and White—17.

NOES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Killingsworth, Kingsley, McDonald, Morgenstern, Mouser, Polsley, Roberts, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—40.

On page 5, line 36, after the word "such", insert the word "reasonable".

Amendment lost.

Also: On page 5, lines 36 and 37, strike out the words "its secretary", and insert in lieu thereof the word "it".

Amendment lost.

Also: On page 6, line 12, before the word "examination", insert the words "reasonable and necessary".

Amendment lost.

Also: On page 7, lines 31 and 32, following the word "sum", in line 31, strike out the words "not less than one hundred dollars and".

Amendment lost.

Also: On page 7, line 34, following the word "day" where it first appears in said line, strike out the words "or part of a day".

Amendment lost.

Also: On page 8, line 3, following the word "operation", strike out the word "shall", and insert in lieu thereof the word "may".

Amendment lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2024 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Dower, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—49.

NOES—Messrs. Bowman, Cary, Cram, Ellis, Johnson, Geo. H., Nolan, Schmitt, and Sutherland—8.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Johnston gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2024 was this day passed.

Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2027 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing for a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Assembly Bill No. 1183—An Act to amend Sections 1160 and 1164 of the Political Code, relating to time of opening and closing the polls.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act.

Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

Assembly Bill No. 1025—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disbursements from said fund; and making an appropriation to carry out the purposes of this Act.

Assembly Bill No. 1340—An Act to amend Sections 226 and 227 of the Code of Civil Procedure of the State of California, relating to the drawing and summoning of jurors.

Assembly Bill No. 1343—An Act to regulate the construction, operation and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

Assembly Bill No. 2094—An Act to amend Sections 2521, 2522 and 2552 of the Political Code of the State of California, relating to the Board of State Harbor Commissioners, and employees and their duties and salaries.

Also: Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section to be known as Section 26, relating to the rights of men.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 175—An Act to amend Section 759 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the district courts of appeal, and prescribing his duties and compensation.

Assembly Bill No. 177—An Act to amend an Act to establish a uniform system of county and township government, approved April 1, 1897, by amending Section 228 thereof.

Assembly Bill No. 309—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

Assembly Bill No. 355—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911.

Assembly Bill No. 386—An Act providing for the extension of the agricultural pavilion on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Assembly Bill No. 576—An Act to create a "state bureau of criminal identification and investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer; fixing the compensation of said managers, director, clerks and stenographer; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Assembly Bill No. 579—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be known and numbered Section 628g, relating to the importation of predatory fishes and animals into the State of California.

Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics.

Assembly Bill No. 818—An Act to amend Sections 2, 12 and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvements and adding a new section thereto, to be numbered Section 3a, relating to the payment by the city of a portion of the cost of the improvement.

Assembly Bill No. 879—An Act to add three new sections to the Penal Code, to be designated as Sections 373b, 373c and 373d, relating to public nuisances, and their abatement, and conferring certain powers upon the State Board of Health.

Assembly Bill No. 939—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services.

Assembly Bill No. 952—An Act to amend Section 792 of the Political Code of the State of California, relating to the qualifications of appointees to the office of notary public.

Assembly Bill No. 953—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known and designated as Section 792a, relating to the examination of applicants for appointment to the position of notary public and the issuing of certificates thereto.

Assembly Bill No. 1054—An Act to provide for the publication and issuing of an official register and directory of physicians, surgeons, and specialists, in medicine, surgery, or osteopathy, or other systems of medicine, in the State of California; providing for the printing thereof; making regulations in connection with the same; and providing for a penalty for violations thereof.

Assembly Bill No. 1134—An Act to amend Section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian.

Assembly Bill No. 1253—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction

of sewers within municipalities, by amending Section 12 of said Act, relating to the commencement of suits upon the warrant or assessment and the judgment to be rendered in such suits and the costs thereof.

Assembly Bill No. 1352—An Act to amend Sections 764 and 862 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 1473—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act; to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a section to be numbered and known as Section 13 of said Act.

Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Graham against the State of California.

Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California, to be known and designated as Section 459a, relating to the giving of bonds by the deputy state treasurer, cashier, and bond officer of the Treasurer, and providing for the payment of premiums thereon.

Assembly Bill No. 1918—An Act to amend Section 4458 of the Political Code by providing therein for the publication of notices given or made by public officers, or by law, in cities operating under freeholders' charters, wherein a municipal paper is being published by authority of such charter.

Assembly Bill No. 1893—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 2068—An Act to amend Section 1 of an Act entitled "An Act to provide for the alterations of the boundaries of, and for annexation of territory to, incorporated towns and cities and for the incorporation of such annexed territory in, and as a part of, such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

Assembly Bill No. 2089—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water, for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma in Imperial County.

Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Malibu county road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Assembly Bill No. 2105—An Act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Act known as the Public Utilities Act of the State of California, approved December 23, 1911.

Assembly Bill No. 2101—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, water course, canyon or wash, or for the purpose of saving and conserving any storm, flood or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Also: Assembly Concurrent Resolution No. 31—Relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding state roads.

Also: Assembly Constitutional Amendment No. 89—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending subsection (f) of Section 14 of Article XIII (13), relating to county revenue.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used, in whole or in part, for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are not operated as common carriers; and prohibiting the construction of any more such lines for such purpose for any distance whatsoever, across, along, over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing liens to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

An Act to amend Section 626p of the Penal Code of the State of California, relating to the protection of wild geese and brant.

An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county, in this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserve for commercial purposes."

An Act prescribing a certain kind of water glass for use on locomotives, prescribing the penalty for the neglect to use said glass, and defining negligence in connection therewith.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Moorhouse: Assembly Bill No. 2106—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are not operated as common carriers; and prohibiting the construction of any more such lines for such purpose for any distance whatsoever across, along, over or under any public highway or

any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing liens to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Bill read first time, and referred to Committee on Corporations.

By Mr. Nelson: Assembly Bill No. 2107—An Act to amend Section 626p of the Penal Code of the State of California, relating to the protection of wild geese and brant.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Richardson: Assembly Bill No. 2108—An Act appropriating money to pay the claim of John Ewart for the expense incurred in improving American street, between Park and Poplar streets, fronting the property belonging to the Stockton State Hospital, in the city of Stockton.

Bill read first time, and referred to Committee on Claims.

By Mr. McDonald: Assembly Bill No. 2109—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kuck: Assembly Bill No. 2110—An Act to amend sections one, two, eight, and twenty-four of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read first time, and ordered on file without reference.

By Mr. Bowman: Assembly Bill No. 2111—An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserve for commercial purposes.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Finnegan: Assembly Bill No. 2112—An Act prescribing a certain kind of water glass for use on locomotives, prescribing the penalty for the neglect to use said glass, and defining negligence in connection therewith.

Bill read first time, and referred to Committee on Corporations.

WITHDRAWAL OF BILL.

Mr. Ellis asked for and was granted unanimous consent to withdraw Assembly Bill No. 2101.

Bill withdrawn, and ordered stricken from the file.

NOTICE OF MOTION TO RECONSIDER.

Mr. Ambrose gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1172 was this day passed.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Schmitt moved that the vote whereby Assembly Bill No. 1951 was passed be reconsidered.

Mr. Schmitt moved that consideration of the above motion be postponed until the next legislative day.

Motion lost.

The question being upon the motion of Mr. Schmitt to reconsider the vote on Assembly Bill No. 1951.

The roll was called.

Pending the announcement of the vote, Mr. Brown moved a call of the House.

Motion lost.

The vote was announced, and motion to reconsider lost by the following vote:

AYES—Messrs. Beck, Bohnett, Cram, Guiberson, Schmitt, Stuckenbruck, Sutherland, Weldon, and Wyllie—9.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bowman, Brown, Chandler, Ellis, Emmons, Farwell, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Mouser, Peairs, Richardson, Strine, White, and Mr. Speaker—26.

Bill ordered transmitted to the Senate.

ADJOURNMENT.

At eleven o'clock and twenty-five minutes p.m., the Assembly was declared adjourned.

No quorum.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, April 25, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—77.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. McDonald, Mr. Walsh was granted leave of absence for the day.

PRAYER.

Upon invitation of the Speaker, prayer was offered by Rev. B. Dent Naylor; Chaplain of the Senate.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ferguson, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Palmer:

WHEREAS, There has been introduced in the Congress of the United States House of Representatives Bill No. 28825, introduced by Hon. John E. Raker, of the First Congressional District of California, having for its purpose the restoration to the public domain certain lands heretofore reserved for reservoir purposes in Big Valley in Lassen and Modoc counties and in Round and Pitt River valleys in Modoc County, California; and

WHEREAS, There has been introduced in the Senate of the State of California Senate Joint Resolution No. 29, approving of the purpose of said House of Representatives Bill No. 28825; and

WHEREAS, The lands now being reserved for reservoir purposes in said Big Valley, Round Valley and Pitt River Valley were placed in such reservation only after extensive surveys and investigations made by the United States Government, and after it had been definitely and conclusively established that these lands would be utilized in the construction of immense reservoirs for collecting and retaining the flood waters of winter, thereby greatly benefiting several hundred thousands of acres of rich agricultural land in the Sacramento Valley that is subject to overflow, besides making the waters so retained available for irrigation during the summer months; and

WHEREAS, The carrying out of this project is a question of national and state importance and will be of great and lasting benefit; therefore, be it

Resolved, That the Sacramento Valley Development Association, representing thirteen counties of the Sacramento Valley, in regular meeting assembled this nineteenth day of April, 1913, after having heard the arguments presented by the advocates of said House of Representatives bill No. 28825 and Senate Joint Resolution No. 29, believing that the plans and intentions of the Federal Government relating to this undertaking should not now be changed, does most emphatically protest against the passage of said bill No. 28825 and Senate Joint Resolution No. 29 and calls upon the California delegation in Congress and representatives in the State Legislature to oppose these measures; and be it further

Resolved, That the secretary is hereby instructed to forward a copy of this resolution to each member of the California delegation in Congress, to Governor Hiram W. Johnson, and all members of the California Legislature.

I certify that this is a true and correct copy of a resolution adopted at the regular monthly meeting of the Sacramento Valley Development Association, held in Sacramento, April 19, 1913.

A. H. MILLER, Secretary.

By Mr. Speaker:

SAN FRANCISCO, CAL., April 24, 1913.

Chester H. Rowell, member Panama-Pacific Exposition Commission, of the State of California, care Governor Johnson, Sacramento:

Panama-Pacific International Exposition Board of Directors have unanimously adopted the following resolutions:

At a regular meeting of the board of directors of the Panama-Pacific International Exposition held Wednesday, April twenty-third, nineteen hundred thirteen, the following resolutions were unanimously adopted:

WHEREAS, The State of California, at its urgent solicitation, was selected by the Congress of the United States through the medium of the Panama-Pacific International Exposition to act, in behalf of the government, as the host for the people

of the United States to all peoples who may so desire to join with the United States in celebrating the opening of the Panama Canal by participating in the universal exposition of nineteen fifteen; and

WHEREAS, In pursuance of this Act of Congress so passed at the urgent request of the State of California and its Legislature, the President of the United States invited all nations and all peoples without regard to race, creed, political system or social development to take part in the celebration of the opening of the great international highway; and

WHEREAS, In accepting this trust at the hands of the people and government of the United States and in special behalf of the State of California, the Exposition has been seriously requested and has solemnly agreed to provide every facility and to offer every encouragement that physical preparation can afford or the broadest spirit of universal fellowship suggest, and has intended and still intends so to do in a manner responsive to the invitation of the United States and to the sentiment of universal brotherhood that this celebration is intended to promote; and

WHEREAS, Any action upon the part of the people of California through its Legislature or otherwise, calculated to lessen the interest of all nations and peoples in the success of this celebration, will negative and nullify the implied and expressed covenants of the State of California; therefore, be it

Resolved, By the board of directors of the Panama-Pacific International Exposition, that any action on the part of the Legislature of California that shall be regarded by any foreign country or government as offensive to their pride as a people or their honor as a nation, must and will challenge the good faith of the commonwealth of California.

Resolved, That it is the deliberate and unqualified conviction of this board that by accepting this great trust for the nation, rendered of deep international dignity and import by the request of the American government, to all nations and all people without exception, to share with our nation the gratification and pride all patriotic Americans feel in the tremendous gift of the Panama Canal to the world, with its immeasurable commercial and civilizing advantages, the State of California unquestionably pledged to all participants equal opportunity and courtesy and indiscriminating welcome and hospitality.

Resolved, further, That we, as a board of directors, deeply impressed with the responsibility we have assumed on behalf of the State of California, emphatically protest against the passage of any measures in the Legislature of the State that are in any wise contrary to the spirit of the obligation incurred by this State at the time it assumed the responsibility conferred upon it by Act of Congress.

Resolved, further, That the President of this Exposition be authorized and instructed to sign and the secretary of the company to place the seal of the corporation upon these resolutions, and to suitably engross and copy the same and transmit them to each house of the Legislature of the State of California, with the request that they be printed in the Journal thereof; and such other bodies or persons as in the opinion of the President it shall be deemed advisable to do, thereby confirming similar previous acts by this board and the representations of committees of this board before the Legislature at Sacramento, as well as official statements previously given to the press and public.

Please transmit above to Governor Johnson, also to both houses of Legislature, informing them that engrossed and signed copies will follow.

CHARLES C. MOORE, President.

RUDOLPH J. TAUSSIG, Secretary.

COMMUNICATIONS.

The following communications were filed, and ordered printed in the Journal:

DISTRICT (G) SUPERVISION,
SAN FRANCISCO, CAL., April 24, 1913.

MR. L. B. MALLORY, *Chief Clerk, California Legislature, Sacramento, California.*

DEAR SIR: Your letter of April 21st is received.

Immediately upon receipt of the information contained in the joint resolution of the State Legislature, I endeavored to get into personal touch with the stockmen who were seriously affected by the prolonged drought in certain parts of the State to ascertain just what relief could be granted by the Forest Service.

It was quite evident from the beginning that little relief could be afforded without overstocking the already fully stocked ranges on the forests, which would interfere with the privileges of permittees who live within and adjacent to the forests, unless additional range could be provided.

After a very careful canvass of all the forests and the opening of the range on the summit of the Sierra Nevada Mountains, which have not heretofore been grazed, I find that range sufficient to carry approximately 8,000 head of cattle and horses and 39,000 head of sheep can be provided.

It is realized that the number is small in comparison to the number actually in need of range, but it is felt that it will relieve the situation very materially and

provide range for the greater number of stock owned by small resident stockmen whose homes and families depend almost wholly upon their live stock for a livelihood.

In order that stockmen may have an opportunity of submitting their applications and receiving information with respect to the ranges available, I have detailed a member of this office to visit towns throughout the area affected between April 26th and 30th. For your information, I am enclosing a copy of a notice which I have sent all stockmen of whom we have a record, and I suggest you inform those making inquiries as to method of securing these privileges, that they should endeavor to meet the representative of the Forest Service at one or the other of the places mentioned in the notice.

As soon as all the applications are received, prompt action will be taken and the stockmen informed. Any assistance you may be able to render in circulating this information among the stockmen will be greatly appreciated.

Very truly yours,

ROY HEADLEY, Acting District Forester.

DISTRICT (G) SUPERVISION,
SAN FRANCISCO, CAL., April 23, 1913.

DEAR SIR: You are hereby advised that a representative of the Forest Service will be at the following places on the dates set forth:

Stockton, April 27th.

Fresno, April 28th.

Hanford, April 29th.

Bakersfield, April 30th.

He will be prepared to accept and take the necessary action on applications for grazing permits on the National Forests. If you have not already submitted your application, I suggest that you endeavor to meet him at one or the other of the places mentioned.

Very truly yours,

ROY HEADLEY, Acting District Forester.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 21, 1913, passed Senate Bill No. 621—An Act making an appropriation to pay the claim of Duane Bliss against the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 934—An Act to amend an Act entitled "An Act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a state board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this Act, and making an appropriation therefor," approved March 18, 1905.

Also: Senate Bill No. 675—An Act in relation to prostitution and to persons cohabiting, dwelling or residing with prostitutes; to define and prohibit the same; to provide for punishment therefor and for the competency of certain evidence at the trial therefor.

Also: Senate Bill No. 676—An Act in relation to prostitution and to persons concerned in the encouragement and promotion thereof, to define and prohibit the same, to provide for punishment therefor, to provide for the jurisdiction of persons offending against the provisions of this Act and for the competency of certain evidence at the trial therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 1311—An Act to add six new sections to the Political Code, to be numbered Sections 1625, 1626, 1627, 1628, 1629 and 1630, relating to the sale and leasing of property of school districts, and to the granting of easements in such property to incorporated cities or towns.

Also: Senate Bill No. 1496—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

Also: Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 703—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California relating to the public uses on behalf of which the right of eminent domain may be exercised.

Also: Senate Bill No. 1153—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having population between two hundred and fifty thousand and four hundred thousand.

Also: Senate Bill No. 1665—An Act to add three new sections to the Code of Civil Procedure to be known as Sections 1248b, 1248c, and 1248d, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of referees and exceptions thereto, to the hearing thereof, and to judgments in such proceedings.

Also: Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure relating to the reports of referees.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

Also: Senate Bill No. 1727—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

Also: Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 677—An Act to amend Section 266 of the Penal

Code relating to inveigling or enticing certain females for the purpose of prostitution or to have illicit carnal connection with any man.

Also: Senate Bill No. 538—An Act to amend Section 204 of the Code of Civil Procedure of the State of California relating to the qualifications, competency and exemptions and of the selecting and referring of jurors for courts of record.

Also: Senate Bill No. 1076—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stable or tent tops, and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Also: Senate Bill No. 1157—An Act to amend Section 102b of the Code of Civil Procedure of California, relating to salary of justices, justices' clerk, assistant justices' clerks and deputy justices' clerks in townships having population between two hundred and fifty thousand and four hundred thousand.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Also: Senate Bill No. 482—An Act appropriating money for the construction of farm buildings at Folsom State Prison.

Also: Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Also: Senate Bill No. 396—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California in the city of Oakland, for the use of the National Guard of the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Also: Senate Bill No. 1754—An Act appropriating money for the support and maintenance of the State Prison at Folsom.

Also: Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose State Normal School.

Also: Senate Bill No. 861—An Act to regulate the business of advertising to treat with, or to sell, drugs or herbs, with intent to cure or mitigate disease and providing a penalty for the violation thereof.

Also: Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 621 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 876 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 934 read first time, and referred to Committee on Conservation.

Senate Bill No. 675 read first time, and referred to Committee on Public Morals.

Senate Bill No. 676 read first time, and referred to Committee on Public Morals.

Senate Bill No. 627 read first time, and referred to Committee on Public Health and Quarantine.

Committee Substitute for Senate Bill No. 1311 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1496 read first time, and referred to Committee on Irrigation.

Senate Bill No. 1257 read first time, and referred to Committee on Irrigation.

Senate Bill No. 703 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1153 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1665 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1589 read first time, and referred to Committee on Judiciary.

Senate Bill No. 406 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1727 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 516 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 1656 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 677 read first time, and referred to Committee on Public Morals.

Senate Bill No. 538 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1076 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1157 read first time, and referred to Committee on Judiciary.

Senate Bill No. 184 read first time, and referred to Committee on Agriculture.

Senate Bill No. 482 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 481 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 396 read first time, and referred to Committee on Military Affairs.

Senate Bill No. 226 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1754 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 199 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 861 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 123 read first time, and referred to Committee on Hospitals and Asylums.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 21—An Act appropriating money

for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School, and respectfully requests your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 21?"

On page 1, Section 1, line 1, after the word "of" and before the word "thousand," strike out the word "fifteen", and insert in lieu thereof the word "ten".

The roll was called, and Senate amendment to Assembly Bill No. 21 was concurred in by the following vote:

AYES—Messrs. Alexander, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Smith, Stuckenbruck, Sutherland, Weisel, Woodley, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 693—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof, relating to the period of redemption; to certain proceedings to obtain deeds upon delinquent sales, and prescribing a limit of time within, and conditions upon, which action may be brought to set aside such deeds.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 693 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Assembly Bill No. 247—An Act making an appropriation of four hundred thirty-four and 53/100 dollars to pay the claim of Alice J. Miller against the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly Bill No. 247 ordered to enrollment.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Roberts:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend an Act entitled "An Act to provide for, insure and maintain preference in the appointment, employment and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors and marines of the War of the Rebellion," by adding a new section thereto, to be designated as Section 1a, making the violation of said Act a misdemeanor, and providing a penalty therefor.

Referred to Committee on Introduction of Bills.

By Mr. Guill:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Referred to Committee on Introduction of Bills.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Stuckenbruck:

WHEREAS, The Secretary of State of the United States, Hon. William Jennings Bryan, has been invited to visit the California Legislature to take part in a conference in regard to the enacting of a suitable anti-alien land bill; and

WHEREAS, Said legislation, whatever it may be, will be of vital importance to all the Pacific Coast states; and

WHEREAS, It is the desire of the California Legislature to have enacted the very best possible legislation in reference to said alien ownership of land; therefore, be it

Resolved, That Hon. Oswald West, the Governor of Oregon, Hon. Ernest Lister, the Governor of Washington, Hon. Tasker L. Oddie, the Governor of Nevada, and Hon. Geo. W. P. Hunt, the Governor of Arizona, be invited to attend the said conference to be held with the Governor of California, Hon. Hiram W. Johnson, the Secretary of State of the United States, Hon. William Jennings Bryan, and the California Legislature, in Sacramento, in reference to alien ownership of land; be it further

Resolved, That the Chief Clerk of the Assembly be instructed to telegraph an invitation to the above named governors, inviting them to be present and participate in said conference.

Mr. Stuckenbruck moved the adoption of the resolution.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Messrs. Alexander, Dower, Finnegan, Griffin, Guill, Murray, Polsley, Shannon, Shearer, Stuckenbruck, Wall, and Weldon—12.

NOES—Messrs. Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clark, Wm. C. Clarke, Geo. A. Collins, Cram, Ellis, Enmons, Farwell, Ferguson, Gelder, Green, Guiberson, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Schmitt, Shartel, Simpson, Smith, Sutherland, Weisel, White, Woodley, and Mr. Speaker—41.

By Mr. Schmitt:

WHEREAS, The Hon. Wm. J. Bryan, Secretary of State of the United States, is expected to arrive at Sacramento on Monday, April 28th, for the purpose of conferring with the Legislature of the State of California with reference to certain pending legislation; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of three (3) members be appointed by the Speaker to meet and welcome our distinguished visitor, and escort him to the Capitol building.

Mr. Schmitt moved the adoption of the resolution.

Motion lost.

RE-REFERENCE OF BILLS.

On motion of Mr. Cram, Assembly Bill No. 2095 was referred to Committee on Ways and Means.

On motion of Mr. Sutherland, Senate Bill No. 727 was recalled from Committee on Revenue and Taxation and referred to Committee on Ways and Means.

UNFINISHED BUSINESS.

Assembly Bill No. 2113 (committee substitute for Assembly Bills Nos. 241, 493, and 1362)—An Act to provide for one day of rest in seven for employees of the State of California.

Bill read first time, and ordered on file without reference.

Assembly Bills Nos. 241, 493 and 1362 ordered withdrawn, and stricken from the file.

AMENDMENT OF BILLS.

Assembly Bill No. 1263—An Act to provide for the payment of pensions to public school teachers of this State, creating a public school teachers' pension fund, and providing for the administration of such fund.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2 of the title, of the printed bill, strike out the comma and insert in lieu thereof a semicolon.

Also: On page 1, lines 3 and 4 of the title, of the printed bill, strike out the words "providing for the administration of such fund" and in lieu thereof insert the following: "also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds."

Also: On pages 1 to 8, strike out all of lines 1 to 15, inclusive, on page 1, and all of pages 2 to 8, inclusive, and in lieu thereof insert the following:

SECTION 1. There are hereby established two funds in the state treasury to be known, respectively, as the public school teachers' retirement salary fund and the public school teachers' permanent fund. The public school teachers' permanent fund shall be made up of all moneys received from the following sources, or derived in the following manner:

(1) All contributions made by teachers, as hereinafter provided;

(2) The income and interest derived from the investment of the moneys contained in such fund;

(3) Five per cent of the taxes collected during the fiscal year ending July 1, 1913, and each fiscal year thereafter under the inheritance or transfer tax laws of this state, which said amount shall be and is hereby appropriated and set aside to constitute part of the public school teachers' permanent fund. It is hereby made the duty of the state controller, at the beginning of the fiscal year, including the fiscal year ending July 1, 1914, to transfer from the general fund to the public school teachers' permanent fund an amount equal to five per cent of the total sum paid into the state treasury during the preceding fiscal year on account of inheritance taxes;

(4) All donations, legacies, gifts and bequests which shall be made to such fund, and all moneys which shall be obtained or contributed for the same purposes from other sources;

(5) Appropriations made by the state legislature from time to time to carry into effect the purposes of this Act.

SEC. 2. The public school teachers' retirement salary fund shall be made up of such moneys as shall be transferred from time to time under authority of this Act from the public school teachers' permanent fund.

SEC. 3. It shall be the duty of the state controller and of the state treasurer to make, when notified by the public school teachers' retirement salary fund board, or by the state superintendent of public instruction, under authority of this Act, transfers of such amounts from the public school teachers' permanent fund to the public school teachers' retirement salary fund as will be sufficient to meet the claims which may be legally drawn against said public school teachers' retirement salary fund; *provided*, that no part of any sums derived from any public school teachers' annuity fund existing in any city, county, or consolidated city and county, at the time of the adoption of this Act shall ever be transferred from the public school teachers' permanent fund, but the income and interest derived from the investment of these or any other moneys which have been paid into the public school teachers' permanent fund may be transferred under authority of this section.

SEC. 4. It is hereby declared to be the intention of this Act that there shall be an annual accumulation of funds amounting to ten thousand dollars per year in the public school teachers' permanent fund and no transfer of moneys derived from any source shall be made which shall interfere with or prevent the annual accumulation of moneys in the public school teachers' permanent fund to that extent.

SEC. 5. There shall be deducted monthly from the salary of every teacher subject to the burdens of this Act, one dollar, and every official whose duty it is to pay said teacher's salary shall make said deduction at the time of payment and shall, at the end of each quarter, draw a warrant in favor of the state treasurer for the amounts deducted. The amounts thus deducted shall be deposited in the state treasury to the credit of the public school teachers' permanent fund, and shall constitute part thereof.

SEC. 6. No persons shall, except as hereinafter otherwise provided, be eligible to receive the benefits of this Act who shall not have paid into said public school teachers' permanent fund, or partly into said fund and partly into the public school teachers' annuity and retirement fund, maintained under the Act of the legislature of the State of California, approved March 26, 1895, and Acts amendatory thereof, an amount equal to twelve dollars for each year of service up to and including thirty

years; *provided, however*, that the difference between the amount actually paid by such teacher of thirty years' service, and three hundred and sixty dollars, may be paid into said fund by such teacher at the time of retirement, with the same effect as if the full sum of three hundred and sixty dollars had been paid at the rate of twelve dollars per year before retirement; or, the sum of twenty dollars per month may be withheld from such teachers' retirement salary until the amount so withheld shall equal the difference between said sum of three hundred and sixty dollars and the amount theretofore paid into said permanent fund, or partly into said last mentioned fund and partly into said public school teachers' annuity and retirement fund.

SEC. 7. The state board of education shall constitute the public school teachers' retirement salary fund board. The president and secretary of the state board of education shall be the president and secretary, respectively, of said public school teachers' retirement salary fund board.

SEC. 8. The public school teachers' retirement salary fund board, subject to the provisions of this Act, shall have power, and it shall be its duty;

(1) To approve and allow retirement salaries of public school teachers entitled to the same under the provisions of this Act;

(2) Through its president or other officer designated by it for that purpose, to audit all claims and demands for money expended or authorized to be expended by it, and certify all claims and demands against the public school teachers' permanent fund and the public school teachers' retirement salary fund, including all retirement salary demands, to the state controller, who shall draw his warrant therefor upon the state treasurer, payable out of said fund; *provided*, that no demand shall be allowed except after resolution duly passed at a meeting of the board by a majority of its members, which adoption shall be attested by the secretary;

(3) To require the boards of education, school trustees and other public authorities, and all officers having duties to perform in respect to the contributions by teachers to said permanent fund, to report to the board from time to time as to such matters pertaining to the payment of such contributions, as it may deem advisable;

(4) To invest the moneys in the permanent fund in securities and to collect the income therefrom and interest and dividends thereon; to deposit such securities with the state treasurer, and to make sale of such securities when, in its judgment such sale will be advisable; *provided*, that none of the moneys in the public school teachers' permanent fund shall be invested in any securities except such securities as those in which the funds of savings banks may be legally invested. The state controller is authorized to draw his warrant upon the public school teachers' permanent fund in payment of duly audited claims arising out of the investment of the moneys in said fund;

(5) To prescribe the duties of the secretary and other officers of the board;

(6) To conduct investigations in all matters relating to the operation of this Act, and to subpoena witnesses and compel their attendance to testify before it in respect to such matters.

SEC. 9. Said public school teachers' retirement salary fund board shall meet at least once every three months and at each quarterly meeting shall make a list of all persons entitled to payment out of the fund established by this Act, and enter said list in a book to be kept by the board for that purpose, to be known as the "Public School Teachers' Retirement Salary Fund Record." Said list shall be certified as correct by the president and secretary of the board, and shall always be open to public inspection. In the performance of the duties of the board, each member and the secretary thereof may administer oaths and affirmations to witnesses and others transacting business with the board.

SEC. 10. The board shall make rules and regulations not inconsistent with the provisions of this Act, which shall have the force and effect of law. Such rules and regulations shall:

1. Provide for the conduct and regulation of the meetings of the board and the operation of the business thereof;

2. Provide for the enforcement and carrying into effect of the provisions of this Act;

3. Establish a system of accounts showing the condition of the public school teachers' permanent fund and the public school teachers' retirement salary fund, and receipts and disbursements for and on account of said funds;

4. Prescribe the form of warrants, vouchers, receipts, reports and accounts to be used in respect to said funds;

5. Regulate the duties of boards of education, school trustees and other school authorities, imposed upon them by this Act, in respect to the contributions by teachers to the public school teachers' permanent fund, and the deduction of such contributions from the teachers' salaries.

SEC. 11. In addition to the powers hereinabove enumerated, said board shall make and enforce all necessary and proper rules and regulations for the method or methods of applying for and obtaining retirement salaries provided for in this Act and for the method or methods of determining the right of each applicant to such retirement salary; *provided, however*, that in all cases legal proof of all necessary facts shall be required and kept on file.

SEC. 12. The superintendent of public schools of each city, county, and consolidated city and county shall report to the superintendent of public instruction, before the fifteenth day of July of each year, the amount that will be required during the current fiscal year to pay the retirement salaries to be paid in such city, county, or consolidated city and county, and said superintendent of public instruction shall determine from said reports the entire amount required to pay said retirement salaries during said current fiscal year. He shall report the amount required to make such payments to the public school teachers' retirement salary fund board, and thereupon said board shall notify the state controller and by resolution, duly adopted, shall direct him to make transfer of the needed amount from the public school teachers' permanent fund to the public school teachers' retirement salary fund. It shall be the duty of the state controller thereupon to make such transfer and to notify the state treasurer in order that he may make corresponding entry in the records of his office. When claims for payment of retirement salaries have been duly audited under the provisions of this Act the controller shall draw his warrant therefor upon the said public school teachers' retirement salary fund.

SEC. 13. Every public school teacher who shall have complied with all the requirements of this Act, and who shall have served, as a legally qualified teacher in public day or evening schools, or partly as such teacher and partly as superintendent or supervising executive or educational administrator, for at least thirty school years, at least fifteen of which shall have been in the public schools of this state, including the last ten years of service immediately preceding retirement, under a legal certificate shall be entitled to retire; or if physically or mentally incapacitated for the proper performance of the duties of teacher, may be compelled to retire by the board of education, school trustees or other school authorities employing such teacher. Upon retirement, voluntary or involuntary, such teacher shall be entitled to receive, during life, an annual retirement salary of five hundred dollars, payable in installments quarterly by warrant drawn as provided in section eight of this Act; *provided*, that application for such salary be made within two years after the last month of service, except in cases where at the time the right to the retirement salary accrues such teacher has been absent two years or more from service, on leave duly granted by the board of education, board of trustees or other public school authorities employing such teacher. In such cases, the application may be made at any time during the said leave of absence. All teachers heretofore retired after thirty years of service, under the provisions of the Act of the Legislature of the State of California approved March 26, 1895, entitled "An Act to create and administer a public school teachers' annuity and retirement fund in the several counties and cities and counties in the state," and Acts amendatory thereof, shall be entitled to an annual retirement salary of five hundred dollars, payable in installments quarterly by warrants drawn as provided in section eight of this Act.

SEC. 14. Any public school teacher who shall have complied with all the requirements of this Act and who shall have served as a legally qualified teacher for at least fifteen years in the public schools of this state, and who shall have, by reason of bodily or mental infirmity, become physically or mentally incapacitated for further school service, under a legal certificate, shall be entitled to retire, or may, by the board of education, school trustees or other school authorities employing such teacher, be compelled to retire. Upon retirement, voluntary or involuntary, such teacher shall be entitled to receive during the period of such disability, an annual retirement salary payable in installments quarterly, which shall be the same fraction of the maximum retirement salary of five hundred dollars as said teachers' time of service is of thirty years; *provided*, that application for such retirement salary shall be made within two years of the last month of service. Each teacher who, by reason of incapacity due to bodily or mental infirmity, shall have retired under the aforesaid Act, approved March 26, 1895, and Acts amendatory thereof, after fifteen years' service, shall receive upon the taking effect of this Act and during the period of disability, an annual retirement salary which shall be the same fraction of the maximum retirement salary of five hundred dollars, as said teachers' time of service is of thirty years.

SEC. 15. Service of a teacher, with or without a certificate, in a state normal school, shall be equivalent to service under legal certificate in a day or evening school, and the time of said service in a state normal school shall be reckoned in determining the right to retirement salaries under the provisions of sections thirteen and fourteen of this Act.

SEC. 16. In counting actual experience for the purposes of this Act, the state board of education shall determine what constitutes a school year; *provided*, that in no case shall leaves of absence amounting to school years, or half school years be counted as service; and *provided, further*, that in reckoning the time of service for the purposes of this Act, the night school term shall be considered the same as and equivalent to the day school term.

SEC. 17. This Act shall be binding upon all such teachers employed in the public schools of this state at the time of the approval of this Act, as shall, on or before January 1, 1914, sign and deliver to the superintendent of public instruction and the superintendent of public schools of the city, county, or consolidated city and county in which said teachers are in service, a notification that said teachers agree to be bound by and to avail themselves of the benefits of this Act.

SEC. 18. This Act shall be binding upon all teachers elected or appointed to teach in the public schools of this State after the approval of this Act, who, not being in the service of the public schools at the time of the approval of said Act, were not competent to sign or deliver the notification specified in section seventeen.

SEC. 19. If any teacher retired under the provisions of this Act shall be re-employed in the public schools of this state, such teachers' retirement salary shall cease; and if any teacher having qualified under section fourteen hereof returns to service in the public schools of the state and thereafter qualifies under section thirteen hereof, there shall be deducted from the retirement salary payable to such teacher under the provisions of section thirteen hereof the amount of retirement salary therefore actually received by such teacher under the provisions of section fourteen hereof, such amount to be deducted in equal quarterly installments until the whole amount so received under said section fourteen shall have been deducted; *provided, however*, that the amount of such deduction to be made quarterly shall not exceed thirty-five dollars.

SEC. 20. No one shall be permitted to draw from the state, directly or indirectly, more than one retirement salary. Nothing in this Act shall be so construed, however, as to prevent local communities or bodies of teachers from supplementing the retirement salary received from the state.

SEC. 21. Every public school teachers' annuity fund existing in any city, county, or consolidated city and county, established under the aforesaid Act, approved March 26, 1895, shall within six months after this Act goes into effect, be delivered to the state treasurer and by him turned into the public school teachers' permanent fund created by this Act, and shall be added to and become part of the permanent fund provided for in section one of this Act.

SEC. 22. Said Act of the legislature of the State of California approved March 26, 1895, and all Acts amendatory thereof, are hereby repealed.

Motion carried.

The Speaker appointed Mr. Shannon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1263, with instructions, do now report that the instructions of the Assembly have been carried out.

SHANNON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 832—An Act making an appropriation to pay the claim of the California Highway Construction Company for money expended and labor performed in and upon the construction and completion of state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, strike out the figures \$50,075.22.

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 832, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

During consideration of the constitutional amendment, Mr. Clark moved that the Speaker appoint a select committee of one to amend the amendment as follows:

On page 1, line 14, strike out the words "in other cases, and provision" and insert in lieu thereof the words "for other counties and municipalities. Provision".

Also: On page 1, line 15, strike out the words "in other cases by the legislature," and insert in lieu thereof the words "by the legislature in the case of other counties and municipalities".

Also: On page 1, in lines 18 and 19, strike out the words "and provision may also be made for a preferential system of voting at any primary or other election," and insert in lieu thereof the words "and for a preferential system of voting at any county, city and county, or municipal primary or other election. The legislature may also provide for a preferential system of voting at any other primary election."

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 19, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendments adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Bill No. 346—An Act to amend Section 4255 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

During third reading of the bill, Mr. Palmer moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 21, strike out the period, and insert in lieu thereof a semicolon, and the following: "Provided, that this subdivision of this section shall not go into effect or be in force until the expiration of the term of office of the incumbent".

Also: On page 6, line 7, strike out the word "three", and insert in lieu thereof the word "two".

Also: On page 4, line 25, strike out the word "nine", and insert in lieu thereof the word "six".

Motion carried.

The Speaker appointed Mr. Palmer as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 346, with instructions, do now report that the instructions of the Assembly have been carried out.

PALMER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 11, after the word "paid", insert the following: "The assessor shall also be allowed all fees and commissions allowed him by law for collection of personal property taxes and for preparations of roll of persons subject to military duty."

Also: On page 4, line 23, after the word "of", strike out the words "two thousand one", and insert in lieu thereof the words "one thousand eight".

Also: On page 4, line 26, after the word "hundred", strike out the words "one hundred" and insert in lieu thereof the word "eighty".

Also: On page 5, line 18, after the word "deputy", insert the following: "except the assessor and his deputies, as provided in section seven of this Act,".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1390, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDERS.

The hour of eleven o'clock a.m. having arrived, the following special orders were taken up for consideration:

Assembly Concurrent Resolution No. 19—Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

Mr. Bohnett moved that the consideration of the above resolution be postponed until Tuesday, April 29, 1913, at two o'clock p.m.

Mr. Schmitt moved to amend by making the time Friday, May 2, 1913, at two o'clock p.m.

Amendment lost.

Motion of Mr. Bohnett carried.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appro-

appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

On motion of Mr. Brown, further consideration of the above bill was postponed until one o'clock and thirty minutes p.m. of this day.

REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1944—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission, and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, by amending Sections 1, 3 and 4 of said Act, and adding sixteen new sections to said Act, to be designated as Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 16½, 17, 18 and 19, creating a drainage district to be known as Sacramento and San Joaquin Drainage District, appointing of a reclamation board, providing for the management and control of said district, and defining the powers and duties of the reclamation board and the State Engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the floods thereof; the making of assessments; also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer and the reclamation board; also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others; to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers; to prevent the construction of and to require the removal or regulation of obstructions in streams, by-passes and overflow channels; to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento River, and making an appropriation for carrying out the purposes of this Act—which was re-referred to us from the Committee on Drainage, Swamp and Overflowed Lands, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1158—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California,

including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem, and making an appropriation for the payment by the State of any such judgments—which was re-referred to us from the Committee on Judiciary, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1761—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Also: Senate Bill No. 1728—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Also: Senate Bill No. 1705—An Act providing for the purchase and the proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California; creating the "Gold Discovery Landmark Commission," and making an appropriation to carry out the purposes of this Act.

Also: Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State; dividing the State into viticultural districts; appointing a state board of viticultural commissioners; providing for the selection of its officers; defining its powers and duties, and making an appropriation therefor.

Also: Senate Bill No. 347—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Also: Senate Bill No. 1563—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating seven thousand five hundred dollars therefor.

Also: Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions, and making an appropriation therefor.

Also: Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 187—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Senate Bill No. 1251—An Act making an appropriation for the maintenance of the Emigrant Gap state road.

Also: Senate Bill No. 43—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Also: Senate Bill No. 196—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also: Senate Bill No. 193—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Senate Bill No. 194—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Senate Bill No. 195—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Also: Senate Bill No. 61—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services.

Also: Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Also: Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the

State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1360—An Act to amend Section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1124—An Act to amend Section 4253 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1185—An Act to amend Section 4131 of the Political Code of the State of California, relating to the duties of county recorders—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 411—An Act to amend Section 10k, Section 10r, and Section 10u, of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended and approved April 5, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 866—An Act to amend Sections 368, 699 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 396—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California in the city of Oakland, for the use of the National Guard of the State of California.

Also: Senate Bill No. 1013—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to the Committee on Ways and Means.

HINKLE, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Also: Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 390—An Act to amend an Act entitled "An Act in relation to pandering; to define and prohibit the same, to provide for punishment thereof; for the competency of certain evidence at the trial therefor," and approved February 8, 1911.

Statutes of California of 1911, page 9—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1238—An Act to prohibit the sale or giving away of cigarettes or cigarette papers—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 957—An Act to amend Section 435 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NELSON, Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers, and prescribing a penalty for the violation of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 961—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending Section 7 of said Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 2029—An Act to amend Section 2978 of the Political Code, relating to who shall constitute the State Board of Health—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Senate Bill No. 1236—An Act to amend Section 1496 of the Political Code, relating to the admission of pupils from other states to the normal schools of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STRINE, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 619—An Act to amend Sections 2, 3, 4 and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 144—An Act to amend Sections 3, 5, 6, 7, 9, 27 and 60 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and adding a new section thereto, to be numbered 82a, relating to reassessment by a court of competent jurisdiction—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

SPECIAL ORDER.

The hour of one o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the

duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 21, line 8, insert the following: "*provided*, that no municipality shall take water for the purpose of selling or otherwise disposing of the same for irrigation purposes."

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Alexander, Bagby, Bohnett, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Cram, Dower, Ferguson, Ford, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Kingsley, Libby, Murray, Nelson, Palmer, Polsley, Schmitt, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weldon, and White—34.

NOES—Messrs. Ambrose, Bloodgood, Clark, Wm. C., Ellis, Farwell, Gabbert, Gates, Green, Hinkle, Johnston, T. D., Johnstone, W. A., Kuck, Moorhouse, Peairs, Roberts, Scott, Sutherland, Weisel, Woodley, and Mr. Speaker—20.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 642, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Mr. Brown moved that further consideration of Assembly Bill No. 642 be postponed until four o'clock and thirty minutes p.m. of this day.

Motion carried.

SPECIAL ORDER.

The hour of three o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Senate Bill No. 10—An Act to amend Section 261 of the Penal Code, relating to the crime of rape.

During third reading of the bill, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

Add a paragraph to read as follows:

“Provided, That when the female is over the age of sixteen years and under the age of eighteen years and not of unsound mind or acting under threat of bodily harm or under the influence of any intoxicating liquor, narcotic or anæsthetic, and when she is not unconscious but submits to the act willingly, she shall be equally guilty with the male when such male is under the age of eighteen years, and shall be subject to the same penalty.”

IN EXECUTIVE SESSION.

At three o'clock and fifteen minutes p.m., Mr. Johnston moved that the Assembly go into executive session.

Motion carried.

The question being upon the motion of Mr. Weldon to appoint a select committee to amend the bill.

The following substitute was offered by Mr. Finnegan:

Add a paragraph to read as follows:

“Provided, That in a case when both parties are under the age of eighteen years and the female over the age of sixteen years, and not of unsound mind or acting under threat of bodily harm or under the influence of any intoxicating narcotic or anæsthetic and when she is not unconscious, but submits to the act willingly, it shall be held that no crime of rape has been committed.”

Mr. Killingsworth moved the previous question.

Motion carried.

Substitute motion lost.

The question reverting to the original amendment.

Mr. Killingsworth moved the previous question.

Motion carried.

The question being upon the motion of Mr. Weldon to appoint a select committee to amend the bill.

Roll call regularly demanded.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Weldon moved a call of the House.

Motion lost.

The roll of absentees was called, and the motion lost by the following vote:

AYES—Messrs. Bagby, Benedict, Bowman, Bradford, Bush, Byrnes, Canepa, Emmons, Farwell, Ferguson, Ford, Gelder, Guill, Hayes, Johnson, Geo. H., Kingsley, McCarthy, Nelson, Palmer, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Stuckenbruck, Weldon, White, and Woodley—29.

NOES—Messrs. Ambrose, Bloodgood, Bohnett, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Finnegan, Gabbert, Gates, Green, Hinkle, Luman, Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Shannon, Slater, Smith, Strine, Sutherland, Weisel, Wyllie, and Mr. Speaker—35.

Bill read third time.

The question being on the passage of the bill.

Mr. Sutherland moved the previous question.

Motion carried.

The roll was called, and Senate Bill No. 10 finally passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—Messrs. Collins, Dower, Ferguson, Ford, Griffin, Killingsworth, McCarthy, Ryan, Schmitt, Wall, and Weldon—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 55—An Act to amend Section 264 of the Penal Code, relating to the punishment for the crime of rape.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 55 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Mr. Smith moved that the doors be now opened.

Motion lost.

Mr. Inman moved that after the committee reports be received the Assembly take a recess until seven o'clock and forty-five minutes p.m. of this day.

Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 730—An Act to provide for the building, equipping, and furnishing of an armory to be used for the National Guard and National Guard purposes, in the city of San Diego and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

HINKLE, Chairman.

The above reported bill ordered on file for second reading, and referred to Committee on Ways and Means.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

An Act to amend an Act entitled "An Act to provide for, insure and maintain preference in the appointment, employment, and retention in the public service and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors and marines of the War of the Rebellion," by adding a new section thereto, to be designated as Section 1a, making the violation of said Act a misdemeanor and providing a penalty therefor.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Boyman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dover, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guilberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Pelsley, Richardson, Roberts, Ryan, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—64.

NOES—Mr. Schmitt—1.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Guill: Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elyira Raynaud against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Roberts: Assembly Bill No. 2115—An Act to amend an Act entitled "An Act to provide for, insure and maintain preference in the appointment, employment, and retention in the public service and upon public works of the State of California of honorably discharged ex-Union soldiers, sailors and marines of the War of the Rebellion," by adding a new section thereto to be designated as Section 1a, making the violation of said Act a misdemeanor and providing a penalty therefor.

Bill read first time, and referred to Committee on Labor and Capital.

RECESS.

At five o'clock and thirty minutes p.m., the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Young in the chair.

SPECIAL ORDER SET.

On motion of Mr. Johnston, the consideration of Assembly Bill No. 1812 was made a special order for Saturday, April 26, 1913, at ten o'clock and forty-five minutes a. m.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8a, and 8b of, and to add a new section, to be known as Section 8c to, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof."

approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 907 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bowman, Bush, Canepa, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Gabbert, Gelder, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1162—An Act to amend an Act entitled “An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes,” approved March 31, 1897, by amending Sections 2, 3, 30, 31, 32, and 61 thereof, and to add two new sections to said Act, to be numbered 32½ and 54½, said new sections relating respectively to increasing the rate of interest on bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him.

During third reading of the bill, Mr. Murray moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 9, line 30, of the bill as amended, strike out the words “at the rate of five per cent per annum”, and insert in lieu thereof the following: “at a rate to be determined by the board of directors of the district issuing them, but not exceeding six per cent per annum”.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1162 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, White, Wyllie, and Mr. Speaker—54.

NOES—Messrs. Murray and Schmitt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital, at Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and

from the proceeds of said sale to improve said site, and erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the cost and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electric current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2083 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489a, relating to reclamation and swamp land districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1851 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Smith, Strine, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1416—An Act to amend Section 6260 of the Penal Code of the State of California, relating to the shooting of wild ducks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1416 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Griffin, Guill, Hayes, Hinkle, Inman,

Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—52.

NOES—Messrs. Bagby, Gates, Johnstone, W. A., and Schmitt—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2058—An Act to repeal Section 4 of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2058 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—60.

NOES—Mr. Johnston, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 311 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 395 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgen-

stern, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as Section 27.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1318 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Wall, Weisel, Weldon, Woodley, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1535 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Gates, Green, Griffin, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Strine, Wall, Weisel, Woodley, and Wyllie—44.

NOES—Messrs. Alexander, Bohnett, Brown, Clark, Wm. C., Gelder, Johnson, Geo. H., Morgenstern, Shannon, Smith, Sutherland, Weldon, and Mr. Speaker—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 23—Relative to the mailing of copies of all Acts passed and approved, relating to courts, judicial officers and amendments to codes to each judge of Superior Courts, district attorneys and county clerks of the counties and city and counties of this State.

Resolution read, on motion adopted, and ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 23.

Relative to the mailing of copies of all Acts passed and approved, relating to courts, judicial officers and amendments to codes to each judge of superior courts, district attorneys and county clerks of the counties and cities and counties of this State.

Resolved by the Assembly, the Senate concurring. That the Secretary of State be, and he is hereby instructed, to mail to each of the judges of the Superior Courts, the

district attorneys and the county clerks, of the counties and the cities and counties, of this State copies of each Act referring to courts of justice, or to the judicial officers of this State or counties therein, or, which amends either of the codes of this State, as soon as practicable after the same are signed by the Governor.

And further, that the State Printer is hereby directed to deliver to the Secretary of State, for the purposes aforesaid, two hundred and fifty (250) copies of each of said Acts.

Assembly Bill No. 1381—An Act to amend Section 16 of that certain Act of the Legislature of the State of California entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1381 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Strine, Sutherland, Wall, Weisel, Weldon, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2092—An Act to repeal Section 2568½ of the Political Code of the State of California, relating to the employment of an attorney by the Board of Harbor Commissioners of the port of Eureka.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Weldon moved a call of the House.

Motion carried.

Time, nine o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald,

Moorhouse, Morgenstern, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Messrs. Chandler, Guiberson, and Mouser were brought to the bar of the House and on motion excused.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At nine o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Weldon.

The roll of absentees was called, and Assembly Bill No. 2092 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Libby, McCarthy, Mouser, Murray, Palmer, Polsley, Roberts, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—49.

NOES—Messrs. Bowman, Bush, Byrnes, Clarke, Geo. A., Ellis, Gabbert, Gates, Green, Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Nelson, Ryan, Scott, Shartel, Tulloch, and Wyllie—20.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Johnston gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2092 was this day passed.

Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2075 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Weisel, Weldon, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1950—An Act conferring police power upon cities fronting or bordering on state tide lands, for purposes of sanitation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1950 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A.,

Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Scott, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2086—An Act to define investment companies, investment brokers, contractors, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation hereof; and making an appropriation therefor.

Bill read third time.

Mr. Gates moved that consideration of the above bill be made a special order for Monday, April 28, 1913, at eleven o'clock a.m.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2086 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Mr. Speaker—55.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER..

Mr. Guiberson gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2086 was this day passed.

CONSIDERATION OF MOTION TO RECONSIDER POSTPONED.

On request of Mr. Killingsworth, consideration of the motion to reconsider Assembly Bill No. 1120 was postponed until the next legislative day.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Ambrose moved that the vote whereby Assembly Bill No. 1172 was passed be reconsidered.

Consideration of above motion postponed until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 37—An Act to establish the Yolo and Lake highway: to define its course; to provide for its survey and construction, and to make an appropriation therefor.

Assembly Bill No. 86—An Act appropriating money for building a horse barn, a swine barn, a pavilion and other farm buildings at the California Polytechnic School.

Assembly Bill No. 200—An Act to amend Section 4250 of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class. (Santa Cruz County.)

Assembly Bill No. 246—An Act to amend Section 627 of the Penal Code of the State of California, relating to the protection and preservation of game.

Assembly Bill No. 605—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico, and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site, and appropriating money therefor.

Assembly Bill No. 797—An Act to provide for the establishment of a state hospital for the insane, and providing for the commitment thereto and management thereof, and making an appropriation therefor.

Assembly Bill No. 2057—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the Armory building and wharf located on the bay of San Diego, and making available and reappropriating certain moneys for the purchase of said armory and wharf.

Assembly Bill No. 1349—An Act to add a new section to the Penal Code, to be known as Section 627e, relating to the killing of bear.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Assembly Bill No. 1250—An Act making an appropriation for the construction of a fine arts building for the Los Angeles State Normal School and for drives and walks adjacent thereto.

Assembly Bill No. 1305—An Act to amend Section 10k of an Act entitled "An Act to amend an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911.

Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

Assembly Bill No. 1695—An Act to authorize the appointment of a commission and to empower it to sell and convey all or any part of the lands and buildings of the Whittier State School; to change the name of the Whittier State School to "California Trades School"; to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased

of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school.

Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 65—An Act making an appropriation to pay for the services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Assembly Bill No. 111—An Act appropriating two thousand dollars for the completing of the restoration and rebuilding of the Mission San Francisco de Solano, of the city of Sonoma, California.

Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester, and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the State Forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of fire wardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Board of Forestry and persons, firms, associations or corporations, or any combination or groups of such persons, firms, associations or corporations, and for agreements between the state board of forestry and the Federal Government; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest"; repealing Chapter 264 of the laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

Assembly Bill No. 1672—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority, and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor.

Assembly Bill No. 2095—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Lieutenant Governor Wallace, Mr. and Mrs. Mattison B. Jones were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Guiberson, Mr. H. P. Brower was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roberts, Mr. W. B. Percival was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Killingsworth, the pupils of Mrs. M. B. Wilsons Pitts' School, Dixon, Solano County, California, were granted the privilege of the floor of the Assembly for this day. Names of pupils: Dorothea Porter, Trilby Robben, Lloyd Peters, Charlie Joy, Melvin Joy, Frederic Byrnes and Ambrose Porter.

ADJOURNMENT.

At eleven o'clock and ten minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, April 26, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohmet, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—76.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. McDonald, Mr. Walsh was granted leave of absence for the day.

At the suggestion of the Speaker, Mr. Peairs was granted leave of absence for the day.

On motion of Mr. Morgenstern, Mr. Gelder was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Bloodgood, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

OAK PARK, CAL., April 25, 1913.

The Assembly, Sacramento, Cal.:

Representing the California Christian Endeavor Union, I do most earnestly ask that you do not pass Assembly Bill No. 1620. This bill would permit the running of a bar in the Claremont Hotel and I firmly believe this would be a detriment to the town of Berkeley and particularly the University. Trusting your honorable body may see this in the same light as the thousands of Christian Endeavorers of this State do, I remain, as ever,

Yours for temperance and sobriety,

EDGAR H. RIVETT,

State and County Citizenship and Temp. Supt.

Also:

RICHMOND, CAL., April 25, 1913.

The Assembly, Sacramento, Cal.:

Please knock that Ferguson bill in the head for the sake of our boys and girls.

REV. GUY A. WHITE.

By Mr. Wall:

STOCKTON, CAL., April 24, 1913.

The Honorable Assembly of the State of California (care W. C. Wall), Sacramento:

The Stockton Chamber of Commerce, in regular session this day and having under consideration Assembly Bill No. 2083, introduced by Hon. W. C. Wall, a representative of this city in the State Legislature, designed to effect a removal of the Stockton State Hospital from the corporate limits of Stockton to a more suitable location, unanimously adopted the following resolutions:

WHEREAS, Our attention having been called to Assembly Bill No. 2083, proposed by Assemblyman W. C. Wall, and the Stockton Chamber of Commerce having been convinced that the crowded nature of the city where the institution named in said bill is located renders it unfit to house and care for so many patients; and

WHEREAS, The evidence of eminent alienists has contributed largely to the conclusion that the surroundings and chief building are not fit to properly care for so many patients afflicted with mental and nervous diseases; and

WHEREAS, The enhanced value of the land where the hospital is situated adapts it for the useful purposes of a rapidly growing commercial, manufacturing and residence city, and the sale of such site, as proposed by the bill, will enable the State to transfer the institution without additional cost; and

WHEREAS, Said transfer will provide the State with suitable modern buildings of a type especially designed for the treatment of the patients, without exposing them to contact or interference on the part of the general public; therefore, be it

Resolved, That the Stockton Chamber of Commerce urges the Senate and Assembly and the Governor of the State of California to enact legislation designed to economically carry out the wishes of our people to remove the Stockton State Hospital outside the city limits of Stockton.

Adopted April 24, 1913.

J. M. EDDY, Secretary.

LOUIS S. WETMORE, President.

Also, the following petition, addressed to the Chief Clerk, was filed and ordered printed in the Journal:

STOCKTON, CAL., April 25, 1913.

The Assembly, Sacramento, Cal.:

We earnestly request the defeat of the Ferguson bill (A. B. 1620), the booze peril of our State University.

W. D. Buckley, C. A. Kennedy, O. C. Pierce, Frank S. Ziegler, G. W. McCleary, Mrs. Geo. B. Whitley, Mrs. Bess Ziegler, Mrs. T. T. Smith, Mrs. E. C. Tobin, Lillie Hauge, I. S. Rowe, T. T. Smith, W. Olson, Mrs. O. C. Pierce, Miss Willis, Mrs. Searle, Mrs. A. E. Gray, Mrs. M. Williams, Mrs. H. E. Williamson, Mrs. J. Stevenson, Mrs. O. Grant, Mrs. J. C. Aherns, O. Johnson, B. A. Barten, D. A. Oldham, D. W. Braddock, Mrs. E. Slaughter, Ellen T. Oldham, Mary M. Williams,

J. E. Wagon, Wm. Willis, R. Wilson, H. E. Williamson, Paul T. Williamson, Walter Miller, E. P. Dennett, A. E. Fossett, Frank R. Bucklew, Leroy R. Harlow, Mrs. L. D. Howard, C. H. Harrold, B. F. Goods, F. Dusting, C. J. Caine.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking authentication and filing of transcript of testimony and recognizances in coroner's inquests, and providing for the appointment of a shorthand reporter for such purpose, and for fees in payment therefor.

Also: Assembly Bill No. 795—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known as Section 196a, relating to the support and education of an illegitimate child.

Also: Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375b, relating to the receptacles for gasoline and kerosene.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office.

Also: Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1578?"

AMENDMENT No. 1.

On page 2, line 14, between the words "within the county" and the words "as the court", insert the words "in which said child was so left, or in which said child resides".

AMENDMENT No. 2.

On page 2, line 16, between the words "as so left" and the words "to be an abandoned child", insert the words "or in which said child resides".

AMENDMENT No. 3.

On page 1, lines 2 and 3, strike out the following: "relating to the adoption of children and the consent necessary thereto, approved April 12, 1911, as amended".

Also:

On page 2, lines 15 and 23, page 3, line 5, and page 2, lines 25 and 26, strike out the words "juvenile court", and insert in lieu thereof the following: "superior court, juvenile court department."

In Section 1, on page 2, line 15, of the printed bill, strike out the words "juvenile court department"; also, in line 23, same page, strike out the words "superior court"; also, same line, same page, strike out the letters "depart—" also, line 24, same page, strike out the letters "ment"; also, line 26, same page, strike out the words "superior court"; also, same page, same line, strike out letters "depart-"; also, on line 2, same page, strike out letters "ment"; also, on page 3, line 6, strike out the words "superior court"; also, same line, same page, strike out letters "depart-"; also, on line 7, same page, strike out letters "ment".

The roll was called, and Senate amendments to Assembly Bill No. 1578 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C. Collins, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle,

Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McCarthy, McDonald, Mouser, Murray, Polsley, Ryan, Shannon, Shearer, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—47.
 NOES—Mr. Palmer—1.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 26?"

Strike out all after "Sec. 2.", and insert in lieu thereof the following: "The moneys hereby appropriated shall not be available until there shall have been deeded to the State of California a site sufficiently large, and convenient to the Capitol building as approved by the superintendent of state printing and the state engineer. Upon the acquisition of said site, without cost to the state, the state engineer shall proceed to the construction of such building in accordance with the plans for the same approved by the superintendent of state printing".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 26 by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Libby, Moorhouse, Mouser, Palmer, Roberts, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weldon, White, Woodley, and Wyllie—45.

Bill ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948", and approved April 10, 1911, Statutes of California of 1911, page 860.

W. N. PARRISH, Secretary of Senate.
 By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1588—An Act making an appropriation of twenty-five thousand dollars for purchasing machinery and equipment for the State Printing Office.

Also: Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

Also: Senate Bill No. 1252—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance, of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912.

Also: Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

W. N. PARRISH, Secretary of Senate.
 By J. A. MILLER, Assistant Secretary.

Senate Bill No. 405 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 389 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1588 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 341 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1252 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 484 read first time, and referred to Committee on Ways and Means.

GOVERNOR'S MESSAGE.

The following message from the Governor was received and read:

EXECUTIVE OFFICE, SACRAMENTO, CALIFORNIA.

To the Assembly of the State of California:

I return to you herewith, without my approval, Assembly Bill No. 1268.

My objections to this bill are, that its disadvantages in the way of possibility of injustice outweigh the advantages that might accrue from making the acts therein described a new criminal offense. The bill makes punishable either as a felony or as a misdemeanor, the sending or delivery, to any person, of any letter or other writing whether subscribed or not, expressing or implying or adapted to imply any threat to kill or to do great bodily injury to the person threatened, or to any relative of his or any member of his family. I take it this means that sending such a communication may be a felony or a misdemeanor, or the delivery of such a message may be a felony or misdemeanor. Beyond this, a threat to do great bodily injury to somebody's relative, or the sending or delivery of a letter threatening to do somebody's relative great bodily injury ought not, in my opinion, by law, be made possibly a felony. Cases may readily be conceived where in the heat of passion or even of just provocation one might write to another that he expected at some future occasion to do bodily harm to some particular relative of the latter. I presume such occasions may have arisen in the lives of many legislators. Assuredly, we would not wish that such a statement, even though sent in a letter, should consign the sender to state prison.

You will observe, too, that the particular act makes punishable by imprisonment in state prison, or in the county jail, the deliverer of the threatening letter or writing therein described. The use of the word "deliver" undoubtedly erroneously crept into the language of the bill, because of its use in another section of the code, wherein it is aptly applied. Of course the mere delivery of a threatening letter we would not wish to make a criminal offense.

For the reasons given, I have vetoed the bill.

Respectfully,

HIRAM W. JOHNSON, Governor.

Dated April 25, 1913.

The question being put: "Shall the bill become a law notwithstanding the veto of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Collins, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Slater, Strine, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—51.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1996—An Act to authorize the State Board of Health to prepare and distribute, free of cost, anti-rabic virus and other preparations and appliances for the prevention of disease, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the words "An Act", on page 1, of the printed bill, and insert in lieu thereof the following:

To authorize the state board of health to purchase, or prepare, and distribute, free of cost, to certain persons, anti-rabic virus, and making an appropriation therefor.

The people of the State of California do enact as follows:

SECTION 1. The state board of health is hereby empowered and directed to purchase, or prepare, and distribute free of cost, under such regulations as may be necessary, anti-rabic virus to be used in the treatment of persons exposed to rabies when said persons shall declare that it would be a hardship for them to pay for anti-rabic treatment.

SEC. 2. The sum of five thousand dollars is hereby appropriated for the purposes of this Act.

SEC. 3. The state controller is hereby authorized to draw his warrant for the same, and the state treasurer is hereby authorized to pay the same.

Amendment adopted.

Bill read second time.

Assembly Bill No. 594—An Act making an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, of printed bill, lines 2 and 3 of the title of said bill, strike out everything from and inclusive of the word "construction", in line 2, down to and inclusive of the word "connecting", in line 3, and insert in lieu thereof the following: "location and survey of a proposed highway to connect".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 3 and 4, of the printed bill, strike out everything from and inclusive of the word "fifty", in line 3, down to and inclusive of the word "connecting", in line 4, and insert in lieu thereof the following: "three thousand dollars (\$3,000.00) for the location and survey of a proposed highway to connect".

Amendment adopted.

AMENDMENT No. 3.

On pages 1 and 2, of printed bill, strike out everything from and inclusive of line 6 on page 1, down to and inclusive of line 2 on page 2, and insert in lieu thereof the following:

"Section 2. The work of locating and surveying said proposed highway shall be under the management and control of the state department of engineering and it shall be the duty of said state department of engineering to start said survey from a point at or near Peanut in Trinity County, to which said point a certain highway is now completed, and continue said survey upon the best grounds and grades, consistent with the country to be traversed, to a point on the county line between the counties of Tehama and Shasta in township 29 north, range 9 west, M. D. M., at Beegum Creek. Upon the completion of said survey the state department of engineering shall make a complete report in relation thereto."

Amendment adopted.

AMENDMENT No. 4.

On page 2, lines 3 to 6, of printed bill, strike out everything from and inclusive of the word "The", in line 3, down to and inclusive of the numerals "1914.", in line 6.

Amendment adopted.

Bill read second time.

Assembly Bill No. 285—An Act to provide for locating, surveying and maintaining a state highway from Pescadero in the county of San

Mateo to the Santa Cruz County line, to connect with a road to the California Redwood Park, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of printed bill, in line 2 of the title thereof, strike out the word "state".

Amendment adopted.

AMENDMENT No. 2.

On page 1 of printed bill, strike out everything from and inclusive of the word "There", in line 1, down to and inclusive of the word "county", in line 15, and insert in lieu thereof the following: "That a highway shall be constructed from Pescadero in the county of San Mateo to the Santa Cruz County line to connect with a road to the California Redwood Park."

Amendment adopted.

AMENDMENT No. 3.

On pages 1 and 2, of printed bill, strike out everything from and inclusive of line 16 on page 1, down to and inclusive of line 4, on page 2, and insert in lieu thereof the following: "The responsibility of the State of California in the location, survey, construction and maintenance of said highway shall cease with the expenditure of the appropriation herein contained."

Amendment adopted.

AMENDMENT No. 4.

On page 2 of printed bill, strike out everything from and inclusive of line 5, down to and inclusive of line 8 and insert in lieu thereof the following:

"SEC. 3. The work of locating, surveying and constructing said highway, to the extent of the expenditure of the appropriation herein contained is hereby placed under the management and control of the state department of engineering, and it shall be the duty of said department, to the extent of such expenditure, to locate, survey and construct said highway along the route above described, with such variations as will, in the opinion of said department, be deemed advisable."

Amendment adopted.

AMENDMENT No. 5.

On page 2 of printed bill, strike out everything from and inclusive of line 9, down to and inclusive of line 14, and insert in lieu thereof the following:

"SEC. 4. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of ten thousand (\$10,000.00), to be expended under the supervision of said state department of engineering for the location, survey and construction of said highway. Said appropriation shall be available as set forth in Section 5 hereof, only in the event that the board of supervisors of the county of San Mateo file with the state controller resolutions pledging said county to the completion and maintenance of said highway."

Amendment adopted.

AMENDMENT No. 6.

Annex the following section to said bill:

"SEC. 5. The state controller is hereby directed to draw his warrants in such sums and at such times as the state engineer may present claims therefor, and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time.

Assembly Bill No. 302—An Act appropriating money for building, equipping and furnishing a nursery for children at Sonoma State Home.

Bill read second time.

Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 9 of printed bill, after the word "of", and before the word "dollars", insert the following: "one hundred and twenty-five thousand".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 5 of the printed bill, after the word "of", insert the following: "one hundred and twenty-five thousand".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White in the prosecution of criminals in the county of Trinity, State of California.

Bill read second time.

Assembly Bill No. 1158—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem, and making an appropriation for the payment by the State of any such judgments.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title by striking out the words "and making an appropriation for the payment by the state of any such judgments".

Amendment adopted.

AMENDMENT No. 2.

Amend the bill by striking out Sections 3 and 4 thereof, and renumbering Section 5 to make it Section 3.

Amendment adopted.

Bill read second time.

Assembly Bill No. 1064—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada, at Crystal Bay, in Placer County.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of printed bill, in lines 2 and 3 of title, strike out everything from and inclusive of the word "location", in line 2, down to and inclusive of the word "state", in line 3, and insert in lieu thereof the following: "location and survey of a proposed".

Amendment adopted.

AMENDMENT No. 2.

On page 1 of printed bill, strike out everything from and inclusive of the word "ten", in line 2, down to and inclusive of the word "state", in line 4, and insert in lieu thereof the following: "one thousand dollars (\$1,000.00) for the location and survey of a proposed".

Amendment adopted.

AMENDMENT No. 3.

On page 1 of printed bill, strike out everything from and inclusive of line 8 down to and inclusive of line 10, and insert in lieu thereof the following:

"SEC. 2. The work of locating and surveying said highway is hereby placed under the management and control of the state department of engineering. Upon the completion of said survey, said state department of engineering shall make a complete report in relation thereto."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 1542—An Act making an appropriation for the location, survey, construction and improvement of a state highway from Boca to the Nevada state line along the Truckee River in Nevada County.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of printed bill, in lines 2 and 3 of title, strike out everything from and inclusive of the word "location", in line 2, down to and inclusive of the word "state", in line 3, and insert in lieu thereof the following: "location and survey of a proposed".

Amendment adopted.

AMENDMENT No. 2.

On page 1 of printed bill, strike out everything from and inclusive of line 3, down to and inclusive of line 7, and insert in lieu thereof the following: "two thousand dollars for the location and survey of a proposed highway from Boca, in Nevada county, thence along the Truckee river eastward to Floriston, thence to the Nevada state line."

Amendment adopted.

AMENDMENT No. 3.

On page 1 of printed bill, strike out everything from and inclusive of line 8, down to and inclusive of line 10, and insert in lieu thereof the following:

"SEC. 2. The work of locating and surveying said highway is hereby placed under the management and control of the state department of engineering. Upon the completion of said survey, said state department of engineering shall make a complete report in relation thereto."

Amendment adopted.

Bill read second time.

Assembly Bill No. 2073—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 4, line 27, of the printed bill, after the period following the word "protests" at the end of Section 6, add the following: "In case there is no daily

or weekly newspaper published and circulated in said city, then said notice shall be posted in three of the most public places in such city at least ten days before the date set for the hearing of said protests."

Amendment adopted.

AMENDMENT No. 2.

On page 8, of the printed bill, strike out the words "*provided, however,* that the" in line 16, all of lines 17 to 21, inclusive, and the words "treasury of said city," in line 22, and insert in lieu thereof the following: "and in case of a deficiency in the fund of such improvement, the city council, in its discretion, may provide for such deficiency by an appropriation out of the general fund of the treasury, or by ordering a supplemental assessment to be made upon the same property, in the same manner and form, and subject to the same procedure as the original assessment; and in the last named case, in order to avoid delay, the city council may advance such deficiency out of any money in the general fund of the treasury, and reimburse the treasury from the collections under such supplementary assessment."

Amendment adopted.

AMENDMENT No. 3.

On page 9, of the printed bill, at the end of Section 19, add a new subdivision, as follows:

"(8) The term 'owner' and 'any person interested' include the person owning the fee, or the person in whom, on the day any protest or petition is filed, the legal title to real property appears, by deeds duly recorded in the county recorder's office of the county in which said city is situated, or any person in possession of real property, as the executor, administrator, trustee under an express trust, guardian or other legal representative of the owner, or any person in possession of real property under a written contract of purchase thereof recorded, or any person in possession of real property, as lessee thereof under a lease duly recorded, which shall require such lessee to pay or discharge all assessment for street or other public improvements that may be levied or assessed against such real property."

Amendment adopted.

AMENDMENT No. 4.

On page 9, of the printed bill, strike out all of Section 20, and insert in lieu thereof the following:

"SEC. 20. Proof of publication of any notice required by this Act shall be made by affidavit, as provided in the Code of Civil Procedure, and proof of the posting of any such notice shall be made by the affidavit of the person posting the same, setting forth the facts regarding such posting. It shall be the duty of any officer who is required by this Act to have any notice published or posted, to obtain and file in his office the affidavit or affidavits in proof thereof; *provided*, that his failure so to do shall not affect the validity of any proceedings under this Act. Any such affidavit so filed shall be prima facie evidence of the facts therein stated regarding such publication or posting.

SEC. 21. This Act shall in no wise affect an Act entitled 'An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits,' approved March 11, 1893, or an act amendatory thereof or supplementary thereto, or any other Acts on the same subject, or apply to proceedings had thereunder, but it intends to and does provide an alternate system of proceedings for making the improvements provided for by this Act; and it shall be within the discretion of the city council of any municipality to proceed in making such improvements, either under the provisions of this Act, or under the provisions of such other Acts; but when any proceedings are commenced under this Act, the provisions of this Act, and of such amendments thereof as may be hereafter adopted, and no other, shall apply to all such proceedings, and any provisions contained in said Acts or any Acts in conflict with the provisions hereof shall be void and of no effect as to the proceedings commenced under the provisions of this Act. The election of the city council to proceed under the provisions of this Act shall be expressed in its resolution of intention to order the work done.

SEC. 22. The provisions of this Act shall be liberally construed to promote the objects thereof, and no publication or notice other than that provided for in this Act shall be necessary to give validity to any proceedings had thereunder. This Act may be designated and referred to as the 'Tree Planting Act of 1913.'

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2100—An Act making an appropriation for the location, survey, construction and improving of a state highway from the city of San Bernardino, in San Bernardino County, thence in a northeasterly direction by the most feasible route to Needles, in San Bernardino County.

On request of Mr. Cram, the above bill was re-referred to Committee on Ways and Means.

Assembly Bill No. 1260—An Act relating to the receiving and transmitting of train orders by telegraph or telephone by persons under sixteen years of age.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 667—An Act to amend Sections 1, 2, 6 and 16, and repealing Section 17 of an Act entitled "An Act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, relating to the validity, effect and enforcement of local improvement bonds.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 279—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 1, of the printed bill, after the word "mortgagee", strike out all the rest of the bill and insert in lieu thereof the following:

"*Provided, however,* if the mortgage cannot be found, or if, after receiving the notice herein provided for, he file the verified claim, as hereinbefore provided, the sheriff or other officer making such levy is not bound to keep the property, unless the plaintiff or the person whose favor the writ of attachment or execution runs, on demand indemnifies the sheriff against liability to said mortgagee by an undertaking by at least two good and sufficient sureties, to be approved by him, in a sum equal to double the value of the property levied on. In case such undertaking is given, such officer must keep and sell said property, unless it is released by such an undertaking, as is provided by Sections 710, 710½, 711, 711½, 712, 712½, 713, and 713½, C. C. P. The officer making such levy is not liable for damages for the taking, keeping, levying upon, or selling such property, provided he gives the notice to the mortgagee herein provided for, unless the mortgagee makes a verified claim as herein provided. Nothing herein shall relieve the attachment or execution creditor from liability for actual damage to such property in the event that it is taken into possession by the officer, but not sold."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, of the printed bill, after the figures "2969", strike out the words "Forthwith after", and insert in lieu thereof, the word "After".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 16, of the printed bill, strike out the word "paying", and insert in lieu thereof the word "payable".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2085—An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate names of each.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 18, after the word "for", insert the following: "and legal status of".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 4, strike out the words "and treatment", and insert in lieu thereof the following, "treatment on re-education".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1360—An Act to amend Section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8, commencing with the word "the", strike out all of paragraph 1, and insert in lieu thereof the following:

"1. The county clerk, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy for each department of the superior court in each of said counties, which offices are hereby created, as provided by section forty-two hundred and ninety of the Political Code of the State of California. Said deputies shall be appointed by said county clerk, shall be courtroom clerks of said departments, and shall each receive a salary of one hundred dollars per month, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county clerk is paid. There shall be also and is hereby allowed to said county clerk one office deputy, which office is hereby created. Said deputy shall be appointed by said county clerk and receive a salary of seventy-five dollars per month, which shall be paid by said county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the county clerk is paid. In each year in which a new and complete registration of voters is required by law, said county clerk shall appoint an additional deputy or deputies, who shall receive the sum of seven and one half cents per name for taking the affidavits of registration outside of the office of said county clerk, and the claims for their services at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed. All fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions in this paragraph are to apply to the present incumbent."

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 17, of the printed bill, commencing with the word "The", strike out all of paragraph *a*, and insert in lieu thereof the following:

"2. The sheriff, twenty-five hundred dollars per annum and such mileage as is now allowed by law, and also all fees for service of papers in actions arising outside of this county; *provided*, that in counties of this class there shall be and hereby is allowed to the sheriff four deputies, whose offices are hereby created, at a salary of one thousand dollars per annum each, and who shall be appointed by the sheriff; one of said deputies shall be jailer; two of said deputies shall act as bailiffs of the superior court of said county, one for each department thereof, as provided by section forty-two hundred and ninety of the Political Code of the State of California; and there shall be and hereby is allowed to said sheriff an additional deputy, which office is hereby created, who shall be an office deputy, at a salary of seven hundred and twenty dollars per year, and who shall be appointed by the sheriff. The salaries of all of said deputies shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the sheriff is paid. All fees and commissions except as hereinbefore in this paragraph mentioned are to apply to the present incumbent."

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 37, of the printed bill, commencing with the word "the", strike out all of paragraph 3, and insert in lieu thereof the following:

"3. The recorder, twenty-two hundred dollars per annum; *provided*, that in

counties of this class there shall be and there is hereby allowed the recorder four deputies, who shall be appointed by the recorder, and shall be paid the following salaries, to wit: One chief deputy at a salary of one thousand dollars per annum; two deputies at a salary of nine hundred dollars each per annum, and one deputy at a salary of seven hundred and twenty dollars per annum. The salaries of said deputies shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the county officers are paid. All fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions in this paragraph are to apply to the present incumbent."

Amendment adopted.

AMENDMENT No. 4.

On page 3, line 9, of the printed bill, commencing with the word "The", strike out all of paragraph 4, and insert in lieu thereof the following:

"4. The auditor, two thousand dollars per annum. In counties of this class the auditor may appoint assistant auditors, which offices are hereby created, and whose compensation shall not exceed the sum of twelve hundred dollars per annum in the aggregate for all assistants so employed; *and provided*, that the auditor shall file with the county clerk a verified statement, showing in detail the amounts paid and the persons to whom such compensation has been paid for such assistance as aforesaid. The salaries herein provided for shall be paid by the said county, at the same time and in the same manner and out of the same funds as the salary of the auditor is paid."

Amendment adopted.

AMENDMENT No. 5.

On page 3, line 20, of the printed bill, commencing with the word "the", strike out all of paragraph 5, and insert in lieu thereof the following:

"5. The treasurer, fifteen hundred dollars per annum; *provided*, that in counties of this class, there shall be and there hereby is allowed to the treasurer one office deputy, which office is hereby created, at a salary of seventy-five dollars per month, and who shall be appointed by the treasurer. The salary of said deputy herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid; *provided*, that on and after January 1, 1915, the treasurer shall receive two thousand dollars per annum."

Amendment adopted.

AMENDMENT No. 6.

On page 3, line 28, of the printed bill, commencing with the word "The", strike out all of paragraph 6, and insert in lieu thereof the following:

"6. The tax collector, two thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the tax collector the following deputies, whose offices are hereby created, and who shall be appointed by the tax collector: One chief deputy, for a period not to exceed nine months in any one year, at a salary of seventy-five dollars per month, and such assistants as the tax collector may appoint; *provided*, that the compensation of such assistants shall not in the aggregate exceed the sum of fifteen hundred dollars in any one year; *and provided*, that the tax collector shall file with the county auditor a verified statement, showing in detail the amounts and the persons to whom said compensation is paid. The salaries of the said deputy and assistants herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid."

Amendment adopted.

AMENDMENT No. 7.

On page 4, line 7, of the printed bill, commencing with the word "The", strike out all of paragraph 7, and insert in lieu thereof the following:

"7. The assessor, three thousand dollars per annum; *provided*, that in counties of this class there shall be allowed to the assessor the following deputies, whose offices are hereby created, and who shall be appointed by the assessor: One deputy who shall be chief office deputy at a salary of twelve hundred dollars per annum; one office deputy at a salary of seven hundred and twenty dollars per annum, and such field deputies as the assessor may require, and whose compensation in the aggregate shall not exceed five thousand dollars in any one year; *and provided*, that the assessor shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom said compensation is paid. The salaries of such deputies shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as county officers are paid.

All fees and commissions including commissions on poll taxes, collected by this office shall be turned over to the county and become the property of the county. All the provisions of this paragraph are to apply to the present incumbent."

Amendment adopted.

AMENDMENT No. 8.

On page 4, line 33, of the printed bill, commencing with the word "The", strike out all of paragraph 8, and insert in lieu thereof the following:

"8. The district attorney, twenty-five hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the district attorney, two deputies, to be appointed by the district attorney, and who shall be regularly admitted to practice before the courts of the State of California. Each of said deputies shall receive a salary of twelve hundred dollars per annum, which salaries shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same funds as the salary of the said district attorney is paid. On and after January 1, 1915, there shall be and there is hereby allowed to the district attorney a stenographer, to be appointed by the district attorney, at a salary of sixty dollars per month, which said salary shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the district attorney. All the provisions of this paragraph, except that relating to the creation of the office of stenographer, are to apply to the present incumbent."

Amendment adopted.

AMENDMENT No. 9.

On page 6, line 12, of the printed bill, at the end of paragraph 13, insert the following:

"On and after January 1, 1915, two thirds of all fees received by this office for celebrating marriages and returning certificates thereof to the county recorder shall be turned over to the county and become the property of the county."

Amendment adopted.

AMENDMENT No. 10.

Add a new paragraph, to be numbered 19, and to read as follows:

"19. If any paragraph, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. The legislature hereby declares that it would have passed this section and each paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more paragraphs, sentences, clauses or phrases is declared unconstitutional."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 5, of the printed bill, after the words "to wit:", insert the following:

"1. The county clerk, thirty-six hundred (3600) dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the county clerk one deputy county clerk, who shall act as clerk of the probate department, who shall receive a salary of eighteen hundred (1800) dollars per annum; also one deputy county clerk to act as clerk to the board of supervisors, who shall receive a salary of sixteen hundred (1600) dollars per annum; also one deputy county clerk who shall be the registrar of voters and who shall receive a salary of fifteen hundred (1500) dollars per annum; also one deputy county clerk who shall serve as general office clerk who shall receive a salary of fifteen hundred (1500) dollars per annum; also three deputy county clerks who shall serve as clerks of the several departments of the superior court who shall receive a salary of thirteen hundred and eighty (1380) dollars per annum each; also one deputy county clerk who shall serve as desk clerk, who shall receive a salary of thirteen hundred and eighty (1380) dollars per annum; *provided, however*, that the county clerk shall not be allowed the additional deputy provided by section 4290 of the Political Code of the State of California; also one deputy county clerk who shall be 'copyist in the probate department,' who shall receive a salary of ten hundred and twenty (1020) dollars per annum; the deputies herein provided for shall be appointed by

the clerk of said county and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the county clerk; *provided, further*, that in such years as the compilation of a great register of voters is required by law to be made the said clerk may appoint two deputies who shall serve for a term of twelve months, who shall each receive a salary of eighty-five (85) dollars per month, to be paid as are other deputies herein provided for; two deputies who shall serve for a term of eight months who shall each receive a salary of eighty-five (85) dollars per month, to be paid as are other deputies herein provided for; and two deputies who shall serve for a term of six months who shall each receive a salary of eighty-five (85) dollars per month, to be paid as are other deputies herein provided for; also one additional deputy in each voting precinct in the county, outside of the corporate limits of municipalities containing twenty-five thousand (25,000) or more inhabitants, for the purpose of registering electors in such precincts, who shall be paid ten (10) cents per name for each elector legally registered by them; *provided*, that said county clerk may be allowed the actual and necessary expenses incurred by him in the performance of his official duties, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived, including fees allowed by the government of the United States of America in all matters pertaining to the naturalization of aliens.

2. The sheriff, four thousand (4000) dollars per annum; *provided*, that there shall be and there hereby is allowed to the sheriff one under sheriff whose salary is hereby fixed at the sum of eighteen hundred (1800) dollars per annum; also two deputies who shall each receive a salary of thirteen hundred and eighty (1380) dollars per annum; also six deputies who shall each receive a salary of twelve hundred (1200) dollars per annum; also one deputy who shall act as matron of the county jail who shall receive a salary of nine hundred (900) dollars per annum. The under sheriff and deputies herein provided for shall be appointed by the sheriff and paid at the same time and in the same manner and out of the same funds as is the salary of the sheriff; *provided*, that said sheriff shall be allowed the actual and necessary expenses incurred in the performance of his official duties. He shall pay into the county treasury all fees and mileage collected by him for the service of papers or process issued by any court of this state.

3. The county recorder, thirty-six hundred (3600) dollars per annum, and said recorder may appoint one deputy recorder who shall receive a salary of sixteen hundred (1600) dollars per annum; one deputy recorder who shall receive a salary of twelve hundred (1200) dollars per annum; also eight deputy recorders who shall receive a salary of nine hundred (900) dollars per annum each. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same funds as the county recorder; *provided*, that such recorder may be allowed the actual and necessary expenses incurred by him, in the performance of his official duties and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

4. The county auditor, thirty-six hundred (3600) dollars per annum, and said auditor may appoint one deputy auditor, who shall receive a salary of sixteen hundred (1600) dollars per annum; *provided*, that for the purpose of performing the work imposed upon him by law in connection with the annual assessment and collection of property taxes, the auditor may be allowed five additional deputies for a period of one month, who shall each receive a salary of one hundred (100) dollars per month and four additional deputies for a period of two months who shall each receive a salary of one hundred (100) dollars per month. The deputies herein provided for shall be paid at the same time and in the same manner as is the county auditor; *provided*, that such auditor shall pay into the county treasury all fees received by him in his official capacity.

5. The county treasurer, thirty-six hundred (3600) dollars per annum, and said treasurer may appoint one deputy treasurer who shall receive a salary of sixteen hundred (1600) dollars per annum. All fees and commissions collected by him in his official capacity shall be paid into the county treasury; *provided*, that the county treasurer shall be entitled to retain for his own use the fees which are now or which may hereafter be allowed by the state law for the collection and payment to the state treasurer of inheritance taxes. Whenever the fees received on account of any one estate paying inheritance taxes shall exceed the sum of two hundred (200) dollars such excess shall be by the county treasurer paid into the county treasury as in the case of fees received by him from other sources. The deputy herein provided for shall be paid at the same time and in the same manner and out of the same funds as is the county treasurer.

6. The tax collector, thirty-six hundred (3600) dollars per annum, and said tax collector may appoint one deputy tax collector, who shall receive a salary of eighteen hundred (1800) dollars per annum; one additional deputy tax collector who shall receive a salary of fifteen hundred (1500) dollars per annum; also seven additional deputy tax collectors to serve as such only for a period of two and one half months in each year, and who shall receive a salary of one hundred (100) dollars each per month; also three additional deputy tax collectors who shall serve as such only during two months of each year and who shall receive a salary of one hundred (100) dollars each per month; also nine copyists who shall serve

only during one and one half months of each year, and shall each receive a salary of seventy-five (75) dollars per month. The deputies and copyists herein provided for shall be paid at the same time and in the same manner and out of the same funds as is the salary of the tax collector; *provided*, that said tax collector shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

7. The license collector, fifteen per cent on the whole amount of licenses collected by him; *provided*, that the entire compensation of said license collector shall not exceed the sum of fifteen hundred (1500) dollars per annum.

8. The county assessor, thirty-six hundred (3600) dollars per annum, and said assessor may appoint one chief deputy assessor, who shall receive a salary of sixteen hundred (1600) dollars per annum; two office deputy assessors who shall each receive a salary of fifteen hundred (1500) dollars per annum, also seventeen deputy assessors who shall serve as such during the month of March, April, May and June of each year, who shall each receive a salary of one hundred (100) dollars per month; also eight additional deputy assessors who shall serve as such only during the months of March, April, May, June and July of each year, who shall each receive a salary of one hundred dollars per month, also one draughtsman at a salary of twelve hundred dollars per annum, and also seven copyists to serve as such only during four months of each year who shall receive a salary of one hundred (100) dollars each per month; *provided*, that the above salaries and compensations shall be in full for all services rendered by him as such assessor and that no commission for the collection of state or infirmity poll taxes or personal property taxes shall be retained by him but that all such commissions shall be paid into the county treasury. The deputies and copyists and draughtsmen herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the county assessor; *provided*, that the assessor shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties.

9. The district attorney, thirty six hundred (3600) dollars per annum; he may appoint a chief deputy at a salary of twenty-two hundred (2200) dollars per annum; one assistant district attorney at a salary of eighteen hundred (1800) dollars per annum; one assistant district attorney at a salary of fifteen hundred (1500) dollars per annum; and a deputy district attorney at a salary of fifteen hundred (1500) dollars per annum; one detective who shall serve at a salary of twelve hundred (1200) dollars per annum; *provided, however*, that in counties of this class the board of supervisors may allow for other detective service a sum not to exceed five hundred (500) dollars per annum; and a clerk at a salary of twelve hundred (1200) dollars per annum, all of whom shall be paid in the same manner as said district attorney; *provided*, that said district attorney shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties. All fees and commissions collected by him shall be paid into the county treasury.

10. The coroner and public administrator such fees as are now or may hereafter be allowed by law.

11. The county superintendent of schools, three thousand (3000) dollars per annum, and the said superintendent of schools may appoint a deputy superintendent of schools, who shall receive a salary of twelve hundred (1200) dollars per annum, and the said superintendent of schools shall also be paid his actual traveling expenses when visiting the schools of the county. The deputy herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the superintendent of schools.

12. The county surveyor, the sum of three thousand (3000) dollars per annum. Said surveyor may appoint the chief deputy surveyor, who shall receive a salary of sixteen hundred (1600) dollars per annum; also one deputy, who shall receive a salary of twelve hundred (1200) dollars per annum; and one deputy at nine hundred (900) dollars per annum. Such compensation and salaries as above set forth shall be in full for all services as such county surveyor, and all fees and compensation received or collected by him for surveying other than for the county, shall be paid into the county treasury; *provided*, that said county surveyor shall be allowed all necessary transportation and expenses incurred by himself or deputies for work performed in the field, and in the official discharge of his duties, such salaries to be paid at the same time and in the same manner as the salaries of other county officers are paid.

13. The fish and game warden, twelve hundred (1200) dollars per annum and the actual and necessary expenses incurred by him in the performance of his official duties, not to exceed fifty (50) dollars for any one month.

14. The board of supervisors may at any time grant such additional assistance, or pay for such additional employee or service as it deems necessary to perform any service required by or in connection with any of the foregoing county offices in counties of this class.

15. In counties of this class, justices of the peace shall be compensated as follows and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz:

(1) From and after the fourth day of January A. D. one thousand nine hundred and fifteen, in townships having a population of twenty thousand or more, justices of the peace shall each receive a salary of two hundred and fifty (250) dollars per month as full compensation for all services rendered by them, except as hereinafter provided; *provided, however*, that in all such townships having a population of twenty thousand or more, there shall be two township justices of the peace in and for any such townships, and said justices shall each be allowed a clerk, to be appointed by the justices of the peace at a salary of one hundred (100) dollars per month, each, payable monthly in the same manner as salaries of county officers are paid, and shall be furnished with offices and necessary supplies by the board of supervisors.

(2) From and after the fourth day of January A. D. one thousand nine hundred and fifteen, in townships having a population of five thousand and less than twenty thousand, justices of the peace shall each receive a salary of one hundred and thirty-seven dollars and fifty cents (\$137.50) per month for all services rendered by them, except as hereinafter provided.

(3) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of forty-four hundred and less than five thousand, justices of the peace shall each receive a salary of one hundred and thirty-five (135) dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

(4) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of twenty-five hundred and less than forty-four hundred, justices of the peace shall each receive a salary of seventy-five (75) dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

(5) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of one thousand and less than twenty-five hundred, justices of the peace shall each receive a salary of fifty (50) dollars per month as full compensation for all services rendered by them, except as herein-after provided.

(6) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of less than one thousand, justices of the peace shall each receive a salary of thirty (30) dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

Justices of the peace in all townships in counties of the fourth class shall be permitted to receive and retain for their own use, fees for celebrating marriages and returning certificates thereof, but all other fees shall be collected by them and by them paid into the county treasury at least once each month.

Until the fourth day of January, A. D. one thousand nine hundred and fifteen, the several justices of the peace in counties of the fourth class shall receive the salaries and fees fixed and allowed for such justices of the peace respectively by the provisions of this section (4233) as amended May 1, 1911, (Chapter 670, Statutes of 1911.)

15. In counties of this class constables shall be compensated as follows, and all salaries herein provided shall be paid in the same manner as the salaries of county officers are paid, viz:

(1) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of twenty thousand or more, constables shall each receive a salary of one hundred (100) dollars per month for all services rendered by them in criminal cases. As compensation for all services rendered in civil cases and all other matters wherein they may charge fees for their services, a constable may collect and retain for his own use as his compensation such fees as are now, or may hereafter be allowed by law.

(2) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of five thousand and less than twenty thousand, constables shall each receive the sum of seventy-seven dollars and fifty cents (\$77.50) per month as a salary for all services rendered by them in criminal cases. As compensation for all services rendered in civil cases and in all other matters wherein they may charge fees for their services, a constable may collect and retain for his own use as his compensation fees as are now or may hereafter be allowed by law.

(3) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of forty-four hundred and less than five thousand, constables shall each receive the sum of seventy-seven dollars and fifty cents (\$77.50) per month as a salary for all services rendered by them in criminal cases, civil cases and in the performance of all other duties imposed upon them by law. All fees chargeable and collectible in both criminal cases, civil cases, and in all other cases wherein fees are chargeable by constables, they shall collect in advance and pay monthly into the county treasury.

(4) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of twenty five hundred and less than forty-four hundred, constables shall each receive the sum of sixty (60) dollars per month as a salary for all services rendered by them in both civil and criminal

cases. All fees collected by them in civil and criminal cases shall be paid monthly by them into the county treasury. For all services performed by them, they may charge and retain for their own use such fees as are chargeable at law.

(5) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of one thousand and less than twenty-five hundred, constables shall each receive the sum of forty (40) dollars per month as a salary for all services rendered in both civil and criminal cases. All fees collected by them in civil and criminal cases shall be paid monthly by them into the county treasury. For all other services performed by them they may charge and collect for their own use such fees as are allowed by law.

(6) From and after the fourth day of January, A. D. one thousand nine hundred and fifteen, in townships having a population of less than one thousand, constables shall each receive the sum of thirty (30) dollars per month as a salary for all services rendered by them in civil and criminal cases. All fees collected by them in both criminal and civil cases shall be paid monthly into the county treasury. For all other services performed by them they may charge and collect for their own use such fees as are allowed by law.

Constables shall be allowed all necessary expenses incurred in conveying prisoners.

Until the fourth day of January, A. D. one thousand nine hundred and fifteen, the several constables in counties of the fourth class shall receive the salaries and fees fixed and allowed for such constables, respectively, by the provisions of this section (4233) as amended May 1, 1911, (Chapter 670, Statutes 1911).

The population herein referred to in classifying the townships for the purpose of regulating the compensation of justices of the peace and constables shall be the population found and determined by the federal census taken in the year 1910.

16. Each supervisor, two thousand four hundred (2400) dollars per annum and mileage of ten cents per mile for each mile actually traveled in going to and from their residence to the county seat or in the performance of the duties required of them by law or by virtue of their office; *provided*, that in attending sessions of the board only four mileages shall be allowed for each and that the total mileage allowed shall not exceed five hundred dollars in any one calendar year; *provided*, that nothing in this subdivision shall be deemed to affect the compensation or mileage of any incumbent supervisor, but said incumbent shall be paid such compensation and allowed such mileage as is now provided and allowed by law.

17. The fees of grand jurors and trial jurors in the superior courts of said counties of the fourth class, in civil and criminal cases shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only.

In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said juror was in attendance, and the treasurer of said county shall pay said warrants.

The board of supervisors of said county is hereby directed to make suitable appropriation for the payment of the fees herein provided for."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 411—An Act to amend Section 10*k*, Section 10*r* and Section 10*u* of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended and approved April 5, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1238—An Act to prohibit the sale or giving away of cigarettes or cigarette papers.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 957—An Act to amend Section 435 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2029—An Act to amend Section 2978 of the Political Code, relating to who shall constitute the State Board of Health.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 5, strike out the words "one member shall be a duly" and all of lines 6 to 18 inclusive.

Amendment adopted.

AMENDMENT No. 2.

On page 2, strike out all of lines 1 to 15, inclusive, and insert in lieu thereof the following: "three members shall be duly licensed and practicing physicians; one member shall be a chemist and bacteriologist; one member shall be a sanitary engineer; one member shall be a person who is engaged in business and mercantile pursuits; the superintendent of public instruction of the State of California shall be an ex officio member of said board. Said members shall be appointed from different parts of the state. The governor may in his discretion remove any appointive member from said board."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 961—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending Section 7 of said Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 7, of the title, after the word "seven" insert "and twelve".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 20, after the word "of", strike out balance of section and insert in lieu thereof "this state."

Amendment adopted.

AMENDMENT No. 3.

On page 2 of the printed bill, on line 21, after the word "issued", insert the following:

"SECTION 2. Section twelve of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, is hereby amended to read as follows:

Section 12. All fees and fines collected on behalf of the board of medical examiners and all receipts of every kind and nature shall be reported at the beginning of each month, for the month preceding to the state controller, and at the same time the

entire amount of such collection shall be paid into the state treasury, and shall be credited to a fund to be known as the board of medical examiners contingent fund, which fund is hereby created. Such contingent fund shall be for the uses of the board of medical examiners and out of it shall be paid all salaries and all other expenses necessarily incurred in carrying into effect the provisions of this Act. An amount not to exceed two hundred dollars may be drawn from the contingent fund herein created, to be used as a revolving fund where cash advances are necessary; but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control and controller. The board shall have power to employ legal counsel and clerical assistance and to fix the salaries. It shall fix the salary of the secretary at a sum not to exceed twelve hundred dollars per annum, and also it shall fix the compensation to be paid to other members of the board, not to exceed ten dollars per diem each, for each and every day of actual service in the discharge of official duties; and said board may, in its discretion, add to said sums necessary traveling expenses."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1947—An Act appropriating money for constructing a hospital building on site near the ferry building in the city and county of San Francisco; arranging for its upkeep by said city and county.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 1 of printed bill, strike out everything from and inclusive of the word "fifty" down to and inclusive of the word "dollars", and insert in lieu thereof the following: "twenty-five thousand dollars (\$25,000.00)".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1252—An Act prohibiting the destruction of food stuffs, food products or food articles.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 3, after the comma after the word "articles", insert the following words: "in restraint of trade,".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1944—An Act to confer additional powers and duties upon the reclamation board; to provide for the performance of works of reclamation and drainage approved by said board; to provide for the ascertainment by said board of a district of lands to be benefited by the performance of the work specified in the report of the California Débris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the 27th day of June, 1911; to provide for the ascertainment by said board of any district or districts of land lying within the watershed of the Sacramento River and its tributaries which will be benefited by the performance of any unit or units of the system of work specified in said report; to provide alternative methods for assessing the cost of such works upon the property benefited thereby and for the collection of such assessments; to provide for the compensation of the members and the employees of said board; to confer additional duties upon the State Engineer; and making an appropriation to pay the expenses of such

examinations and surveys as may be necessary to effect the purposes of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out everything in the title of said Act following the words "An Act", and insert in lieu thereof the following:

To amend an Act entitled "An Act approving the report of the California debris commission transmitted to the speaker of the house of representatives by the secretary of war on June 27, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries or upon the swamp lands adjacent to said river, directing the state engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California debris commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, by amending sections one, three and four of said Act, and adding sixteen new sections to said Act to be designated as sections five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, sixteen and one half, seventeen, eighteen and nineteen; creating a drainage district to be known as Sacramento and San Joaquin drainage district, appointing of a reclamation board, providing for the management and control of said district and defining the powers and duties of the reclamation board and the state engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the floods thereof; the making of assessments; also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the state engineer and the reclamation board; also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others; to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers; to prevent the construction of and to require the removal or regulation of obstructions in streams, by-passes and overflow channels; to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento river and making an appropriation for carrying out the purposes of this Act.

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the printed bill, strike out everything after the enacting clause and substitute in lieu thereof the following:

SECTION 1. Section one of an Act entitled "An Act approving the report of the California debris commission transmitted to the speaker of the house of representatives by the secretary of war on June 27, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries or upon the swamp lands adjacent to said river, directing the state engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California debris commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, is hereby amended to read as follows:

Section 1. The report of the California debris commission transmitted to the speaker of the house of representatives of the United States by the secretary of war on the 27th day of June, 1911, with such modifications and amendments as may hereafter be adopted by the reclamation board, is hereby approved as a plan for controlling the flood waters of the Sacramento river and San Joaquin river and their tributaries, for the improvement and preservation of navigation and the reclamation and protection of the lands that are susceptible to overflow from said river and their tributaries.

SEC. 2. Section 3 of said Act is hereby amended to read as follows:

Section 3. The state engineer is hereby directed to procure data and make surveys and examinations upon said rivers and tributaries for the purpose of perfecting the plans contained in the report mentioned in Section one of this Act, and making additional plans for the San Joaquin and Sacramento rivers and their tributaries, and to make a report thereof to the reclamation board. He shall advise and assist the reclamation board, and shall be reimbursed by said board for any necessary expenses incurred by him under the directions of the board.

SEC. 3. Section 4 of said Act is hereby amended to read as follows:

Section 4. There is hereby created a drainage district to be known and designated as "Sacramento and San Joaquin drainage district," the boundaries of which said district are as follows:

Commencing at a point on the west boundary of section 26, township 3 north, range 1 east, Mount Diablo base and meridian, and 20 chains south of the northwest

corner of said section; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{4}$ mile; thence east $\frac{1}{2}$ mile to the quarter section corner on the east line of said section 26; thence south $\frac{1}{4}$ mile; thence east $2\frac{1}{4}$ miles to the center of the southwest quarter of section 29, township 3 north, range 2 east; thence northeast to the northeast corner of said section 29; thence east $\frac{1}{2}$ mile to the quarter section corner on the north line of said section 28, township 3 north, range 2 east; thence northeast to the quarter section corner on the north line of section 22, township 3 north, range 2 east; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile to the quarter section corner on the north line of section 14, township 3 north, range 2 east; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{4}$ mile; thence north to the south corporate limit of the town of Rio Vista; thence through said town as follows: northeasterly on a direct line to the intersection of the center line of California street with the center line of First street; thence northwesterly along the center line of California street to its intersection with the center line of the most westerly alley running northeasterly through block 2; thence northeasterly along the center line of said alley, through blocks 2, 1 and 11, to its intersection with the north line of the alley or street running northwesterly through the center of block 12; thence northeasterly along the north line of said alley to its intersection with the center line of the alley running southwesterly through the center of block 14; thence southwesterly along the center line of said alley to its intersection with the center line of Sacramento street; thence northwesterly along the center line of said street to its intersection with the center line of Third street; thence southwesterly along the center line of Third street to its intersection with the center line of Main street; thence northwesterly along the center line of Main street to its intersection with the center line of Fourth street; thence northwesterly along the center of Fourth street to its intersection with the center line of Sacramento street; thence northwesterly along the center line of Sacramento street to its intersection with the center line of Fifth street; thence northeasterly along the center line of Fifth street, or a continuation thereof, to the north corporate limit of said town of Rio Vista; thence southeasterly along said corporate limit to its intersection with the quarter section line running north and south through the center of section 30, township 4 north, range 3 east; thence north along said line to the quarter section corner on the north line of said section 30; thence west $\frac{1}{2}$ mile; thence north $1\frac{1}{4}$ miles; thence west $\frac{1}{4}$ mile to the east line of section 13, township 4 north, range 2 east; thence north $\frac{1}{4}$ mile to the northeast corner of said section; thence west $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile to the northwest corner of said section 13; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile to the northeast corner of section 11, township 4 north, range 2 east; thence west 1 mile to the northwest corner of said section 11; thence northwest in a direct line to the southeast corner of section 29, township 5 north, range 2 east; thence northwesterly in a direct line to the quarter section corner on the west line of section 29, township 5 north, range 2 east; thence west 1 mile to the quarter section corner on the west line of section 30, township 5 north, range 2 east; thence north along range line $3\frac{1}{2}$ miles to the southwest corner of section 6, township 5 north, range 2 east; thence east $\frac{1}{2}$ mile to the quarter section corner on the south line of said section 6; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{2}$ mile to the quarter section corner on the west line of section 5, township 5 north, range 2 east; thence north $\frac{1}{2}$ mile to the northwest corner of said section 5; thence east along the township line $\frac{3}{4}$ of a mile; thence north $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile to the north line of section 33, township 6 north, range 2 east; thence east $\frac{1}{2}$ mile to the quarter section corner on the north line of said section 33; thence north 1 mile to the quarter section corner on the south line of section 21, township 6 north, range 2 east; thence east $\frac{1}{2}$ mile to the southeast corner of said section 21; thence north $\frac{1}{2}$ mile to the quarter section corner on the west line of section 21, township 6 north, range 2 east; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{2}$ mile to the east line of said section 22; thence north $\frac{1}{4}$ mile to the southwest corner of section 14, township 6 north, range 2 east; thence east $\frac{1}{2}$ mile to the quarter section corner on the south line of said section 14; thence north $\frac{3}{4}$ of a mile; thence east $\frac{1}{2}$ mile to the east line of said section 14; thence north $\frac{1}{2}$ mile; thence east 1 mile to the county line between the counties of Solano and Yolo.

Thence east $\frac{1}{2}$ mile to the center of the south half of section 7, township 6 north, range 3 east; thence north $3\frac{3}{4}$ miles to the quarter section corner on the south line of section 19, township 7 north, range 3 east; thence east $\frac{1}{2}$ mile to the southeast corner of said section 19; thence north 1 mile to the southwest corner of section 17, township 7 north, range 3 east; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile to the east line of said section 17; thence north $\frac{3}{4}$ of a mile to the quarter section corner on the west line of section 9, township 7 north, range 3 east; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile to the quarter section corner on the north line of section 9; thence west $\frac{1}{2}$ mile to the northwest corner of section 9; thence north 2 miles to the southeast corner of section 29, township 8 north, range 3 east; thence west 2 miles to the southwest corner of section 30,

township 8 north, range 3 east; thence north 4 miles along the range line to the southwest corner of section 6, township 8 north, range 3 east; thence east $1\frac{1}{2}$ miles to the quarter section corner on the south line of section 5, township 8 north, range 3 east; thence north 1 mile to the quarter section corner on the north line of said section 5; thence west $\frac{3}{4}$ of a mile along the township line; thence north $2\frac{1}{2}$ miles; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile to the quarter section corner on the south line of section 18, township 9 north, range 3 east; thence west $\frac{1}{2}$ mile to the southwest corner of said section 18; thence north on the range line $\frac{1}{2}$ mile to the quarter section corner on the east line of section 13, township 9 north, range 2 east; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile to the quarter section corner on the south line of section 12, township 9 north, range 2 east; thence west $\frac{1}{2}$ mile to the southwest corner of said section 12; thence north 3 miles to the southwest corner of section 25, township 10 north, range 2 east; thence east 2 miles, more or less, to the westerly line of the Yolo by-pass; thence northerly along the westerly line of the Yolo by-pass to the southwesterly line of the Knights Landing ridge cut; thence following the southwesterly line of said cut to the south levee of reclamation district No. 730; thence west to the quarter section corner on the south line of section 35, township 11 north, range 2 east; thence north in a direct line to the quarter section corner at the center of section 35, township 11 north, range 2 east; thence northwest in a direct line to the northwest corner of said section 35; thence following legal subdivision lines in township 11 north, range 2 east, north 2 miles to the northwest corner of section 23; west 2 miles to the southwest corner of section 16; north $\frac{1}{2}$ mile to the quarter section corner on the east line of section 17, west $\frac{1}{2}$ mile to the center of section 17; north $\frac{1}{4}$ mile; west $\frac{1}{2}$ mile to the west line of section 17; north $\frac{1}{4}$ mile to the northwest corner of section 17; thence west on section lines 3 miles to the southwest corner of section 11, township 11 north, range 1 east; thence following legal subdivision lines in township 11 north, range 1 east, north 1 mile to the northwest corner of section 11; west $\frac{1}{2}$ mile to the quarter section corner on the south line of section three; north $\frac{1}{2}$ mile to the center of section 3; west 3 miles to the center of section 6; north $\frac{1}{2}$ mile to the quarter section corner on the north line of section 6; thence west along township line $\frac{3}{4}$ of a mile; thence following legal subdivision lines in township 12 north, range 1 west, north $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile; thence north $1\frac{1}{2}$ miles to the quarter section corner on the north line of section 25; west $\frac{1}{4}$ mile, north 1 mile to the north line of section 24; west $\frac{1}{2}$ mile, north 1 mile to the north line of section fourteen; east $\frac{1}{4}$ mile to the southwest corner of section 12; north 1 mile to the northwest corner of section 12; east $\frac{1}{2}$ mile to the quarter section corner on the south line of section 1; thence north on quarter section line 1 mile to the county line between the counties of Yolo and Colusa.

Thence continuing north 1 mile to the quarter section corner on the north line of section 36, township 13 north, range 1 west, east $\frac{1}{4}$ mile, north $\frac{1}{2}$ mile, west $\frac{1}{4}$ mile, to the center of section 25; north $\frac{1}{4}$ mile, west $\frac{1}{4}$ mile, north $\frac{1}{2}$ mile, west $\frac{1}{4}$ mile to the west line of section 24; north $\frac{1}{4}$ mile to the quarter section corner on the east line of section 23; west $\frac{1}{4}$ mile, north $\frac{1}{4}$ of a mile, west $\frac{1}{4}$ of a mile, north $\frac{1}{4}$ of a mile to the quarter section corner on the north line of section 23; west $\frac{1}{4}$ mile, north $\frac{1}{4}$ mile, west $\frac{1}{2}$ mile, north $\frac{1}{4}$ mile, west $\frac{1}{2}$ mile, north $\frac{1}{4}$ mile, west $\frac{1}{2}$ mile to the west line of section 15; north $\frac{1}{4}$ mile to the northwest corner of section 15; west $\frac{1}{4}$ mile, north 1 mile to the north line of section 9; west $\frac{1}{4}$ mile to the quarter section corner on the south line of section 4; north $\frac{1}{2}$ mile to center of section 4, west $\frac{1}{4}$ mile, north $\frac{1}{2}$ mile to the north line of section 4; thence west along the township line $\frac{3}{4}$ of a mile to the quarter section corner on the south line of section 32, township 14 north, range 1 west. Thence following legal subdivision lines in township 14 north, range 1 west, north $1\frac{1}{2}$ miles to the center of section 29; west $\frac{1}{2}$ mile to the quarter section corner on the west line of section 29; north $\frac{3}{4}$ of a mile, west $\frac{1}{4}$ of a mile, north 1 mile, west $\frac{1}{4}$ of a mile, north $\frac{1}{2}$ mile, west $\frac{1}{4}$ mile, north $\frac{1}{4}$ mile to the north line of section 18; west $\frac{1}{4}$ mile to the northwest corner of section 18; thence north along the range line 2 miles to the northwest corner of township 14 north, range 1 west; thence along legal subdivision lines in township 15 north, range 2 west, as follows: west $\frac{1}{2}$ mile to the quarter section corner on the south line of section 36; thence north $1\frac{1}{4}$ miles; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile, thence west $\frac{1}{4}$ mile to the west boundary line of section 25; thence north $1\frac{1}{4}$ miles to the southeast corner of section 14; thence west $\frac{1}{4}$ mile; thence north $1\frac{1}{2}$ miles; thence west $\frac{1}{4}$ mile to the center of section 11; thence north $\frac{1}{2}$ mile to the quarter section corner on the south line of section 2; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile to the west line of said section 2; thence north $\frac{3}{4}$ of a mile to the northwest corner of section 2; thence west $\frac{1}{2}$ mile to the quarter section corner on the south line of section 34, township 16 north, range 2 west; thence following legal subdivision lines in township 16 north, range 2 west, as follows: north $\frac{1}{2}$ mile to the center of section 34; west $\frac{1}{2}$ mile to the quarter section corner on the west line of section 34; thence north $\frac{1}{2}$ mile to the northwest corner of section 34; thence west $\frac{1}{2}$ mile to the quarter section corner on the south line of section 28; thence north $\frac{1}{2}$ mile to the center of section 28; thence west $\frac{1}{2}$ mile to the quarter section corner on the west line of section 28; thence north $\frac{1}{2}$ mile to the southeast corner of section 20, township 16 north, range 2 west; thence west $\frac{1}{2}$ mile to the quarter section corner on the south line of said section 20; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile to the quarter

section corner on the west line of section 20; thence north $9\frac{1}{2}$ miles to the southwest corner of section 32, township 18 north, range 2 west; thence west 1 mile to the southwest corner of section 31; thence north three and five eighths miles to the county line between the counties of Colusa and Glenn.

Thence north $2\frac{3}{8}$ miles to the northwest corner of section 6, township 18 north, range 2 west; thence east along the township line two miles to the southeast corner of section 32, township 19 north, range 2 west; thence north 1 mile to the northeast corner of said section; thence east 2 miles; thence north 1 mile; thence east 1 mile; thence north 2 miles; thence east 1 mile to the southeast corner of section 12, township 19 north, range 2 west; thence north along the range line, $3\frac{1}{2}$ miles to the quarter-section corner on the east of section 25, township 20 north, range 2 west, thence east $\frac{1}{2}$ miles; thence north $2\frac{1}{2}$ miles; thence east to the center of the Sacramento river; thence up the center of the said Sacramento river to the mouth of Chico creek; thence up said Chico creek to its intersection with the Mount Diablo meridian; thence south along the Mount Diablo meridian $9\frac{1}{2}$ miles, more or less, to the southwest corner of section 18, township 20 north, range 1 east.

Thence east $1\frac{1}{2}$ miles; thence south 2 miles; thence east $2\frac{1}{2}$ miles to the northwest corner of section 35, township 20 north, range 1 east; thence south 2 miles to the southeast corner of section 3, township 19 north, range 1 east; thence west 1 mile to the southwest corner of said section 3; thence south 15 miles to the southeast corner of section 21, township 17 north, range 1 east; thence west $\frac{1}{2}$ mile to the quarter-section corner on the south line of said section 21, which is the county line between the counties of Butte and Sutter.

Thence south $1\frac{1}{2}$ miles; thence west $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile, to the northeast corner of section 5, township 16 north, range 1 east; thence west $\frac{1}{2}$ mile; thence south 1 mile; thence west $\frac{1}{2}$ mile; thence south $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence south $\frac{3}{4}$ of a mile; thence west $\frac{3}{4}$ of a mile, to the southwest corner of section 7, township 16 north, range 1 east; thence south along the Mount Diablo meridian, 2 miles to the southwest corner of section 19, township 16 north, range 1 east; thence east $\frac{1}{2}$ of a mile; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{4}$ mile; thence south $\frac{1}{2}$ mile; thence east $\frac{3}{4}$ of a mile; thence south $\frac{3}{4}$ of a mile; thence east $\frac{1}{2}$ mile, to the west line of section 9, township 15 north, range 1 east; thence south $\frac{1}{2}$ mile, to the quarter-section corner on the west line of said section 9; thence east 1 mile to the quarter-section corner on the east line of said section 9; then south $\frac{1}{2}$ mile to the southwest corner of section 10, township 15 north, range 1 east; thence east $1\frac{1}{4}$ miles; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{4}$ mile; thence east 1 mile; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{4}$ mile to the quarter-section corner on the west line of section 18, township 15 north, range 2 east; thence north $\frac{1}{4}$ mile, thence east $\frac{1}{2}$ mile; thence south $\frac{1}{4}$ mile; thence east 1 mile; thence south $\frac{1}{4}$ mile; thence east $\frac{1}{4}$ mile; thence south $\frac{1}{4}$ mile, to the south line of section 17, township 15 north, range 2 east; thence east $1\frac{1}{2}$ miles to the quarter-section corner on the south line of section 15, township 15 north, range 2 east; thence north $1\frac{1}{2}$ miles; thence east $\frac{1}{2}$ mile, to the quarter-section corner on the west line of section 11, township 15 north, range 2 east; thence north 1 mile to the quarter-section corner on the west line of section 2 of said township; thence east $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile to the quarter-section corner on the north line of section 2, township 15 north, range 2 east; thence east along the third standard parallel north, to the southeast corner of section 35, township 16 north, range 2 east.

Thence north $1\frac{1}{2}$ miles to the quarter-section corner on the east line of section 26, township 16 north, range 2 east; thence west $\frac{1}{2}$ mile; thence north $1\frac{1}{2}$ miles to the south line of section 14, township 16 north, range 2 east; thence west $\frac{1}{2}$ mile to the quarter-section corner on the south line of said section 14; thence north $1\frac{1}{2}$ miles; thence west $\frac{1}{2}$ mile; thence north $\frac{3}{4}$ of a mile; thence west $\frac{1}{2}$ mile; thence north $\frac{3}{4}$ of a mile, to the south line of section 34, township 17 north, range 2 east; thence west along the township line $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile to the quarter-section corner on the west line of said section 34; thence north 1 mile to the quarter-section corner on the west line of section 27, township 17 north, range 2 east; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile to the county line, between the counties of Sutter and Butte.

Thence north $\frac{1}{2}$ mile to the center of section 21, township 17 north, range 2 east; thence west $5\frac{1}{2}$ miles to the quarter-section corner on the west line of section 22, township 17 north, range 1 east; thence north 5 miles to the quarter-section corner on the west line of section 27, township 18 north, range 1 east; thence east 1 mile to the quarter-section corner on the east line of said section 27; thence northeast in a direct line to the quarter-section corner on the east line of section 13, township 18 north, range 1 east; thence north one mile to the quarter-section corner on the east line of section 12, township 18 north, range 1 east; thence northeast in a direct line to the quarter-section corner on the east line of section 32, township 19 north, range 2 east; thence east 5 miles; thence north $\frac{1}{4}$ mile; thence east 1 mile; thence north $\frac{1}{4}$ mile; thence east to the center of the Feather river; thence down the center of said Feather river to the mouth of Honcut creek; thence up said Honcut creek to the mouth of South Honcut creek; thence up said South

Thence south to the southwest corner of section 18, township 10 north, range 5 east; thence east $\frac{1}{2}$ mile; thence south 3 miles to the quarter-section corner on the south line of section 31, township 10 north, range 5 east; thence east 1 mile to the quarter-section corner on the north line of section 5, township 9 north, range 5 east; thence south $2\frac{1}{2}$ miles; thence west $\frac{1}{2}$ mile; thence south $\frac{3}{4}$ of a mile, to the southeast corner of section 18, township 9 north, range 5 east; thence

Thence south 1 mile; thence west $\frac{1}{2}$ mile; thence south $1\frac{1}{2}$ miles to the center of section 21, township 3 south, range 7 east; thence east $\frac{1}{2}$ mile; thence south 1 mile to the quarter-section corner on the east line of section 28, thence southeast to the quarter-section corner on the west line of section 1, township 4 south, range 7 east, and the Tuolumne river; thence following up the Tuolumne river to its intersection with the quarter-section line running north and south through section 20, township 4 south, range 8 east; thence south to the center of section 20, thence southeast to the northwest corner of section 2, township 5 south, range 8 east; thence southeast

to the southeast corner of section 12, township 5 south, range 8 east; thence south to the quarter-section corner on the west line of section 18, township 5 south, range 9 east; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile to the southeast corner of said section 18, thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence south 1 mile; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile to the southeast corner of section 29, township 5 south, range 9 east; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile to the northwest corner of section 3, township 6 south, range 9 east; thence east $\frac{1}{2}$ mile; thence south $1\frac{1}{2}$ miles to the center of section 10; thence east $\frac{1}{2}$ mile; thence south $\frac{3}{4}$ mile to the county line dividing the counties of Stanislaus and Merced.

Thence continuing south $\frac{1}{4}$ mile; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile to the southeast corner of section 14; thence south 1 mile; thence east 1 mile; thence south 2 miles to the southeast corner of section 36, township 6 south, range 9 east; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile; thence east 1 mile; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile to the southeast corner of section 5, township 7 south, range 10 east; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile to the southeast corner of section 9; thence south $\frac{1}{2}$ mile; thence east 1 mile; thence south $\frac{1}{2}$ mile; thence east 1 mile to the southeast corner of section 14; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile to the southeast corner of section 24, township 7 south, range 10 east; thence south $\frac{1}{2}$ mile; thence east 1 mile; thence south $\frac{1}{2}$ mile to the southeast corner of section 30, township 7 south, range 11 east; thence southeast to the southeast corner of section 32, township 7 south, range 11 east; thence east 1 mile; thence south 1 mile; thence east 1 mile to the southeast corner of section 3, township 8 south, range 11 east; thence south $\frac{1}{2}$ mile; thence east 1 mile; thence south $\frac{1}{2}$ mile; thence east 1 mile to the southeast corner of section 12, township 8 south, range 11 east; thence south $\frac{1}{2}$ mile; thence east 1 mile; thence south $\frac{1}{2}$ mile to the southeast corner of section 18, township 8 south, range 12 east; thence east 1 mile; thence south 1 mile; thence east 2 miles; thence south 1 mile; thence east 2 miles; thence south 1 mile to the southeast corner of section 36, township 8 south, range 12 east; thence southeast to the southeast corner of section 8, township 9 south, range 13 east; thence south 1 mile; thence southeast to the county line dividing the counties of Merced and Madera.

Thence continuing southeast to the southeast corner of section 1, township 10 south, range 13 east; thence south 2 miles to the southeast corner of section 13, in said township and range; thence southeasterly to the southeast corner of section 13, township 12 south, range 14 east; thence east 1 mile; thence south 1 mile to the southeast corner of section 19, township 12 south, range 15 east; thence east 2 miles; thence south 1 mile; thence east 2 miles; thence south 1 mile; thence east 1 mile to the southeast corner of section 36, of said township 12 south, range 15 east; thence south 1 mile; thence east 1 mile; thence south 1 mile, to the southeast corner of section 7, township 13 south, range 16 east; thence east 2 miles; thence south $1\frac{1}{2}$ miles, more or less, to the county line dividing the counties of Madera and Fresno.

Thence continuing south 3 miles, more or less, to the quarter section corner on the east line of section 4, township 14 south, range 16 east; thence west 1 mile; thence south $\frac{1}{2}$ mile, to the southeast corner of section 5, of said township and range; thence west 6 miles to the southwest corner of section 4, township 14 south, range 15 east; thence north 1 mile to the southeast corner of section 32, township 13 south, range 15 east; thence northwest to the southeast corner of section 24, township 12 south, range 13 east; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile; thence west 1 mile to the center of section 15, township 12 south, range 13 east; thence north $\frac{1}{2}$ mile; thence west 1 mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{2}$ mile to the northeast corner of section 8, township 12 south, range 13 east; thence west 1 mile; thence north $\frac{1}{2}$ mile; thence west 1 mile; thence north $\frac{1}{2}$ mile to the southeast corner of township 11 south, range 12 east; thence northwest to the center of said township and range, which is the county line dividing the counties of Fresno and Merced.

Thence continuing northwest to the southeast corner of township 9 south, range 10 east; thence north 2 miles to the southeast corner of section 24 of said township 9 south, range 10 east; thence northwest to the southeast corner of section 4, township 8 south, range 9 east; thence north 1 mile to the south boundary line of the Orestimba rancho; thence west to the southwest corner of the said rancho; thence in a northerly and westerly direction following the south and west boundary lines of said rancho to a point $\frac{1}{2}$ mile, more or less, north of the quarter section corner on the east line of section 19, township 7 south, range 9 east, which point is the intersection of the county line dividing the counties of Merced and Stanislaus.

Thence continuing in a northerly and westerly direction following the south and west boundary lines of said rancho to the northwest corner thereof, at the center of section 14, township 6 south, range 8 east; thence northeasterly following the northwest boundary of said rancho to the left bank of the San Joaquin river; thence following down the left bank of said river to the county line dividing the counties of Stanislaus and San Joaquin.

Thence following down the left bank of the San Joaquin river to the quarter section line running east and west through section 13, township 3 south, range 6

east; thence west to the quarter section corner on the east line of section 14, of said township and range; thence northwest to the northeast corner of section 4 of said township and range; thence northwest to the quarter section corner on the north line of section 19, township 2 south, range 6 east; thence west $3\frac{1}{2}$ miles to the southeast corner of section 16, township 2 south, range 5 east; thence north $\frac{1}{2}$ mile; thence west 3 miles to the east line of section 13, township 2 south, range 4 east; thence north $\frac{1}{2}$ mile to the northeast corner of said section 13, township 2 south, range 4 east; thence northwesterly to the northeast corner of section 10; thence northwesterly to the quarter section corner on the north line of section 4 of said township 2 south, range 4 east; thence northwesterly to the county line between Alameda and San Joaquin, at a point $\frac{1}{2}$ mile north of the south line of section 32, township 1 south, range 4 east; thence north on said county line to the bank of Old river and the northeast angle of Alameda county.

Thence west to the southeast corner of the southwest quarter of the northwest quarter of section 30, township 1 south, range 4 east; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile to the northeast corner of section 25, township 1 south, range 3 east; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence north $2\frac{1}{2}$ miles; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile, to the center of section 35, township 1 north, range 3 east; thence west $\frac{1}{4}$ mile; thence north 1 mile; thence east $\frac{1}{4}$ mile, to the center of section 26, township 1 north, range 3 east; thence north $\frac{1}{4}$ mile; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{3}{4}$ mile to the quarter section corner on the south line of section 14, township 1 north, range 3 east; thence west $\frac{1}{4}$ mile, thence north $\frac{3}{4}$ mile; thence east $\frac{1}{4}$ mile, thence north $\frac{1}{2}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{3}{4}$ mile, to the south line of section 2, township 1 north, range 3 east; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile to the center of section 3, township 1 north, range 3 east; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{4}$ mile, to the southeast corner of section 33, township 2 north, range 3 east; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile to the quarter section corner on the north line of said section 33; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{3}{4}$ mile; thence north $\frac{1}{4}$ mile, to the center of section 29, township 2 north, range 3 east; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{4}$ mile, to the southeast corner of section 19, township 2 north, range 3 east; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence south $\frac{1}{4}$ mile, to the quarter section corner on the east line of section 24, township 2 north, range 2 east; thence west $1\frac{1}{2}$ miles to the center of section 23; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{1}{4}$ mile; thence west $\frac{3}{4}$ mile; thence north to the San Joaquin river; thence down the San Joaquin river to a point due south from the point of beginning, thence north to the point of beginning.

Said drainage district is hereby declared to be a body corporate and politic and shall have power to sue and to be sued; to acquire, own, hold, use and enjoy for the purposes mentioned in this Act, any and all properties herein mentioned, or necessary for the purposes of said district.

Sec. 4. Sixteen new sections are hereby added to said Act, to be known as sections five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, sixteen and one half, seventeen, eighteen and nineteen, and to read as follows:

Sec. 5. The management and control of said drainage district shall be vested in the reclamation board, which shall hereafter consist of seven members, at least three of whom shall be residents or land owners of that portion of the San Joaquin valley included within said district. The members of the present reclamation board shall be members of the board as hereby enlarged. The remaining members shall be appointed by the governor of the state within thirty days after this Act shall take effect. All the members, whether herein named or appointed by the governor, shall hold office at the pleasure of the governor. In case of a vacancy, the same shall be filled by the governor of the state.

Sec. 6. The reclamation board may employ a secretary, who may be a member of said board, and such other assistants, employees and advisors as may appear necessary and shall fix their compensation.

Sec. 7. The State of California and the people thereof are hereby declared to have a primary and supreme interest in having erected, maintained and protected on the banks of the Sacramento and San Joaquin rivers and their tributaries and the by-passes and overflow channels mentioned herein, good and sufficient levees and embankments or other works of reclamation, adequately protecting the lands overflowed by said streams, and confining the waters of said rivers, tributaries, by-passes and overflow channels within their respective channels, and it shall be the duty of the reclamation board at all times to enforce on behalf of the State of California and the people thereof the erection, maintenance and protection of such levees, embankments and channel rectification as will, in their judgment, best serve the interests of the State of California. The purposes and objects of this Act are to

carry into effect the plans of the California debris commission for the control of the flood waters of the Sacramento and San Joaquin rivers and their tributaries, and to vest in said reclamation board control and jurisdiction over said plans and such other plans as may be adopted by said board, excepting such portion of said plans as relate to channel excavation, enlargement, rectification and control in the Sacramento river and the construction of weirs; it being the intent of this Act that all work and control in the said stream and the construction of weirs shall remain with the United States and the State of California, concurrently, but this exception does not apply to the San Joaquin river and its tributaries. This Act and every part thereof shall be liberally construed to promote its objects and to carry out its intents and purposes.

SEC. 8. It shall be unlawful for a member of the board to vote upon any contract or other matter in which he may have an interest or share, or for any employee of said board to receive directly or indirectly for his own use or benefit any portion or share of the money or other thing paid under any contract; but having an interest in lands within said drainage district shall not disqualify a member for voting to execute any part of said plans of flood control, or carrying out the objects of this Act.

SEC. 9. The reclamation board shall have its office at the city of Sacramento, and shall elect one of its number as president. The regular meetings of said board shall be held on such dates as shall be fixed by the board, and a majority of the board shall constitute a quorum, but no action of said board shall be effective unless the same shall be concurred in by a majority of the members thereof. Special meetings may be called at any time by the president or by a majority of the members after twelve hours' notice by mail to the members. It shall be the duty of the reclamation board to keep full and correct minutes of all proceedings and transactions of all meetings of the board, which minutes shall be open for public inspection during office hours. Any other meeting of the board, at its office, when all of the members are present, shall be considered a legal meeting at which any business may be transacted. Each member of the board shall receive the necessary expenses incurred by him in the performance of his duties, and twenty dollars for each day attending the meetings of the board, but such per diem shall not exceed one thousand dollars in any one year.

SEC. 10. The reclamation board shall require the owners of any railroad, electric railroad, wire line, wagon road or other structure crossing any of the by-passes or overflow channels herein provided for, to provide and maintain one or more suitable draws or other appliances within any such by-passes or overflow channels to permit the passage of water craft, dredgers or other machines used in the construction of reclamation works and to open said draws or appliances upon reasonable notice given by any person desiring to pass the same. Said draws or appliances shall be located at such points as shall be designated by said board. A failure of the owner of any of said structures to comply with this section shall render such owner liable to any person for the damages caused to such person by such failure.

SEC. 11. Any plan of reclamation, drainage or other improvement that includes or contemplates the construction of any new levee, embankment, canal or other excavation along or near the banks of the said rivers or their tributaries or connected therewith, or upon any lands adjacent thereto or within any of the overflow basins thereof, or upon lands subject to overflow therefrom, must, unless approved by said board prior to the taking effect of this Act, be approved by the reclamation board before such plan shall have been adopted by the trustees of any reclamation, levee, protection or drainage district or by any person, corporation or association. Any such plan shall be void unless first approved by said board, and the construction of any levee, embankment, canal or other works of reclamation at any of the places hereinbefore mentioned, without such approval, is hereby declared to be a public nuisance, and the reclamation board is hereby empowered to prosecute any suit or suits in the name of the people of the State of California for the prevention or abatement of such nuisance. This provision shall not apply to the enlargement of existing levees. No levee, embankment or other structure within any by-pass or overflow channel adopted by said board shall be raised or altered without the permission of the reclamation board, and any person who shall raise or alter any such levee, embankment or other structure without such permission, shall be guilty of a misdemeanor.

SEC. 12. The reclamation board shall have power to acquire either within or without the boundaries of the district by purchase, condemnation or by other lawful means in the name of the district, from private persons, corporations, reclamation, swamp land, levee, protection or drainage districts, or other organizations or associations, all lands, rights of way, easements, property or material necessary or requisite for the purpose of by-passes, weirs, cuts, canals, levees, overflow channels and other necessary purposes; to construct, clear and maintain by-passes, levees, canals and overflow channels; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers by this Act conferred, or arising out of the use, taking or damage of any property for any of such purposes; to maintain actions to restrain the doing of any act or thing that may be injurious to any of the works necessary to said plan of flood control or that may interfere with the successful execution of

said plan or for damages for injury thereto; to establish a standard of levee construction; to do any and all things necessary or incident to the powers hereby granted or to carry out the objects specified herein; to compel by injunction, the owner or owners of any bridge, trestle, wire line, viaduct, or embankment or other structure which shall be intersected, traversed or crossed by any by-pass, drainage canal, or overflow channel, so to construct or alter the same as to offer a minimum of obstruction to the free flow of water through any such by-pass, drainage canal, or overflow channel, and wherever necessary in the case of existing works, to compel the removal or alteration of any such embankment or other structure; to maintain actions to restrain the diversion of the waters of any stream that will increase the flow of water in said Sacramento or San Joaquin rivers or their tributaries, and such diversion of the waters of any stream into said rivers or any of their tributaries is hereby declared to be a public nuisance which may be prevented or abated by the reclamation board. Upon application by any reclamation or drainage district or any owner of swamp land that has issued or that proposes to issue bonds of such district or upon such lands, the reclamation board shall examine said district or such lands and shall certify the facts relative to the value of such lands and the sufficiency of the security afforded for such bonds. No liability shall attach to the State of California by reason of such certificate.

SEC. 13. Whenever, in the opinion of said board it shall be necessary to levy an assessment upon any lands within said drainage district for any of the purposes herein specified, said board shall cause an assessment to be levied upon the lands within said drainage district for such purposes. The plans to be carried out shall be divided by said board into separate portions or projects in such manner as will in its judgment best facilitate the levying of assessments for each particular portion or project in a just and equitable manner according to benefits upon the lands in said district. Said board shall enter in the minutes of the board, a resolution to the effect that the execution of each such separate portion or project which they may determine upon is a public necessity. Each such particular portion or project shall be designated by the board in such resolution by name and number. All assessments, plans and funds intended for or connected with the execution of each particular portion or project shall be designated by such name and number and shall be kept separate and shall be used only for the purpose of carrying out such particular portion or project. For the purpose of making any such assessment the board shall appoint three assessors who shall be disinterested persons, and shall have no interest in any real estate within said drainage district, and each of whom, before entering upon his duties, shall make and subscribe an oath that he is not in any manner interested in any real estate within said district, directly or indirectly, and that he will perform the duties of an assessor to the best of his ability. Said assessors must assess upon the lands within said drainage district the said sums so estimated by the board, and shall apportion the same according to the benefits that will accrue to each tract of land in said district, respectively, by reason of the expenditure of said sums of money. After said assessors have examined the plan or plans of the works contemplated and the said estimates of the cost, they shall make a preliminary report to the reclamation board indicating the exterior boundaries of the lands that in their opinion will be benefited by the expenditures. The assessors shall then appoint a time and place in each county in which any of said lands are situated, when and where they will hear objections to the said report and also evidence concerning the manner in which said assessment should be apportioned. They shall give twenty days' notice of said hearings by publication in a newspaper published in each county. They shall exclude any land that will not be benefited by the expenditure of said sums and shall assess all lands that will be benefited thereby. Said assessors shall make a separate list of the lands so assessed in each county, which list shall contain a description of the tracts of land assessed, by swamp land surveys, legal subdivisions, or other boundaries or references sufficient to identify the same; the name of the owner, if known, or if unknown, that fact, and the amount of the charge assessed against each tract. No mistake in the name of the owner, or supposed owner, of any real estate shall invalidate the assessment. Said lists when completed shall be filed with the secretary of the board and said secretary shall forward to the county treasurer of each county in which any lands in said district are situated, the assessment list for such county, and the same shall be open for inspection by the public for at least thirty days. The compensation of said assessors shall be fixed and allowed by the board. The reclamation board shall appoint a time and place not less than thirty days after said list has been filed with the said treasurer when and where it will meet in each county for the purpose of hearing objections to said assessments, and notice of such hearing shall be filed with the county treasurer and published for two weeks in some newspaper published in each of said counties. At any time before the date of such hearing any person interested in any real estate upon which any charge has been assessed, may file in the office of the secretary of the board written objections to such assessment, stating the grounds of such objections, which said statement shall be verified by the affidavit of such person or some other person who is familiar with the facts. At such hearing the board shall hear such evidence as may be offered touching the correctness of such assessment or the manner of its apportion-

ment, and may modify or amend the same, and may reapportion all or any part of the entire assessment. If said assessment shall be reapportioned, the board shall give two weeks' notice as before and proceed to hear objections in each county affected, as before, and shall then reconsider said assessment and make an order approving said assessment as finally fixed; and the decision of said board shall be final and thereafter said assessment list shall be conclusive evidence, except in the suit hereinafter provided, that the said assessment has been levied and apportioned according to law. Any person aggrieved by the decision of the board approving said assessment may commence an action against the district in the superior court of the county in which said land or the greater part thereof is situated, to have said assessment modified or annulled. Such action must be commenced within thirty days after the reclamation board has approved such assessment and shall have preference over all civil actions in fixing the time of trial. No objection to said assessment shall be considered by the court unless such objection shall have been made in writing to the reclamation board as hereinbefore prescribed, and, excepting in the action above mentioned, no action or defense shall ever be maintained attacking the said assessment in any respect.

SEC. 14. After such hearing has been had by the board in any county, said assessment list shall be certified by the secretary of the board to be correct, and said list shall be deposited in the office of the county treasurer of said county, and such assessment shall thereafter constitute a lien upon the lands so assessed and shall impart notice to all subsequent purchasers or incumbrancers or other person acquiring any interest in or lien upon said land, and all unpaid assessments shall bear interest at the rate of seven per cent per annum, and shall be paid to the county treasurer in separate installments of such amounts, and at such times, respectively, as the board, from time to time, in its discretion, may, by order entered in its minutes, direct; if any such installment shall remain unpaid at the expiration of thirty days from the date of the order, then said installment shall become delinquent, together with the accrued interest thereon, and ten per cent of the amount of said installment and interest shall be added thereto, and collected for the use of the district; *provided*, that if an action is pending in any court to have the assessment on any tract of land reviewed, modified or annulled, as provided herein, such assessment, if not annulled in said action, shall become delinquent thirty days after any judgment rendered therein shall become final. Immediately after the said installment has become delinquent, the board must publish a notice at least once a week for three weeks in some newspaper of general circulation published in the county where the land is situated, which notice shall contain a description of the property assessed, the name of the person to whom it is assessed or a statement that it is assessed to unknown owners, if such is the fact, the amount of the delinquent installment, the amount of the interest at the date of delinquency, the amount of the penalty that has been added as above provided, and notice that the property assessed will be sold on a date therein stated, in front of the court house of said county, to pay said installment with accrued interest and the penalty hereinbefore specified. At the time stated in said notice or such other time to which said sale may have been postponed, the board must cause said property to be sold to the highest bidder for gold coin of the United States. Out of the proceeds of said sale the board must pay the amount of said installment with accrued interest thereon and the penalty herein provided for to the county treasurer of such county, and the board must pay to the owner of said property any surplus remaining after such payment to the county treasurer. The board may postpone said sale from time to time by a written notice posted at the place of sale. If no bid is made for said property equal to the amount of said installment, accrued interest and penalty, the district shall become the purchaser, and the said property must be struck off to the district for the amount of said installment, accrued interest and penalty. A certificate of such sale shall be executed by the president of the board to the purchaser, or to the district, if the property shall have been struck off to the district, and said certificate of sale shall be recorded in the office of the county recorder of the county in which the land is situated. Any person interested in said property may redeem the same at any time within one year after the date of said sale, by paying to the county treasurer the amount for which said property was sold, and interest on the said sum at the rate of ten per cent per annum from the date of said sale. If no redemption shall be made within said one year, the purchaser, or the district, if said property shall have been sold to the district, shall be entitled to a deed executed by the president of said board, after notice to any incumbrancer of said land whose incumbrance is of record, and the right of such incumbrancer to redeem said land shall continue for a period of thirty days after such notice. The effect of such deed shall be to convey said property free of all liens and incumbrances, excepting state, county and municipal taxes, assessments levied or assessed by statutory authority and the unpaid balance of assessments made by said drainage district, which said balance must be called in and collected in the same manner as other assessments; *provided*, that where property shall have been deeded to the district and shall not have been sold, the same shall not be offered for sale for subsequent installments of assessments so long as the district shall remain the owner of said property, but the board may sell said property at any time at public auction after notice given for the same period and in the same manner as

herein provided for sale for delinquent installments, but not for a sum less than all delinquent unpaid installments with accrued interest and penalties, and the deed executed in pursuance of such sale shall convey said property free of all incumbrances, except state, county and other municipal taxes, assessments, levied or assessed by statutory authority and the unpaid balance of said assessments of said drainage district, which balance must be called in and collected in the same manner as other assessments.

SEC. 15. All money collected upon sales or otherwise shall be paid to the county treasurer of the county in which the land is situated, and said money, together with all other money collected by the treasurer shall be deposited in the state treasury to the credit of said drainage district in a fund which is hereby created and known as the Sacramento and San Joaquin drainage district fund, specifying the number of the assessment from which such money was derived, and shall be paid out upon warrants of the state controller, and the controller is hereby directed to issue warrants upon said funds whenever drafts of the reclamation board shall be presented to him, and the state treasurer is hereby directed to pay such controller's warrants when there is sufficient money in the funds of said drainage district; *provided*, that all moneys collected from assessments, shall be paid out only on warrants issued for works or other expenses covered by the assessment from which such money was derived, which assessments must be numbered consecutively, to the end that all moneys raised by assessment upon any of the lands embraced in said drainage district, shall be expended only for works of reclamation or other expenses beneficial to the lands so assessed, and for the payment of warrants issued for the construction of the works and other expenses for which such assessment was levied and each warrant must designate the number of the assessment from which it is to be paid. In case there are not sufficient funds for such purpose, the state treasurer shall endorse on such warrants the date of presentation and register the same, and thereafter such warrants shall bear interest at the rate of seven per cent per annum, and must be paid in the order of their registration. Such warrants shall be considered as contracts in writing for the payment of money by said district, and the period prescribed for the commencement of an action upon said warrants is four years from the date thereof. Said warrants shall be received in payment of any assessment for work or expenses for which such warrants were issued. The reclamation board may extend the period for payment of any warrant for an additional period of four years upon application of the owner of such warrant. Whenever there is sufficient money in the treasury applicable to the payment of any outstanding warrants of the district, the state treasurer shall give notice that there is money in the treasury to pay certain warrants, giving their numbers in the order of their registration; said notice shall be published for ten days in one newspaper published in the city of Stockton and one published in the city of Sacramento. After the last publication of said notice the warrants therein mentioned shall cease to bear interest. The board shall designate a paper in each of said cities which shall be the official papers of said district for the purpose of such publication.

SEC. 16. In all cases in which an assessment shall be levied upon the lands embraced within said district, and if the assessment upon any tract or tracts of land shall have thereafter been adjudged invalid by any court of competent jurisdiction, or, if for any reason, such tract or tracts of land shall not have been legally charged with said assessment, then such tract or tracts of land shall be charged in any subsequent assessment with such proportion of the former assessment as the benefits derived by said land from the purposes for which said former assessment was levied bears to the whole amount of said former assessment; or a subsequent reassessment of such tract or tracts of land may be made separately for the purpose of charging said land with its proper proportion of the said assessment.

SEC. 16½. One of the first projects to be considered by said board shall be that portion of the plans of the California debris commission relating to the Sacramento river and Cache slough below the junction of Yolo basin by-pass and Cache slough known as the project to enlarge the outlet of the Sacramento river. In the estimate of the sum necessary for the project last named, the board shall also ascertain the amount of any expenditures that have heretofore been made by the State of California, any municipal corporation, reclamation district, and by any owner of lands within said drainage district, or by any of them, for the purpose of purchasing rights of way for the enlargement of the outlet of the Sacramento river and actually applied to said purpose, which said sums so expended shall be legal claims against said district upon execution by the claimant of a quitclaim deed of said rights of way to the district, and shall be paid from the moneys arising from the assessment for the project in this section first above mentioned. The governor is hereby authorized to execute such quitclaim deed on behalf of the State of California.

SEC. 17. It shall be the duty of the reclamation board to promote the construction, completion, maintenance and repair of levees along all streams and by-passes where in the opinion of the board such levees are insufficient or necessary. If the owner or owners of land adjoining any stream or the outer margin of any by-pass, shall fail to construct, repair or maintain suitable levees along such stream or by-pass where such levee is in the opinion of said board necessary, the reclamation board shall notify such owner or owners that such levee is insufficient or necessary; and that unless the construction, repair or completion of such levee shall be commenced within three months and thereafter constructed, repaired or completed

with reasonable diligence, the reclamation board will construct, repair or complete such levee, and will cause an assessment to be levied to pay the cost thereof to be assessed upon the lands within said drainage district directly or indirectly benefited by such levee. In said notice the board shall specify the dimensions and method of construction required for such levee. In case the construction, repair or completion of such levee shall not be commenced within three months and thereafter completed with reasonable diligence, the reclamation board is hereby empowered to let a contract or contracts for the construction or repair of said levee or the completion thereof, if construction has been previously commenced and the board shall cause an assessment to be levied to pay the cost of such levee, to be assessed upon the lands within said drainage district and apportioned upon the lands directly and indirectly benefited by such levee according to such benefits; said assessment shall be levied, equalized and collected in the same manner as other assessments are levied, equalized and collected pursuant to the provisions of this Act. If in the opinion of the board a case of emergency exists, requiring immediate action to preserve life or property, the board may cause necessary work to be done immediately without giving the notice herein mentioned, and may cause an assessment to be levied as above prescribed to pay the cost thereof, and to pay for any damage that may have been done by the performance of such work.

SEC. 18. Notwithstanding any provision in this Act, any reclamation district, levee district, drainage district or municipal corporation within the said drainage district, now or hereafter existing shall have the right with the permission of the reclamation board to acquire by grant or eminent domain or otherwise, any right of way or other easement included in the plans of the California debris commission, hereinbefore referred to or any amendment thereto or any modification thereof for controlling the floods of the Sacramento river or included in any plan for the flood water of said river adopted by the board, and required by the plans of any such reclamation, levee or drainage district or municipal corporation for the consummation of its purpose as authorized by law, together with the right to construct such levees as may be required to complete any by-pass, and the title to any such right of way or other easement or levees shall be conveyed to the said drainage district upon compensation being made at the actual reasonable cost thereof.

If any reclamation district, levee district, drainage district, municipal corporation, private corporation, association, or person within said drainage district, with the consent of the reclamation board, has provided or left, or shall hereafter provide or leave, any land for a by-pass or waterway for the purpose of complying with the plans, as set out in the report of the California debris commission, referred to in Section 1 of this Act, any amendment thereto, or any modification thereof, or shall hereafter erect any levee or levees along said by-pass or waterway, the said by-pass and levees shall be considered as a part of the work to be done pursuant to the provisions of this Act and proper compensation shall be made for the right of way or easement through such by-pass and for the actual reasonable cost of construction of said levees. When such compensation shall have been made, such reclamation district, levee district, drainage district, municipal corporation, association, private corporation or person shall convey to the said drainage district a perpetual easement in said by-pass and levees for all purposes necessary to accomplish the objects of said report of California debris commission. In the event that any such reclamation district, levee district, drainage district, municipal corporation, private corporation, association, or person shall, with the consent of the reclamation board expend any sum of money in the acquisition of such right of way or other easement, or in the construction of such levees, and shall convey the same to the district, or in the event that it, he or they has or have allowed, or shall allow, any land to be used for the purpose of a by-pass or waterway to comply with the plans of said California debris commission herein referred to, or shall construct levees along any line of any such by-pass, and shall convey, a perpetual easement therein to said drainage district, he or they shall have a claim against the said drainage district for the reasonable cost of such right of way or other easement or of such levees, and an assessment shall be levied upon the lands in said drainage district benefited thereby so that the same may be paid, or such cost may be included as one of the items in any assessment that may be levied in the said drainage district.

SEC. 19. The sum of one hundred thousand dollars, in addition to the sums heretofore appropriated, is hereby appropriated for the use of the reclamation board, at least twenty thousand dollars of which shall be used by the board to pay the expenses of the state engineer in carrying out the directions of this Act. The controller is hereby directed to draw warrants upon the state treasurer whenever drafts of the reclamation board are presented to him, and the treasurer is hereby directed to pay said controller's warrants. In the first assessment levied in said district the sum of fifty thousand dollars shall be levied, collected and paid to the state treasurer as reimbursement of one half of the above appropriation.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 302 and 1294.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 302 and 1294 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 302 and 1294, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1996, 594, 285, 1515, 1158, 1064, 1542, and 1947.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 1996, 594, 285, 1515, 1158, 1064, 1542, and 1947 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 1996, 594, 285, 1515, 1158, 1064, 1542 and 1947, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 1147.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1147 considered.

Mr. Bohnett moved that the committee do now rise and report the bill back and recommend that it do not pass.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1147, and do now report the same back, and recommend that it do not pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 512—An Act to amend Section 607f of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 292—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, of the printed bill, strike out all of lines 4 to 12, inclusive, and insert in lieu thereof the following:

"Sec. 5. The amount of the award of the commissioner shall be conclusively presumed to be the amount of the wages due and unpaid to the employee at the time of the termination of the employment, and prosecution may be commenced under the provisions of an Act entitled, 'An Act providing for the time of payment of wages,' approved May 1, 1911."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 709—An Act to amend Section 1248a of the Code of Civil Procedure of the State of California, relating to the removal or relocation of railroad, street, or interurban railway tracks on property sought to be taken under Title VII, Part III, of the Code of Civil Procedure.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Bill read second time.

Senate Bill No. 127—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Bill read second time.

Senate Bill No. 48—An Act to reimburse the Regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mount Hamilton, to replace property destroyed by earthquake, July 1, 1911, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 1206—An Act appropriating money for the purpose of preservation, protection and improvement of the old theater building and grounds at Monterey.

Bill read second time.

Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Bill read second time.

Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing on K street, between Twenty-sixth and Twenty-seventh streets, in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Bill read second time.

Senate Bill No. 818—An Act appropriating money for repairing and improving Sutter's Fort.

Bill read second time.

Senate Bill No. 483—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Bill read second time.

Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Bill read second time.

Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Bill read second time.

Senate Bill No. 352—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Bill read second time.

Senate Bill No. 351—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Bill read second time.

Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining-rooms at the Napa State Hospital.

Bill read second time.

Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor.

Bill read second time.

Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 503—An Act to amend Section 1731 of the Political Code of the State of California, relating to the election of members of high school boards.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 695—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 812—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1510—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 563—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, lines 3 and 4, strike out the words, "owner or reputed".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 6, beginning in line 20, strike out the words "foreign born person", and insert in lieu thereof the word "alien".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 615—An Act to amend Section 685 of the Code of Civil Procedure of the State of California, by providing a limitation within which execution may be issued upon money judgments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered and known as section eighteen hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counsellors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1031—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 521, relating to claim and delivery of personal property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1357—An Act to amend Section 1664 of the Code of Civil Procedure, relating to proceedings for the establishment of heirship.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 952—An Act to amend Section 345 of the Civil Code of the State of California, relating to the extension of time of delinquent sale of stock in corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 956—An Act to amend Section 4020 of the Penal Code under the provisions of Section 12 of Act 1828 of the General Laws of the State of California, providing for the protection of employees on buildings and of an Act to establish and support the Bureau of Labor Statistics, approved March 3, 1883, and the several Acts amendatory; to provide for all scaffolding and staging swung or suspended from an overhead support on any house, building or structure more than twenty feet in height from the ground or floor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1093—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to a decedent's estate.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1467—An Act to amend Section 850 of the Code of Civil Procedure of the State of California, relating to the requisites for notice of hearing in justices' courts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by a court or judge, the qualifications of the referees, and the residence qualifications of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 745—An Act to amend Section 3 of an Act entitled "An Act to select and adopt the Bear Flag as the state flag of California," approved February 3, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 705—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III of the Code of Civil Procedure.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 711—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 219—An Act to amend Section 1213 of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 220—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 282—An Act to amend Section 339 of the Code of Civil Procedure, relating to the time of commencing certain actions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release, by undertaking and appeal, of property under levy.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure to be numbered 1310, relating to the probate of wills detained beyond the jurisdiction of the State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1299—An Act relating to real estate brokers in the State of California, creating a board to be known as the state advertising board; providing for the appointment of its members; prescribing

ing their powers and duties: fixing their terms of office; creating a state advertising fund; and providing for its collection and expenditure.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 517—An Act to amend Section 459 of the Penal Code of the State of California, defining burglary.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1513—An Act to amend Section 1243 of the Code of Civil Procedure of the State of California, relating to county in which all proceedings under Title VII of Part III of the Code of Civil Procedure may be commenced and tried.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 177—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 1596a.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

During second reading of the bill, the following amendments were submitted by Mr. Gelder:

On page 2, line 12, insert the following: "*provided, however, that the state board of prison directors shall make no rule or rules which will deny any prisoner, except those whose imprisonment may continue for life, the right to apply for or be eligible for a parole after serving one calendar year of imprisonment for the crime for which he was convicted. Every prisoner who, under the provisions of this law shall be eligible to apply for leave to go on parole, shall be accorded the right to appear in person before the board of prison directors within sixty days after filing of his application for parole and it shall be the duty of the board of prison directors to hear and determine such application within said period of sixty days, and no such application shall be denied or consideration thereof postponed, except for good cause shown, which cause shall be fully set forth on the record of the meeting of the board of prison directors at which such action may be taken.*"

Bill passed on file, with amendments pending, until next legislative day.

Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1287—An Act to repeal an Act entitled "An Act to create a reclamation district to be called 'reclamation district number eight hundred and thirty-one' and providing for the control and management thereof," approved April 8, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 593—An Act to amend Section 3456, 3457, 3465, and 2480 of the Political Code of the State of California, relating to the reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 489—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 742—An Act to amend Sections 2, 12, and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvement and adding a new section thereto to be numbered Section 3a, relating to the payment by the city of a portion of the cost of the improvement.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1109—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provisions for fire drills in certain schools.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8, strike out the words "once each week", and insert in lieu thereof the following: "twice each month".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 9, after the period add the following: "Each member of boards of school trustees and city boards of education who shall neglect or refuse to comply with any of the provisions of this Act shall severally be deemed guilty of a misdemeanor, and shall be punished by fine not exceeding one hundred dollars."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved

March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 617—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 14, 18, 31, 22 and 23, and adding thereto two new sections, to be numbered 23a, and 24a, all relating to revenue and taxation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

During second reading of the bill, the following amendments were submitted by Mr. Schmitt:

On page 1, line 7, strike out the word "one", and insert in lieu thereof the word "two".

Also: On page 1, line 7, strike out the word "five", and insert in lieu thereof the word "six".

The above amendments ordered printed in the Journal.

Bill passed on file.

Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1 of printed bill, strike out everything from and inclusive of line 1, down to and inclusive of line 8, and insert in lieu thereof the following:

"SECTION 1. The sum of four hundred thousand dollars (\$400,000) is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be paid to the regents of the University of California, to be used by them for the construction and equipment of a class room building on the campus of the University of California, at Berkeley, California. Of the total amount hereby appropriated the sum of one hundred thousand dollars (\$100,000) shall be available for expenditure during the sixty-fifth and sixty-sixth fiscal years, or during either of such years, and the remaining three hundred thousand dollars (\$300,000) shall be available for expenditure during the sixty-seventh and sixty-eighth fiscal years, or during either of such fiscal years."

Amendment adopted.

Bill read second time.

Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City,

Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1 of printed bill, in lines 2 and 3 of title, strike out everything from and inclusive of the word "location" in line 2, down to and inclusive of the word "state" in line 3, and insert in lieu thereof the following: "location and survey of a proposed".

Amendment adopted.

AMENDMENT No. 2.

On page 1 of printed bill, strike out everything from and inclusive of the word "five" in line 3, down to and inclusive of the word "state" in line 4, and insert in lieu thereof the following: "one thousand dollars for the location and survey of a proposed".

Amendment adopted.

AMENDMENT No. 3.

On page 1 of printed bill, strike out everything from and inclusive of line 7, down to and inclusive of line 9, and insert in lieu thereof the following:

"SEC. 2. The work of locating and surveying said highway is hereby placed under the management and control of the state department of engineering. Upon the completion of said survey, said state department of engineering shall make a complete report in relation thereto."

Amendment adopted.

Bill read second time.

Senate Bill No. 271—An Act appropriating \$19,000 therefor, and authorizing and directing the construction and furnishing of a nursery for males, at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read second time.

Senate Bill No. 270—An Act appropriating \$5,000 therefor, and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read second time.

Senate Bill No. 267—An Act appropriating \$10,000 to further develop and increase the water supply and to extend the water system of the Sonoma State Home, at Eldridge, Sonoma County, California, and authorizing and directing the work and improvement to be done.

Bill read second time.

Senate Bill No. 106—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911.

Bill read second time.

Senate Bill No. 376—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1761—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Bill read second time.

Senate Bill No. 1728—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 1705—An Act providing for the purchase and the proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California; creating the "Gold Discovery Landmark Commission" and making an appropriation to carry out the purposes of this Act.

Bill read second time.

Senate Bill No. 347—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Bill read second time.

Senate Bill No. 1563—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating \$7,500 therefor.

Bill read second time.

Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 189—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time.

Senate Bill No. 187—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time.

Senate Bill No. 1251—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Bill read second time.

Senate Bill No. 43—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Bill read second time.

Senate Bill No. 196—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Bill read second time.

Senate Bill No. 193—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Bill read second time.

Senate Bill No. 194—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Bill read second time.

Senate Bill No. 195—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Bill read second time.

Senate Bill No. 61—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Bill read second time.

Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services.

During second reading of the bill, the following amendment was submitted by the committee:

An Act making an appropriation to pay the claim of the firm of Dillon, Thomson & Clay, of New York City, against the State of California.

The people of the State of California do enact as follows:

SECTION 1. The sum of one thousand dollars is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, to pay the claim of the firm of Dillon, Thomson & Clay, of New York City, against the State of California.

SEC. 2. The state controller is hereby authorized to draw his warrant for the sum made payable by this Act, and the state treasurer is directed to pay the same.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8 of the printed bill, immediately after the word "thereon" and before the word "that" insert the following: "outside of the State of California,".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 12 of the printed bill, strike out the words "fiscal agent", and insert in lieu thereof the following: "the fiscal agency of the State of California in the city of New York,".

Amendment adopted.

Bill read second time.

Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 7 of the printed bill, immediately after the word "thereon", and before the word "that", insert the following: "outside of the State of California,".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 8 of the printed bill, strike out the words "fiscal agent", and insert in lieu thereof the following: "the fiscal agency of the State of California in the city of New York,".

Amendment adopted.

Bill read second time.

Senate Bill No. 1124—An Act to amend Section 4253 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1185—An Act to amend Section 4131 of the Political Code of the State of California, relating to the duties of county recorders.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 866—An Act to amend Sections 368, 699 and 2501 of the Political Code, relating to the appointment of certain executive officers of the State, and to the powers, duties, appointment and number of port wardens.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 390—An Act to amend Section 1 of an Act entitled "An Act in relation to pandering; to define and prohibit the same, and to provide for punishment thereof; for the competency of certain evidence at the trial therefor," approved February 8, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

After the comma following the comma after the last syllable of the word "prostitution", on line 11, page 2, of the printed bill, insert the following: "or who, as keeper or proprietor of a house of prostitution or of any place in which prostitution is encouraged or allowed within this state allows any female person who has never before been an inmate of a house of prostitution or of any place where prostitution is encouraged or allowed, to enter such house of prostitution or any place where prostitution is encouraged or allowed,".

Amendment adopted.

Also: On page 2, line 14, strike out the word "five", and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry; defining its duties and powers and prescribing a penalty for the violation of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend by striking out all of Section 8, commencing with the word "it", line 31, page 6, of the printed bill, to and including the end of the section, and inserting in lieu thereof the following: "All recipients of said certificate of registration shall present the same for filing to the clerk of the county in which they reside, and shall pay a fee of fifty cents to the clerk for recording the same. Said clerk shall record said certificate in a book to be provided by him for that purpose. Any person so licensed removing his residence from one county to another in this state, shall, before engaging in the practice of optometry in such other county, obtain from the clerk of the county in which said certificate of registration is recorded a certified copy of such certificate of registration, and shall before commencing practice in such county, file the same for record with the clerk of the county to which he removes and pay the clerk of said county for recording the same a fee of fifty cents. Any failure, neglect or refusal on the part of any person holding such certificate of

registration, or certified copy of such certificate of registration, to record the same as hereinabove provided, for six months after the issuance of said certificate of registration, or from the date of removal of residence shall *ipso facto* work the forfeiture of his certificate of registration, and it shall not be restored except upon the payment of twenty-five dollars to the California state board of examiners in optometry."

Amendment adopted.

AMENDMENT No. 2.

In line 10, page 4, of the printed bill, between the words "examines" and "schools", insert the word "public".

Amendment adopted.

AMENDMENT No. 3.

In line 11, page 4, of the printed bill, between the words "such" and "schools", insert the word "public".

Amendment adopted.

AMENDMENT No. 4.

In line 17, page 4, of the printed bill, strike out the words "And of all itinerant licenses."

Amendment adopted.

AMENDMENT No. 5.

In line 18, page 4, of the printed bill, strike out the words "and licenses."

Amendment adopted.

AMENDMENT No. 6.

Between lines 27 and 28, page 4, of the printed bill, insert a new subdivision of Section 4, to read as follows:

"10. To make rules for the procedure of the board and for the conduct and government of applicants for certificates of registration as optometrists not inconsistent with the provisions of this Act."

Amendment adopted.

AMENDMENT No. 7.

Strike out the figures "10", in line 28, page 4, of the printed bill, and insert in lieu thereof the figures "11".

Amendment adopted.

AMENDMENT No. 8.

In line 27, page 5, of the printed bill, strike out the word "second", and insert in lieu thereof the word "third".

Amendment adopted.

AMENDMENT No. 9.

In line 29, page 5, of the printed bill, strike out the word "second", and insert in lieu thereof the word "third".

Amendment adopted.

AMENDMENT No. 10.

In line 8, page 6, of the printed bill, between the words "August" and "next", insert the words "in the year".

Amendment adopted.

AMENDMENT No. 11.

Strike out all of Section 13, page 9, of the printed bill, and insert in lieu thereof the following:

"SEC. 13. It shall be the duty of the secretary as soon as this Act takes effect, to pay into the state treasury all moneys then in his possession or standing to the credit of the state board of optometry, and thereafter he shall, within ten days after the beginning of each month, report to the state controller all collections of fees and all other receipts for the preceding month, and at the same time he shall pay all such amounts into the state treasury. All such moneys shall be placed in a fund to be known as the state optometry fund, which fund is hereby created, and which shall be for the uses of the state board of optometry, claims thereon to be audited and paid in the usual manner. (An amount not to exceed three hundred dollars may be drawn from the fund herein created to be used as a revolving fund where

cash advances are necessary: but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control or by the controller.)”

Amendment adopted.

AMENDMENT No. 12.

In line 34, page 8, of the printed bill, between the semicolon and the word “or”, insert the following: “The use in advertising of the expression ‘eye specialist’ in connection with the name of such optometrist, unless the person using the same is a regularly licensed physician and surgeon under the laws of this state.”

AMENDMENT No. 13.

In lines 24 and 25, on page 4, of the printed bill, strike out the words “To issue annual licenses to itinerant optometrists”.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1236—An Act to amend Section 1496 of the Political Code, relating to the admission of pupils from other states to the normal schools of this State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 619—An Act to amend Sections 2, 3 and 4 of an Act entitled “An Act to provide a system of street improvement bonds to prevent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds,” approved February 27, 1893.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 144—An Act to amend Sections 3, 5, 6 and 7 of an Act entitled “An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds,” approved April 7, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State; dividing the State into viticultural districts; appointing a state board of viticultural commissioners; providing for the selection of its officers; defining its powers and duties; and making an appropriation therefor.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 14, 127, 1206, 820, 879, 878, 483, 404, 353, 352, 351, 96, 18, 271, 270, 267, 106, 1761, 1728, 1705, 347, 1563, 509, 189, 187, 1251, 43, 196, 193, 194, 195, 61, and 221.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 14, 127, 1206, 820, 879, 878, 483, 404, 353, 352, 351, 96, 18, 271, 270, 267, 106, 1761, 1728, 1705, 347, 1563, 509, 189, 187, 1251, 43, 196, 193, 194, 195, 61, and 221 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 14, 127, 1206, 820, 879, 878, 483, 404, 353, 352, 351, 96, 18, 271, 270, 267, 106, 1761, 1728, 1705, 347, 1563, 509, 189, 187, 1251, 43, 196, 193, 194, 195, 61, and 221, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 7, 170, 868, 1662, and 1661.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 7, 170, 868, 1662, and 1661 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 7, 170, 868, 1662, and 1661, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bill No. 166.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bill No. 166 considered.

Mr. Bohnett moved that the committee do now rise and report the bill back without recommendation.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 166, and do now report the same back, without recommendation.

YOUNG, Chairman.

Bill ordered on file for third reading.

RE-REFERENCE OF BILL.

On motion of Mr. Bohnett, Senate Bill No. 48 was referred to Committee on Ways and Means.

BILL RECALLED FROM COMMITTEE.

Mr. Finnegan moved that Assembly Bill No. 1543 be recalled from the Committee on Corporations.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 32—Approving a certain amendment to the charter of the city of San Bernardino in the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said city of San Bernardino, at a special municipal election held therein on the 18th day of April, 1913—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

RULES SUSPENDED.

Mr. Johnson moved that the rules be suspended, and Assembly Concurrent Resolution No. 32 be taken up for consideration.

Motion carried.

Assembly Concurrent Resolution No. 32—Approving a certain amendment to the charter of the city of San Bernardino.

The roll was called, and Assembly Concurrent Resolution No. 32 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Mouser, Murray, Polsley, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—49.

NOES—None.

Assembly Concurrent Resolution No. 32 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 32.

Approving a certain amendment to the charter of the city of San Bernardino, in the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said city of San Bernardino, at a special municipal election held therein on the 18th day of April, 1913.

Certificate of the chief executive and city clerk of the city of San Bernardino, State of California, as to the adoption and ratification of a certain amendment to the charter of said city of San Bernardino submitted to the qualified electors of said city on the 18th day of April, A. D. 1913.

PREAMBLE.

Be it known that,

WHEREAS, The city of San Bernardino, of the county of San Bernardino, State of California, has at all times mentioned herein been and now is a municipal corporation of said State of California, containing a population of more than thirty-five hundred (3,500) inhabitants, and is now, and has been ever since the 8th day of February, 1905, organized and existing and acting under a freeholders' charter adopted under and by virtue of Section 8, Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the 6th day of January, 1905, and approved by the legislature of the State of California, on the 8th day of February, 1905 (Stats. 1905, page 940, *et seq.*) ; and

WHEREAS, The mayor and common council of said city of San Bernardino did by resolution designated as "Resolution No. 593" adopted by said mayor and common council on the 17th day of March, 1913, and approved by the mayor of said city on the 17th day of March, 1913, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of San Bernardino a certain amendment, hereinafter set forth, to the charter of said city to be submitted to said qualified electors at a special municipal election to be held in said city on the 18th day of April, 1913; and

WHEREAS, Said resolution and said certain proposed amendment hereinafter set forth was published for ten (10) times in a daily newspaper, printed and published in said city and of general circulation therein, to wit: in the *San Bernardino Daily Sun*, said publication ending on the 28th day of March, 1913; and

WHEREAS, Thereafter the mayor and common council of said city did by an ordinance designated "Ordinance No. 516" which was duly passed and adopted on the 17th day of March, 1913, and approved by the mayor of said city on said last mentioned date, call and order the holding of a special municipal election in the city of San Bernardino on the 18th day of April, 1913, which said last mentioned date was at least twenty (20) days and not more than forty (40) days after the completion of the publication of such resolution and proposed amendment to said charter for ten (10) times in said *San Bernardino Daily Sun*, a daily newspaper of general circulation, printed, published and circulated in said city, and which said ordinance calling such special election specified and ordered and ordained that said proposed amendment be submitted to the qualified electors of said city at said special election for ratification or rejection, and designated the time of such election and established election precincts, and designated the polling places therein, and the names of the election officers for each such precinct, and which said ordinance was published five (5) times in said *San Bernardino Daily Sun*, the last date of said publication being on the 23d day of March, 1913, and which said ordinance was approved by the mayor of said city on the 17th day of March, 1913; and

WHEREAS, Said amendment was duly submitted to the qualified electors of said city of San Bernardino at said special election held on said 18th day of April, 1913, which said special election was held not less than twenty (20) days nor more than forty (40) days after the completion of the publication of such proposal for ten (10) times in said daily newspaper; and

WHEREAS, In and by said ordinance and said resolution so passed, approved and published as aforesaid, said proposed amendment was submitted to the qualified electors of said city at said special municipal election; and

WHEREAS, On the 21st day of April, 1913, at a meeting of said mayor and common council of said city of San Bernardino, duly convened in accordance with law and with the provisions of said charter of said city, said mayor and common council of said city of San Bernardino did duly and regularly canvass the returns of said special municipal election so held on the 18th day of April, 1913, and did find thereon that said proposed amendment to said charter, hereinafter particularly set forth, was duly ratified by the majority of the electors voting thereon; and

WHEREAS, Said mayor and common council after canvassing said returns and at said meeting so held as aforesaid, after said canvass, did duly find and declare that said proposed amendment had been ratified and adopted by the majority of the electors voting thereon; and

WHEREAS, Said amendment so ratified by the electors of said city of San Bernardino at said special municipal election held on the said 18th day of April, 1913, is now submitted to the legislature of the State of California for approval or rejection, as a whole, without power of alteration or amendment, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, No other proposed amendment to said charter had been submitted to the electors of said city of San Bernardino within two (2) years immediately prior to said 18th day of April, 1913;

Now, therefore, the undersigned, J. S. Bright, the mayor and chief executive of the city of San Bernardino, and S. G. Batchelor, city clerk and clerk of the mayor and common council of said city, authenticating their signatures with the official seal of said city, do hereby certify, that said amendment to said charter of said city so ratified by the majority of the electors voting thereon at said special municipal

election, held on the 18th day of April, 1913, as submitted to said electors is in the words and figures as follows, and is and shall, if so approved by said legislature, be in the words and figures following, to wit:

It is hereby proposed that section 133 of the charter of said city be amended so as to read as follows:

"Section 133. Whenever the mayor and common council shall by ordinance or resolution, determine that the public interest or necessity demands the acquisition, construction or completion of any municipal improvement, the cost of which will be too great to be paid out of the ordinary annual income and revenue of the city, they are hereby given the power and authority to call a special election and submit to the qualified voters of the city the proposition of incurring indebtedness to pay the cost of such improvement set forth in said ordinance or resolution. If said proposition be accepted by a two-thirds vote of the qualified electors voting at such election, the mayor and common council may issue and dispose of bonds of said city in evidence of said indebtedness. But the city or municipal corporation of San Bernardino shall not incur any indebtedness for public improvements which shall in the aggregate exceed fifteen (15) per cent of the assessed value of all the real and personal property of such city or municipal corporation. In all other respects not herein provided for the procedure for calling and holding such elections and the issuance of bonds shall be governed by general law of the State of California applicable to cities of the fifth class."

"The amendment herein proposed shall be known and designated as 'Proposed charter amendment number one,' and if ratified by the electors voting at said special election, shall be in force and take effect immediately after its approval by the legislature of the State of California."

And the said J. S. Bright, as mayor and chief executive of said city, and S. G. Batchelor, as clerk of said city and of the mayor and common council of said city, do hereby further certify that they have this day carefully compared the foregoing proposed and ratified amendment to the charter of said city of San Bernardino with the original submission thereof, and with said resolution No. 593, and with said Ordinance No. 516, submitting the same to the qualified electors of said city at a special municipal election held in said city on the 18th day of April, 1913, and with the proceedings of the council of said city, on file and of record in the office of said clerk, subsequent to the passage of said ordinance and resolution, and from said comparison and examination they find, and hereby certify, that the foregoing contains a true, full, exact and correct copy of said charter amendment to said charter of said city of San Bernardino, so ratified as aforesaid.

And we further hereby certify that the facts set forth in the preamble of this certificate preceding said amendment to said charter are and each of them is true.

And for and on behalf of said city, we, being hereinbefore duly authorized, do hereby request the legislature of the State of California, to adopt said amendment to said charter as a whole, and to take such other and further steps and proceedings as may be necessary to perfect such approval.

In witness whereof, we have hereunto set our hands and caused our signatures, authenticated by the official seal of said city, to be hereunto attached, this 21st day of April, 1913.

[SEAL]

J. S. BRIGHT,

Mayor and Chief Executive of the City of San Bernardino.

Attest: S. G. BATCHELOR.

City clerk of the city of San Bernardino, and clerk of the mayor and common council of said city of San Bernardino.

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein), That the said amendment to the said charter of said city of San Bernardino, herein set forth, as presented and submitted to, and adopted and ratified by the qualified electors of said city of San Bernardino, be, and the same is hereby approved as a whole for and as an amendment to and as part of said charter of said city of San Bernardino.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and fifty minutes a.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

SPECIAL ORDER.

The hour of ten o'clock and forty-five minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and providing a method for choosing the delegates for political parties to state conventions and for nominating the delegates of political parties to national conventions, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1812 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Libby, McCarthy, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At eleven o'clock and twenty-five minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

BILL RECALLED FROM COMMITTEE.

Mr. Ambrose moved that the Committee on Corporations be instructed to report Senate Bill No. 362 back to the Assembly, to be placed on file.

Motion carried.

UNFINISHED BUSINESS.

The report of the special committee on the investigation of state prisons.

Mr. Brown moved that the report be accepted.

The following amendment to the report was submitted by Mr. Schmitt:

On page 16, following the third paragraph thereon, insert the following: "It is therefore recommended to the authorities in charge of said state prison that the said guards Irwin and Grubb be immediately discharged, and that said prison authorities be advised that in the future when any such cases of cruelty on the part of employees or guards come to the notice of the prison authorities, that the persons guilty thereof be at once dismissed."

POINT OF ORDER.

Mr. Johnstone rose to the following point of order: "That the report was not subject to amendment."

POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Guiberson moved that the vote whereby Assembly Bill No. 2086 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Mr. Schmitt—1.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Emmons, Farwell, Ferguson, Finnegan, Gates, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Ryan, Shannon, Simpson, Slater, Smith, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—45.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

By Mr. Guiberson:

Having moved for a reconsideration of Assembly Bill No. 2086, which bill is a committee substitute for Assembly Bills Nos. 4, 55 and 352, for the express purpose of allowing myself further opportunity to carefully consider the provisions of this measure, and now, having had time to consider said bill, I find that, as a whole, it is a good measure, and I think will bring about good results, although some of the provisions in said bill do not meet with my approval, I therefore move a reconsideration of my motion, that this bill will not be further delayed.

Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau, and making an appropriation therefor.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 1, line 1, of the printed title, strike out the words "reference and".

AMENDMENT No. 2.

On page 1 of the printed bill, strike out all of lines 2, 3, 4, 5 and 6, beginning with the words "legislative reference" and ending with the words "shall be in", and insert in lieu thereof the following: "legislative counsel bureau which shall be in".

AMENDMENT No. 3.

On page 1, line 9, strike out the words "reference and".

AMENDMENT No. 4.

On page 2, line 24, strike out the word "Each", and insert in lieu thereof the word "The".

AMENDMENT No. 5.

On page 2, strike out all of lines 26, 27, 28 and 29, beginning with the words "the chief of", and ending with the words "counsel division".

AMENDMENT No. 6.

On page 2, line 31, strike out the words "The chief of each division of the bureau", and insert in lieu thereof the word "He".

AMENDMENT No. 7.

On page 3, beginning on line 3 and ending on line 17, strike out the words beginning "It shall be the duty" and ending with the words "the bureau".

AMENDMENT No. 8.

On page 3, line 18, strike out the words "counsel division, and the work of that division," and insert in lieu thereof the following: "counsel bureau and the work of that bureau."

AMENDMENT No. 9.

On page 3, line 21, strike out the words "The chief of said division", and insert in lieu thereof the word "He".

AMENDMENT No. 10.

On page 3, beginning on line 26 and ending on line 28, strike out the words "Both divisions and the chiefs thereof shall in every way possible co-operate with each other."

AMENDMENT No. 11.

On page 3, beginning on line 29 and ending on line 15 of page 4, strike out the words beginning "The chief of the legislative reference division" and ending "gathered by the bureau."

AMENDMENT No. 12.

On page 4, line 15, strike out the word "division", and insert in lieu thereof the word "bureau".

AMENDMENT No. 13.

On page 4, line 36, strike out the word "division", and insert in lieu thereof the word "bureau".

AMENDMENT No. 14.

On page 5, line 2, strike out the word "division", and insert in lieu thereof the word "bureau".

AMENDMENT No. 15.

On page 5, line 8, strike out the word "division", and insert in lieu thereof the word "bureau".

AMENDMENT No. 16.

On page 5, line 11, strike out the words "of either division."

AMENDMENT No. 17.

On page 5, line 17, between the words "Neither" and "chief", insert the word "the".

AMENDMENT No. 18.

On page 5, strike out all of section 4 beginning on line 22 and ending on line 28, and insert in lieu thereof the following:

"SEC. 4. The chief of the bureau shall be in attendance on all sessions of the legislature, and his permanent office shall be in the state capitol in Sacramento, but he may, at the pleasure of said board, maintain temporary offices at other places in the State of California."

AMENDMENT No. 19.

On page 5, line 29, strike out the word "each", and insert in lieu thereof the word "the".

AMENDMENT No. 20.

On page 5, line 30, strike out the word "division".

AMENDMENT No. 21.

On page 5, line 34, strike out the words "division chiefs", and insert in lieu thereof the words "chief of the bureau."

AMENDMENT No. 22.

On page 6, line 11, strike out the word "each", and insert in lieu thereof the word "the".

AMENDMENT No. 23.

On page 6, line 19, strike out the words "division chiefs", and insert in lieu thereof the word "chief".

AMENDMENT No. 24.

On page 6, line 21, strike out the word "them", and insert in lieu thereof the word "him".

AMENDMENT No. 25.

On page 6, line 33, strike out the words and figures "thirty thousand (\$30,000)", and insert in lieu thereof the following: "fifteen thousand (\$15,000)".

SPECIAL ORDER SET.

On motion of Mr. Clark, the consideration of the above amendments was made a special order for Monday, April 28, 1913, at eleven o'clock a.m.

Mr. Smith moved that as soon as the committee reports be read, the Assembly adjourn until Monday, April 28, 1913.

Motion lost.

Mr. Simpson moved that the Assembly take a recess until two o'clock p.m. of this day.

Motion carried.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Young in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 841—An Act to amend Section 2641 of the Political Code, relating to road districts, road commissioners and road engineer—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1255—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 2103—An Act amending sections seven and twenty-six of an Act of the Legislature of the State of California, entitled "An Act providing for the organization and government of districts for the protection of the lands of farming or other communities or neighborhoods within this State from overflow or damage from the waters of any innavigable stream, watercourse, canyon, or wash extending by, through, or over such communities or neighborhoods, and to provide for the acquisition of lands, rights of way, and other property by purchase, gift, or condemnation, and for extending, straightening, locating, improving, and maintaining the channels of such streams, watercourses, canyons, or washes, and confining said waters in such channels and preventing the overflow thereof, and for the construction by such districts of the necessary works for said purposes," approved February 23, 1907—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MORGENSTERN, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing

a means for the abatement of such nuisance, and collecting the cost of removing such weeds from the owners of abutting land—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JUDSON, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 401—An Act to amend Section 1839 of the Political Code of the State of California, relating to public schools—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WYLLIE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article, to be designated and numbered Article IXa of Chapter III of Article III of Part III of said code, relating to elementary and secondary schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WYLLIE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WYLLIE, Chairman.

The above reported bill ordered on file for second reading.

ON REVISION OF CRIMINAL PROCEDURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to whom was referred Assembly Bill No. 305—An Act to amend Section 869 of the Penal Code of the State of California, relative to the taking, filing and authentication of testimony and proceedings on examinations in criminal cases and to provide for the fees in payment therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WEISEL, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Senate Bill No. 1005—An Act to add a new section to the Political Code of the State of

California, to be numbered 1097*a*, relating to elections and the registration of voters—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILLE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 1056—An Act to amend Section 637*a* of the Penal Code of the State of California, relating to the protection of wild birds, other than game birds, their nests and eggs—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILLE, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities, kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this Act into effect—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and that it be re-referred to Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 481—An Act to amend Section 1769 of the Code of Civil Procedure, relating to powers and duties of guardians—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 258—An Act to regulate the height of billboards or fences.

Also: Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition

of water rights or construction thereby of water works and for the acquisition of all properties necessary therefor, and also to provide for the distribution and sale of water by said districts.

Also: Senate Bill No. 1092—An Act to amend Section 1765 of the Code of Civil Procedure of the State of California, relating to the powers and duties of guardians of insane and incompetent persons.

Also: Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Also: Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Also: Senate Bill No. 788—An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or ordered or exposed for sale in containers and providing penalties for the violation thereof.

Also: Senate Bill No. 1298—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, aliening, encumbering or granting of the real property of religious, social and benevolent corporations.

Also: Senate Bill No. 1686—An Act to amend Section 542a of the Code of Civil Procedure of the State of California, relating to attachment liens.

Also: Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1871, relating to the testimony of expert witnesses.

Also: Senate Bill No. 747—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 667.

Also: Senate Bill No. 1125—An Act to amend Sections 302 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 810—An Act to amend Section 496a of the Penal Code of the State of California.

Also: Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California, relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

Also: Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247a and 1247c of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of the records to be used on appeal from judgments, orders or proceedings of the Superior Courts, to the Supreme Court or the District Court of Appeals, in criminal cases.

Also: Senate Bill No. 155—An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1188—An Act to amend Section 670 of the Penal Code of the State of California, relating to the terms of imprisonment of persons convicted of crime.

Also: Assembly Bill No. 1189—An Act to repeal Section 1970 of the Civil Code of the State of California, relating to responsibility of employers for injury to, or death of employees, and designating the persons by whom an action can be brought to recover damages for wrongful death.

Also: Assembly Bill No. 1190—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such incorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses to do so.

Also: Assembly Bill No. 1840—An Act to amend Section 529 of the Political Code, relating to printing.

Also: Assembly Bill No. 1841—An Act to amend Section 528 of the Political Code, relating to the printing of laws and journals.

Also: Assembly Bill No. 1842—An Act to repeal Section 533 of the Political Code, relating to ruling and binding contracts.

Also: Assembly Bill No. 1193—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Also: Assembly Bill No. 2059—An Act to legalize, confirm, and validate tax deeds made to the State of California for delinquent taxes, and deeds made to purchasers of property sold under and in pursuance of the provisions of Sections 3897 and 3898 of the Political Code.

Also: Assembly Bill No. 480—An Act to amend Section 375 of the Code of Civil Procedure of the State of California, providing for a compromise of suits by guardians.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds or cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized.

Also: Senate Bill No. 1496—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section seventy-eight thereof, relating to the exclusion of lands from such districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MURRAY, Chairman.

The above reported bills ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 31—An Act limiting the hours of labor of persons employed in manufacturing, mechanical, mining or mercantile establishment, laundry, barber shop, hotel, restaurant, telegraph or telephone establishment or office, or employed by any express or transportation company, or any common carrier, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, or foreman, or other agent of any such employer to violate the provisions of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California, relating to the regulation of loading and unloading of vessels, to be known as and numbered 368a, of said code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City in Nevada County—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, without committee recommendation.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

Also: Senate Bill No. 151—An Act to appropriate the sum of eleven thousand four hundred thirty-three and eighty-two one-hundredths dollars out of the general fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the secretary thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 374—An Act appropriating money to pay to the claim of J. B. Curtin against the State of California—have the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Judiciary, with special request that it be considered immediately.

CHANDLER, Chairman.

The above reported bill re-referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 789—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway.

Also: Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the Alpine state highway.

Which were re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass, as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 221—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled, or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases—which was re-referred to us from the committee on Public Health and Quarantine, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1498—An Act to appropriate the sum of eight thousand eight hundred forty-one and seventy-nine one hundredths dollars out of the general fund in the state treasury to pay the assessments levied, by the city and county of San Francisco, against property belonging to the State of California for local improvements.

Also: Assembly Bill No. 646—An Act appropriating money to be used in establishing and maintaining an exhibit of the citrus industry and citrus products of this State at the fourth and fifth national orange shows to be held in the city of San Bernardino during the month of February in the years 1914 and 1915.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 2108—An Act appropriating money to pay the claim of John Ewart for the expense incurred in improving American street between Park and Poplar streets, fronting the property belonging to the Stockton State Hospital, in the city of Stockton—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NOLAN, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Senate Bill No. 1240—An Act to amend Sections 10c, 10g, 10n and 10r of and to add 4 new sections to be numbered 10j, 10o, 10p and 10q to an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until 21 years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended,

approved April 5, 1911—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

Mr. Ryan moved that the following amendments be printed in the Journal.

Motion carried.

PROPOSED AMENDMENTS TO SENATE BILL NO. 1240.

AMENDMENT No. 1.

Strike out the title of Senate Bill No. 1240 and insert in lieu thereof the following:

An Act to amend an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911," by amending the title and Sections 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l, 10m, 10n, 10r, 10t, 10u, 10v, and 10z.

AMENDMENT No. 2.

Strike out all of Section 1, and insert in lieu thereof the following:

SECTION 1. The title of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, is hereby amended to read as follows: "An Act concerning dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons; fixing the salaries of probation officers; providing for detention homes for said persons, providing for the punishment of those responsible for or contributing to, the dependency or delinquency of said persons; and giving to the superior court jurisdiction of such offenses and repealing inconsistent Acts."

AMENDMENT No. 3.

Strike out all of Section 2 and insert in lieu thereof the following:

SEC. 2. Section 10a of said Act is hereby amended to read as follows:

Section 10a. In counties of the first class there shall be one probation officer and twenty-five assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen probation officers, one hundred dollars per month; one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month; one assistant probation officer to act as probation officer's clerk, eighty-five dollars per month; one assistant probation officer to act as stenographer to the probation officer in clerical work, seventy-five dollars per month; one assistant probation officer to act as book-keeper, seventy-five dollars per month; one assistant probation officer to act as telephone exchange operator and stenographer, sixty-five dollars per month.

SEC. 3. Section 10b of said Act is hereby amended to read as follows:

Section 10b. In counties or cities and counties of the second class, there shall be one probation officer and ten assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; and nine assistant probation officers, one hundred and twenty-five dollars per month each.

SEC. 4. Section 10c of said Act is hereby amended to read as follows:

Section 10c. In counties of the third class there shall be one probation officer and eight assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred dollars per month; one assistant probation officer,

one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; two assistant probation officers, each one hundred dollars per month; two assistant probation officers, each seventy-five dollars per month.

SEC. 5. Section 10*d* of said Act is hereby amended to read as follows:

Section 10*d*. In counties of the fourth class there shall be one probation officer, one assistant probation officer, and one assistant probation officer who shall act as probation officer's clerk. The salaries of said officers shall be as follows: Probation officer, one hundred and fifty dollars per month; assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month.

SEC. 6. Section 10*e* of said Act is hereby amended to read as follows:

Section 10*e*. In each of the counties of the fourth, fifth and tenth classes, there shall be one probation officer whose salary shall be one hundred and fifty dollars per month. In counties of the fourth class, there shall be one assistant probation officer whose salary shall be one hundred dollars per month, and one assistant probation officer to act as probation officer's clerk whose salary shall be seventy-five dollars per month. In counties of the fifth class there shall be one assistant probation officer whose salary shall be one hundred and twenty-five dollars per month.

SEC. 7. Section 10*f* of said Act is hereby amended to read as follows:

Section 10*f*. In counties of the sixth class there shall be one probation officer and two assistant probation officers. The salaries of such officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, one hundred dollars per month.

SEC. 8. Section 10*g* of said Act is hereby amended to read as follows:

Section 10*g*. In counties of the seventh class there shall be one probation officer and two assistant probation officers. The salaries of said officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and twenty dollars per month; and one assistant probation officer, one hundred dollars per month.

SEC. 9. Section 10*h* of said Act is hereby amended to read as follows:

Section 10*h*. In each of the counties of the eleventh and fourteenth class there shall be one probation officer whose salary shall be one hundred and twenty-five dollars per month.

SEC. 10. Section 10*i* of said Act is hereby amended to read as follows:

Section 10*i*. In each of the counties of the eighth, ninth, twelfth, thirteenth, sixteenth, seventeenth, eighteenth, twenty-second, twenty-third, twenty-sixth, twenty-seventh and thirty-third class there shall be one probation officer, whose salary shall be one hundred dollars per month. In counties of the ninth class there shall be two assistant probation officers, whose salaries shall be as follows: One assistant probation officer whose salary shall be seventy-five dollars per month and one assistant probation officer whose salary shall be fifty dollars per month. In counties of the thirteenth class there shall be one assistant probation officer whose salary shall be twenty-five dollars per month. In counties of the eighteenth class there shall be four assistant probation officers, whose salaries shall be twenty-five dollars per month each. In counties of the twenty-third class there shall be one assistant probation officer whose salary shall be fifty dollars per month. In counties of the twenty-sixth class there shall be one assistant probation officer whose salary shall be forty dollars per month.

SEC. 11. Section 10*j* of said Act is hereby amended to read as follows:

Section 10*j*. In each of the counties of the fifteenth and thirty-fourth class there shall be one probation officer whose salary shall be eighty dollars per month.

SEC. 12. Section 10*k* of said Act is hereby amended to read as follows:

Section 10*k*. In each of the counties of the nineteenth, twentieth, thirtieth and thirty-eighth class there shall be one probation officer whose salary shall be seventy-five dollars per month. In counties of the twentieth class there shall be one assistant probation officer, whose salary shall be fifty dollars per month.

SEC. 13. Section 10*l* of said Act is hereby amended to read as follows:

Section 10*l*. In each of the counties of the twenty-fifth class there shall be one probation officer whose salary shall be seventy dollars per month and one assistant probation officer whose salary shall be fifty dollars per month.

SEC. 14. Section 10*m* of said Act is hereby amended to read as follows:

Section 10*m*. In each of the counties of the thirty-first class there shall be one probation officer whose salary shall be sixty dollars per month.

SEC. 15. Section 10*n* of said Act is hereby amended to read as follows:

Section 10*n*. In counties of the thirty-fifth class there shall be one probation officer who shall maintain an office in the courthouse at the county seat. The salary of said probation officer shall be one hundred dollars (\$100) per month.

SEC. 16. Section 10*r* is hereby added, to read as follows:

Section 10*r*. In each of the counties of the twenty-first, thirty-second, thirty-sixth, thirty-ninth and forty-second class, there shall be one probation officer whose salary shall be fifty dollars per month.

SEC. 17. Section 10*t* of said Act is hereby amended to read as follows:

Section 10*t*. In each of the counties of the twenty-fourth, twenty-eighth, twenty-ninth, thirty-seventh, fortieth, forty-first, forty-third, forty-fifth, forty-sixth, forty-seventh, forty-ninth, fifty-first, fifty-second, fifty-third, fifty-fourth and fifty-sixth class there shall be one probation officer whose salary shall be thirty-five dollars per month.

SEC. 18. Section 10*u* of said Act is hereby amended to read as follows:

Section 10*u*. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 19. Section 10*r* of said Act is hereby amended to read as follows:

Section 10*r*. In each of the counties of the forty-fourth, fiftieth and fifty-fifth class there shall be one probation officer whose salary shall be ten dollars per month.

SEC. 20. Section 10*z* of said Act is hereby amended to read as follows:

Section 10*z*. In each of the counties of the fifth-seventh and fifty-eighth class there shall be one probation officer whose salary shall be five dollars per month.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Inman:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the issuance and sale of state bonds, to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land, for the enlargement and extension of the state fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said state fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

The following constitutional amendment was introduced, and referred as indicated:

By Mr. Inman: Assembly Constitutional Amendment No. 93—A resolution to propose to the people of the State of California eight amendments to the Constitution of the State of California: Amendment No. 1 amending Sections 5 and 6 of Article IV, relating to the number of members of the Senate and of the Assembly and the number of senatorial and assembly districts; Amendment No. 2 amending Section 23 and repealing Section 23½ of Article IV, relating to compensation and expenses of the Legislature and its members; Amendment No. 3 amending Section 2 of Article IV and Section 11 of Article V, relating to sittings and adjournments of the Legislature; Amendment No. 4 amending Section 16 of Article IV, relating to approval of bills by Governor and veto power; Amendment No. 5 amending Section 1 of Article IV relating to the legislative power of the State; Amendment No. 6 amending Section 4 of Article IV, relating to election and terms of Senators and qualifications of members of the Legislature; Amendment No. 7 amending Section 3 of Article IV relating to election and terms of members of the Assembly; Amendment No. 8 amending Section 11 of Article IV, relating to privileges of members of the Legislature from arrest and civil process.

Read, and referred to Committee on Constitutional Amendments.

RECESS.

At twelve o'clock and fifty minutes p.m., the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

RULES SUSPENDED.

Mr. Bohnett moved that the rules be suspended, and the Assembly take up Senate third-reading file.
Motion carried.

THIRD READING OF SENATE BILLS.

Senate Bill No. 215—An Act to amend section one of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 215 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Bradford, Brown, Byrnes, Clark, Wm. C., Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gates, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Ryan, Shannon, Shearer, Simpson, Slater, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Clark:

On page 1, in line 2 of the printed title, insert after the words "amend section one of" the words "and to add new sections four, five and six to".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 364 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Brown, Byrnes, Clark, Wm. C., Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Palmer, Polsley, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, White, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 118—An Act appropriating money for building a new dormitory at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 118 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Slater, Stuckenbruck, Tulloch, Weldon, White, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 120—An Act appropriating money for building new floors in the shops at the Industrial Home of Mechanical Trades for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 120 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weldon, White, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 349—An Act appropriating money for the construction and equipment of a gymnasium building at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 349 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gabbert, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weldon, White, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 350—An Act appropriating money for the purchase of machinery and equipment at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 350 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bradford, Cram, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle,

Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weldon, White, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 880—An Act to repeal Sections 1923, 1935 and 1966 of the Political Code of the State of California, and to amend Sections 1906, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1953, 1957, 1963, 2076, 2077, 2079, 2080, 2106, 2111 and 2112 of the Political Code of the State of California, and to add four new sections to said code, to be known as Sections 1928a, 1928b, 1928c and 1928d, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 880 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Cary, Emmons, Ferguson, Finnegan, Ford, Gabbert, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, White, Wyllie, and Mr. Speaker—45.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 229—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 229 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, White, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 203—An Act to amend Section 1773 of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 203 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Cary, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone,

W. A. Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, White, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 205—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 205 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Simpson, Stuckenbruck, Tulloch, White, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 474—An Act to amend Section 674 of the Code of Civil Procedure of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 474 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Cram, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, White, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 511—An Act to amend Section 599a of the Penal Code of the State of California, relating to the prevention of cruelty to birds or animals and providing for the seizure and disposition of property used or employed in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 511 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Cary, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 548—An Act to amend Section 200 of the Code of Civil Procedure, respecting the exemption from liability to act as juror.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 548 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Cram, Emmons, Farwell, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Stuckenbruck, Sutherland, Weisel, White, Wyllie, and Mr. Speaker—45.

NOES—Mr. Smith—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 577—An Act to amend Section 1557 of the Penal Code, relating to the accounts of persons employed in bringing back fugitives from justice, arrested in other states or foreign countries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 577 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Cram, Emmons, Farwell, Finnegan, Gates, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Stuckenbruck, Sutherland, Tulloch, White, Wyllie, and Mr. Speaker—45.

NOES—Mr. Smith—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 204—An Act to amend Section 1774a of the Code of Civil Procedure of the State of California, relating to guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 204 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Cram, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Stuckenbruck, Sutherland, Tulloch, White, Wyllie, and Mr. Speaker—46.

NOES—Mr. Smith—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 513 refused passage by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Farwell, Ferguson, Finnegan, Gabbert,

Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Roberts, Ryan, Shartel, Sutherland, Weisel, Weldon, White, Woodley, and Mr. Speaker—37.

NOES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Gates, McDonald, Murray, Polsley, Schmitt, Shannon, Simpson, Slater, Smith, Struckenbruck, Tulloch, and Wall—16.

NOTICE OF MOTION TO RECONSIDER.

Mr. Ambrose gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 513 was this day refused passage.

Senate Bill No. 514—An Act to amend Section 599*e*, of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Ryan moved a call of the house.

Motion lost.

The roll of absentees was called, and Senate Bill No. 514 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Brown, Byrnes, Cary, Clark, Wm. C., Dower, Ellis, Farwell, Gabbert, Green, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Roberts, Ryan, Shearer, Simpson, Weisel, Weldon, White, Woodley, and Mr. Speaker—34.

NOES—Messrs. Alexander, Beck, Bohnett, Bradford, Clarke, Geo. A., Emmons, Ferguson, Gates, Hayes, Killingsworth, McDonald, Murray, Polsley, Schmitt, Slater, Smith, Stuckenbruck, Tulloch, and Wall—19.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bohnett gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 514 was this day refused passage.

Senate Bill No. 1065—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1065 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weldon, Weisel, White, Woodley, and Mr. Speaker—47.

NOES—Mr. Wall—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bohnett gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1065 was this day passed.

Senate Bill No. 1695—An Act to amend Section 1779 of the Political Code of the State of California, relating to the establishment of post-graduate grammar school course for certain schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1695 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Polsley, Roberts, Ryan, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weisel, Weldon, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1307—An Act to amend an Act entitled "An Act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this Act: to provide for their appointment, and define their powers, duties and compensation; to define offenses committed by acts done contrary to the provisions of this Act, and providing penalties for the violation thereof; providing for the revocation or suspension in certain cases, of licenses insured hereunder, and to repeal an Act entitled 'An Act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, by adding thereto a section to be numbered and known as Section 13 of said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1307 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Gabbert, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Mouser, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 103—An Act appropriating money for general repairs to buildings at the Veterans' Home, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 103 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson,

Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weldon, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 480—An Act appropriating money for the establishment of a revolving fund to be used in connection with a manufacturing plant at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 480 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Ellis, Ferguson, Finnegan, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Slater, Stuckenbruck, Tulloch, Weldon, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 225—An Act appropriating money for general repairs, equipment and improvements at Whittier State School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 225 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Wm. C., Clarke, Geo. A., Ellis, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of a like or greater sum for the same purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 449 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Wm. C., Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1327—An Act appropriating \$12,000 to be expended by and under the direction of the State Department of Engineering, for the purpose of painting the State Capitol building at Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1327 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 277—An Act to punish the making or use of false statements to obtain property or credit.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 277 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Shannon, Simpson, Slater, Strine, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—Messrs. Kingsley, Schmitt, Shartel, and Stuckenbruck—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1204—An Act to amend Section 637*b* of the Penal Code of the State of California, relating to imported fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1204 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Gabbert, Gates, Green, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1155—An Act to amend Section 101 of the Code of Civil Procedure of California, relating to appointment and terms of justices' clerks, assistant justices' clerks and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1155 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Gabbert, Gates, Green, Guill, Hayes, Judson, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tullock, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1156—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to process, how issued and duties of justices' clerk, assistant and deputy justices' clerks in justices' courts in townships having a population between 250,000 and 400,000.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1156 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Gabbert, Gates, Guill, Hayes, Hinkle, Judson, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1554—An Act for the relief of purchasers of school lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1554 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Green, Guill, Hayes, Hinkle, Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1191—An Act appropriating the sum of \$5,000 for the purpose of improving and rectifying the channel of Feather River from the bridge spanning the same at Marysville northerly, to the bridge spanning the same near the city of Gridley.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1191 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, John-

son, Geo. H., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Stuckenbruck, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 805—An Act making an appropriation to pay the claim of the California Highway Construction Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 805 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 50—An Act to declare the Sonora and Mono road in Tuolumne County a state highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 50 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 613—An Act to amend Section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 613 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Brynes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 335—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 335 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, W. C., Clark, Geo. A., Dower, Ellis, Emmons, Ferguson, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1221—An Act to amend an Act entitled "An Act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly, or wholly, within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, by adding a new section thereto, to be numbered 36, making the provisions of the Act applicable to work upon streets forming the boundary line between municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1221 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RULES SUSPENDED.

Mr. Bloodgood moved that the rules be suspended, and Assembly bills be taken up for the purpose of amendment.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Guiberson, Guill, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Weldon, Woodley, and Wyllie—42.

NOES—Messrs. Slater and Tulloch—2.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with disease or scale insects, of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, etc.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one, to amend the bill as follows:

On page 1, lines 6 and 7, after the word "pits", strike out the words "or fruit or vegetables", and on page 2, line 2, after the word "stock", strike out the words "or fruit or vegetables", and strike out the words "of their", and insert in lieu thereof the words "on its".

Also: On page 3, line 13, strike out the words "the proper", and insert in lieu thereof the following: "six days".

Also: On page 3, line 14, strike out the words "as herein provided".

Also: On page 4, line 6, after the word "county", insert the words "if not conflicting with the laws of this state".

Also: On page 4, line 13, before the word "without," insert the words "for more than ten days".

Motion carried.

The Speaker appointed Mr. Bloodgood as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 412, with instructions, do now report that the instructions of the Assembly have been carried out.

BLOODGOOD, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1741—An Act to provide for removing obstruction in Pitt River above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor.

During third reading of the bill, Mr. Shartel moved that the Speaker appoint a select committee of one to amend the bill as follows.

On page 1, strike out one letter "t" in the word "Pitt" in line 2 of the title; insert a comma after the word "river" in the same line; strike out the word "and" in the third line of the title; also the period after the word "tributaries"; insert a comma in lieu thereof, and, following the same, insert the words "and other streams".

Also: On page 4, line 5, strike out one letter "t" in the word "Pitt", insert a comma after the word "river", strike out the "and", and insert after the word "tributaries" the following words: "and other streams in California."

Motion carried.

The Speaker appointed Mr. Shartel as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1741, with instructions, do now report that the instructions of the Assembly have been carried out.

SHARTEL, Select Committee.

Assembly Bill No. 38—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

1. In line 2, section 1, page 1, after the word "where", add the following: "persons or".

2. In line 3, section 1, page 1, after the comma following the word "treatment", add the following: "for pay or otherwise".

3. In line 4, section 1, page 1, after the word "received", add the following: "or taken".

4. In line 4, section 3, page 2, strike out the words after the period following the word "specified", and also strike out lines 5, 6, 7, 8, 9, 10 and 11, inclusive,

with the exception of the word "provided" in line 11, and insert in lieu thereof the following:

"The fees and classification of said hospitals, sanatoria and other places or institutions shall be as follows:

Those having less than fifteen beds for patients, five dollars;

Those having fifteen to twenty-five beds for patients, ten dollars;

Those having twenty-six to fifty beds for patients, twenty dollars;

Those having fifty-one to seventy-five beds for patients, thirty dollars;

Those having seventy-six to one hundred beds for patients, forty dollars;

Those having one hundred and one to one hundred and fifty beds for patients, sixty dollars;

Those having more than one hundred and fifty beds for patients, eighty dollars;"

5. In line 31, section 5, page 2, strike out the comma after the word "hospital".

6. In line 31, section 5, page 2, after the word "any", add the following: "operating room or other".

7. In line 32, section 5, page 2, strike out the word "hospital", and insert in lieu thereof the word "institution".

8. In line 36, section 5, page 2, after the word "for", insert the word "any".

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 38, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

CONSIDERATION OF MOTION TO RECONSIDER POSTPONED.

On request of Mr. Killingsworth, consideration of the motion to reconsider Assembly Bill No. 1120 was postponed until Tuesday, April 29, 1913.

On request of Mr. Ambrose, consideration of the motion to reconsider the vote on Assembly Bill No. 1172 was postponed until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 272—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants by the Board of Regents of the University of California, and to provide penalties for violation thereof."

Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Assembly Bill No. 302—An Act appropriating money for building, equipping and furnishing a nursery for children at Sonoma State Home.

Assembly Bill No. 411—An Act to amend Section 10*k*, Section 10*r*, and Section 10*u*, of an act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8th, 1909, amended and approved April 5th, 1911.

Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Assembly Bill No. 667—An Act to amend Sections 1, 2, 6 and 16, and repealing Section 17 of an Act entitled "An Act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, relating to the validity, effect and enforcement of local improvement bonds.

Assembly Bill No. 957—An Act to amend Section 435 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors.

Assembly Bill No. 992—An Act to amend Sections 1560 and 1564 of the Political Code, relating to teachers' institutes.

Assembly Bill No. 1053—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery.

Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

Assembly Bill No. 1238—An Act to prohibit the sale or giving away of cigarettes or cigarette papers.

Assembly Bill No. 1260—An Act relating to the receiving and transmitting of train orders, by telegraph or telephone, by persons under sixteen years of age.

Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White in the prosecution of criminals in the county of Trinity, State of California.

Assembly Bill No. 1697—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 1083*a*.

Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as the King's River Canyon road.

Assembly Bill No. 2053—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Mr. McDonald, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, April 28, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgestern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, April 21, Tuesday, April 22, Wednesday, April 23, Thursday, April 24, Friday, April 25, and Saturday, April 26, 1913, were approved as corrected by the Minute Clerk.

PETITION.

The following petition was presented, and ordered printed in the Journal:

WHEREAS, There is now pending in the Legislature of the State of California Assembly Bill No. 2083, wherein and whereby a method is provided for the gradual removal of the insane asylum in the city of Stockton to a new and suitable site therefor near the said city of Stockton upon what is generally known as the Stockton State Hospital Farm; and

WHEREAS, In the opinion of this city council of the city of Stockton it is for the best interests of the State of California, the city of Stockton and the inmates of said Stockton State Hospital that the said bill, being Assembly Bill No. 2083, should be passed and become a law; and

WHEREAS, The rapid growth of the city of Stockton will make available the site now occupied by the Stockton State Hospital as and for lots for the construction of residences and other buildings thereon, and it will be of great value to the city of Stockton, and will cause a great increase in its population to have the State of California remove said state hospital and sell the property now occupied thereby for lots for residences and other purposes; now, therefore, be it

Resolved by the city council of the city of Stockton, That the representatives from San Joaquin County in the State Legislature, namely, Senator A. Caminetti and Assemblymen W. C. Wall and J. W. Stuckenbruck, be and they are hereby requested to use all honorable means in their power to have said bill passed by both houses of the Legislature and made to become a law; it is further

Resolved, That a copy of this resolution be sent to Senator A. Caminetti and to Assemblymen W. C. Wall and J. W. Stuckenbruck.

STATE OF CALIFORNIA,
COUNTY OF SAN JOAQUIN, } ss.

I, L. F. Kuhn, city clerk of the city of Stockton and ex officio clerk of the city council of the city of Stockton, county of San Joaquin, do hereby certify that the foregoing is a full, true and correct copy of the resolution adopted by said city council on the 25th day of April, 1913.

L. F. KUHN, City Clerk.

The following petitions, filed by the Chief Clerk, were ordered printed in the Journal:

LOS ANGELES, CAL., April 26, 1913.

The Assembly, Sacramento, California.

GENTLEMEN: Speaking for a membership of 120 persons, and for a large congregation of non-members, I write to urge you to use all honorable means to defeat the Ferguson bill (Assembly Bill No. 1620), which aims to reduce the dry zone around the State University.

Yours for a clean State,

C. W. SHUMWAY,
Pastor Brooklyn Heights M. E. Church.

Also:

COLUSA, CAL., April 26, 1913.

The Assembly, Sacramento, California:

As citizens of California we desire to register our earnest protest against the special legislation in favor of the Claremont hotel, proposed in the Ferguson bill, Assembly Bill No. 1620. If special consideration is to be given any one, let it be the students from homes all over the State, and not to a small group of capitalists concerned only for their selfish profits.

COLUSA MINISTERIAL ASSOCIATION.

Also:

STOCKTON, CAL., April 26, 1913.

The Assembly, Sacramento, California:

We respectfully urge you to defeat the Ferguson bill, Assembly Bill No. 1620, imperiling our State University.

N. R. NAWHORTON.

F. J. McLain, E. C. Cunningham, S. E. Hunt, Mrs. S. E. Hunt, T. A. Nelson, T. E. Emerson, H. W. Suds, M. F. Branch, Carl Richmond, Geo. W. Briggs.

Also:

CAMPBELL, CAL., April 26, 1913.

The Assembly, Sacramento, California:

Decidedly opposed to the Ferguson bill.

RALSTON ALLISON.
IRVING SNOW.
ANDREW VANARSDALE.

Also:

SAN JOSE, CAL., April 27, 1913.

Speaker and Members of Assembly, Sacramento:

Kill the Ferguson bill.

M. E. RYAN.

Also:

SAN JOSE, CAL., April 28, 1913.

Don't fail to down Ferguson bill.

J. E. BOYNTON.
F. H. BOYNTON.

Also:

SAN JOSE, CAL., April 28, 1913.

The Assembly, Sacramento, California:

Kill the Ferguson bill and save University students.

H. H. McQUILKIN.
F. M. WRIGHT.
HENRY KERR.
HENRY ZIETZ.

Also:

SAN JOSE, CAL., April 27, 1913.

Assembly, Sacramento:

Don't deceive us. We came to California from the farm in Minnesota to educate our children in the schools of California. They are clean now. Help us to keep them so. By all means vote against the Ferguson bill.

D. J. DENHART.

Also:

Legislative Hall, Sacramento:

We are opposed to the Ferguson bill permitting sale of liquor in the Claremont Hotel.

SAN JOSE, CAL., April 27, 1913.

MR. AND MRS. F. R. COOK.

Also:

Speaker and Members of Assembly, Sacramento, California:

Personally, and for the Santa Clara County W. C. T. U., numbering six hundred fifty members, urge you to vote against the Ferguson bill.

INA A. ORVIS, County President.

Also:

SANTA CLARA, CAL., April 27, 1913.

The Assembly, California Legislature, Sacramento, Cal.:

We most earnestly urge the Assembly to pass the University dry zone bill, known as the Butler bill. There is a strong demand here for this measure. The policy of the State to surround our students with the best influences demand it. We are opposed to the Ferguson bill.

L. P. VALENTINE.

Also:

The Assembly, Sacramento, Cal.:

Emphatically opposed to the Ferguson bill becoming a law.

CAMPBELL, CAL., April 28, 1913.

HENRY SCHNACKENBERG.
E. R. KENNEDY.
CLARA GILMAN.
I. PRESTON.

By Mr. Speaker:

Assembly Hall, Sacramento, Cal.:

We protest against class legislation. Vote against Ferguson bill, No. 1620.

L. M. COY.

Also:

The Assembly, Sacramento, Cal.:

Sentiment here is strongly against the Ferguson bill.

J. F. WILSON.
CHAS. THACKERY.
IRA BOGERT.

Also:

The Assembly, Sacramento, Cal.:

We, with two hundred others, earnestly protest passage of Ferguson bill.

GEO. E. ATKINSON.
C. N. COOPER.
S. G. NELSON.
F. SAVAGE.

Also:

The Assembly, Sacramento, Cal.:

My congregation of one hundred voters yesterday authorized me to urge the defeat of the Ferguson bill.

STOCKTON, CAL., April 28, 1913.

G. L. LOBDEL,
Pastor First Christian Church.

Also:

The Assembly, Sacramento, Cal.:

Assembly Bill No. 1620 is bad. Kill it.

SUNNYVALE, CAL., April 28, 1913.

O. H. LANGDON.

Also:

The Assembly, Sacramento, Cal.:

Enter my protest against passage of Assembly Bill No. 1620.

SUNNYVALE, CAL., April 28, 1913.

W. B. McNEIL.

Also :

SAN JOSE, CAL., April 28, 1913.

The Assembly, Sacramento, Cal.:

The Christian Church here united in opposing passage of Ferguson bill.

GEORGE W. BREWSTER, JR.

Also :

CAMPBELL, CAL., April 28, 1913.

The Assembly, Sacramento, Cal.:

Resist the passage of the Ferguson bill to the last.

M. E. PURMORT.
J. H. STUART.
CHAS. WHITE.

Also :

CAMPBELL, CAL., April 28, 1913.

The Assembly, Sacramento, Cal.:

We firmly protest against passage of Ferguson bill.

S. G. RODECK.
N. G. BINLEY.
C. E. HANGER.

Also :

SAN JOSE, CAL., April 28, 1913.

The Assembly, Sacramento, Cal.

GENTLEMEN: In the name of the young men of our State University, I protest against Assembly Bill No. 1620, by Ferguson, extending the liquor zone around the State University at Berkeley. It is a battle of dollars for men. Vote No.

J. S. TROXELL.

Also :

SAN JOSE, CAL., April 27, 1913.

Assembly, Sacramento.

GENTLEMEN: California expects you to protect our boys in the State University and defeat the Ferguson bill, now pending.

J. C. MENKER.

Also :

SAN JOSE, CAL., April 27, 1913.

Assembly, Sacramento.

GENTLEMEN: I protest against the passing of the Ferguson bill, now pending. Protect our University boys at Berkeley against the liquor evil.

M. A. McELHATTON.

Also :

SAN JOSE, CAL., April 27, 1913.

The Assembly, Sacramento.

GENTLEMEN: Show that you care more for the welfare of our young men at University of California than to extend the liquor zone, as the Ferguson bill, now pending, seeks after. Please vote "no."

J. W. MITCHELL.

Also :

SAN JOSE, CAL., April 27, 1913.

Assembly, Sacramento.

HONORABLE SIR: I wish to protest against the passing of the Ferguson bill, No. 1620. We must protect our schools from the liquor traffic.

W. A. McELHATTON.

Also :

SAN JOSE, CAL., April 27, 1913.

The Assembly, Sacramento.

GENTLEMEN: Prove your interest in our boys at Berkeley by voting "no" on the Ferguson bill, now pending.

E. E. OGDEN.

Also :

SAN JOSE, CAL., April 27, 1913.

The Assembly, Sacramento.

GENTLEMEN: Show that you care more for the future of our young men at Berkeley than to extend the liquor zone, as the Ferguson bill, now pending, seeks after. Please vote against this bill.

J. P. FUHNER.

Also:

SAN JOSE, CAL., April 27, 1913.

The Assembly, Sacramento:

From an educator's point of view, you couldn't do our University a greater service than by the defeat of the Ferguson bill, now pending in the Assembly. Protect our University boys.

J. D. ALEXANDER.

Also:

PORTERVILLE, CAL., April 27, 1913.

Members of Legislature, Sacramento:

We protest against the passing of the Ferguson bill, Assembly Bill No. 1620.

R. B. CHERINGTON.

J. M. Smith, Anna E. Smith, J. F. Wright, John T. Milligan, Mary E. George, Mrs. John Willis, Mrs. S. Bellesears, Mrs. J. A. Milligan, Mrs. H. S. Templeton, Mrs. I. L. Halford, Y. E. Lowes, Mrs. Y. E. Lowes, Mrs. C. E. Bigham, Mrs. O. I. Daley, Dr. O. I. Daley, G. L. Olds, Mrs. G. L. Olds, Mrs. Cora L. Barber, C. N. Flanders, E. E. Graham, Thos. B. Coull, Mrs. C. L. Templeton, Louise Baker, Mrs. S. J. V. Schmittou, Mrs. J. F. Wright, Maria T. Cherington, Anna L. Norris, Wm. Duncan, Mrs. Wm. Duncan.

Also:

LOS GATOS, CAL., April 27, 1913.

The Assembly of the State of California, Sacramento:

A congregation of two hundred and fifty at the Los Gatos Methodist Episcopal Church this morning, by unanimous rising vote, urgently request you to defeat the Ferguson bill, granting permission to any person to sell liquors within a mile of our State University.

W. C. SHORT.

Also:

SAN JOSE, CAL., April 27, 1913.

State Assembly, Sacramento:

We urge you to defeat Ferguson bill, No. 1620: Mary Spencer, Nellie May, Walter May, Vic Peterson, Morrill Kent, N. Wagner, Clara Waalkes, Mabel Kent, Esther Trone, Edw. Newell, Wm. Ford, C. Charles, Fred Trone, C. Chrysler, F. Cobb, Nellie Nicholson, Mrs. Caton, A. Rider, Perry Porter, Isaac Trone, Ione Burgess, Mrs. Porter, Mrs. May, Franz Trone, Letia Trone, Melvin Nichols, Mildred Kinnear, Kathryn Brownell, Garland Hall, Wm. Gaul, Carrie Morehouse, H. Langhoff, W. Andrews, R. Williams, W. Kraft, Harry Curtis, I. Cuthbert, E. Stinehoff, R. Nerell, C. Brainard, Vera Wilkin, Ruth Elliott, Florence Clark, Anna Loehner, Frank Smith, Grace Wells, A. Shank, Eva Caton, David Nerell, Claud Stutsman, Ethel Merriman, Alice Stutsman, Alice Forsyth, Will Fisher, Laura Bisson, Lulu Dierks, A. Gibson, L. Moxley, C. Gould, H. Kendall, Julia Shields, P. Pettigrew, P. Matthews, M. Stockton, Nettie Trone, Stanley Sanders, Marion Ball, L. Warner, Edith Warner, E. Hoffmann, Mamie Brown, W. Dampman, C. Vaughn, V. Goodrich, Lillian Wilson, A. Mott, Geo. Davis, A. Sanders, Maude Jack, Charlotte Wiley, Chas. Burns, Chas. Brownell.

Also:

SAN JOSE, CAL., April 27, 1913.

The Assembly, Sacramento:

Do everything possible to defeat Ferguson bill, No. 1620.

GEORGE C. WILSON.

Also:

SAN JOSE, April 27, 1913.

Assembly, Sacramento:

Berryessa Methodist Church unanimously passed resolutions urging defeat of Ferguson bill.

THOMAS LEAK, Pastor.

Also:

SAN JOSE, CAL., April 28, 1913.

C. C. Young, Speaker Assembly, Sacramento, Cal.:

The Women's Christian Temperance Union of California is opposed to the passage of the Ferguson bill.

SARAH J. DORR, State President.

Also:

SAN JOSE, CAL., April 27, 1913.

The Assembly of the State of California, Sacramento, Cal.:

I hereby emphatically protest against the passage of Bill No. 1620, known as the Ferguson bill. I have two boys in the University at Berkeley, and temptations are too numerous now. Don't change the liquor limit.

W. E. HAZELTINE.

Also:

California Assembly, Sacramento, Cal.:

Congregation of First Baptist Church, Willits, unanimously request that the Assembly vote against liquor license privilege for Claremont Hotel, Berkeley, California.

WILLITS, April 21, 1913.

WM. C. WHITAKER, Pastor.

Also:

Chairman of Assembly, Sacramento, Cal.:

CAMPBELL, CAL., April 28, 1913.

We earnestly protest against the Ferguson bill—Assembly Bill No. 1620.

W. L. BEACOCK.
NANCY HUNTLEY.
L. T. COOK.
A. D. VANARSDALE.
M. L. WAITE.
D. H. CRAMER.
D. W. WAITE.
E. KENNEDY.

Also:

EUREKA, CAL., April 28, 1913.

Assembly, Sacramento, Cal.:

Ferguson bill—Assembly Bill No. 1620—should be defeated.

J. E. NEIGHBOR.

Also:

PORTERVILLE, April 27, 1913.

The Assembly, Sacramento, Cal.:

We protest against the passage of Ferguson Assembly Bill No. 1620.

Bede A. Johnson, pastor of Methodist Church, and D. Pratt, C. S. Lord, E. O. Giddion, directors Rochdale store; W. D. Tobias, merchant; W. G. Thurston, M. W. Dayton, W. N. Flesher, Fred Ackerman, Mrs. H. C. Perkins, W. J. Perkins, S. W. Overcash, Ida Pratt, Mrs. O. Houghton, Josephine Pratt, Jessie Stiner, James Loyd, Fannie Abbott, Vera S. Jones, Ruby Loyd, Clarence Conner, Leo Weisenberger, Harry S. Kirkland, Mrs. G. M. Bond, May Davidson, Cora Hoge, G. W. Conner, Kate Ackerman, Metta Jacobsen, Kate Kook, G. E. Smith, J. M. Lymore, Mrs. J. M. Lymore, Emma Karli, P. A. Karli, N. Vanbuskirk, Chas. Parlay, C. A. Davidson, C. C. Ridgeway, Florence Willis, Minnie Carpenter, Sarah Ridgeway, J. C. Moore, Leslie McAuliff, editor *Recorder*; Ben T. Sickles, J. C. Yeney, C. M. Willis, James T. Barnett, G. T. Ripchie, Orval Houghton, O. S. Barnell, H. D. Hapgood, Dr. B. L. Carpenter, May Hapgood, Viola Hoge, George Ford, Georgia Conner, Celia Cornell, Wm. Sturn, Mrs. J. Sibler, O. M. Sibler, Katherine A. Johnson.

SPEAKER IN THE CHAIR.

At ten o'clock and ten minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the Chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1115—An Act creating a reclamation district to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Also: Senate Bill No. 532—An Act to amend section three thousand and eight hundred and four of the Political Code, relating to taxes erroneously collected.

Also: Senate Bill No. 533—An Act to amend section three thousand eight hundred and nineteen of the Political Code relating to payment of taxes under protest.

Also: Senate Bill No. 643—An Act to amend section nine hundred and fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Also: Senate Bill No. 594—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 24, 1913, passed Senate Bill No. 1732—An Act to amend Section 752 of the Political Code, relating to the fees to be collected by the Clerk of the Supreme Court.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following Committee Substitute for Senate Bill No. 254—An Act establishing a state mining bureau, creating the office of state mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a state mining bureau fund for the purpose of carrying out the provisions of this Act and repealing an Act entitled "An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties, and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1893, and all Acts amendatory thereof and supplemental thereto or in conflict herewith.

Also: Senate Bill No. 739—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

Also: Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered 636½, to prevent the use or possession of lompapa nets, paranzella nets, trawl or drag nets, and providing the penalty therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 995—An Act making an appropriation for office equipment for the State Board of Health.

Also: Senate Bill No. 1689—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General and defining its use and the liability therefor.

Also: Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

Also: Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581b, relating to the dismissal of actions for want of prosecution after change of place of trial.

Also: Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines and prescribing a penalty for the violation thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 508—An Act to amend Section 372 of the Code of Civil Procedure, providing for a compromise of suits by guardians.

Also: Senate Bill No. 368—An Act to repeal Section 980 of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Also: Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

Also: Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to Appellate Courts.

Also: Senate Bill No. 366—An Act to amend Section 976 of the Code of Civil Procedure of the State of California, relating to appeals to Superior Courts.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 365—An Act to amend Section 974 of the Code of Civil Procedure of the State of California and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Also: Senate Bill No. 1463—An Act to amend Section 1384 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Also: Senate Bill No. 1465—An Act to amend Section 1380 of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees or creditors during the administration of estates of decedents.

Also: Senate Bill No. 724—An Act to amend the Civil Code, Part IV, Title I, Chapter II, Article I, relative to corporate stock and stockholders, by adding a new section thereto to be numbered 323a.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 595—An Act to add a new section to the Penal Code of the State of California, to be numbered 1075a, relating to examining, challenging and excusing jurors.

Also: Senate Bill No. 639—An Act to repeal Sections 950, 951, 952, 953, 953a, 953b and 953c of the Code of Civil Procedure, relating to records on appeal.

Also: Senate Bill No. 640—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 950, relating to records on appeal.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1304—An Act to amend Section 224 of the Civil Code of the State of California, relating to the adoption of children and the consent necessary thereto.

Also: Senate Bill No. 1420—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Also: Senate Bill No. 1165—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3524, providing for the reissuing of patents to swamp and overflowed lands where the original patent has been lost or destroyed and not of record in the county where the land is situate.

Also: Senate Bill No. 1220—An Act to permit municipal corporations and counties to declare certain property sold for the non-payment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 597—An Act to amend Section 631 of the Code of Civil Procedure of the State of California, relating to waiver of trial by jury.

Also: Senate Bill No. 609—An Act to repeal Section 661 of the Code of Civil Procedure of the State of California, relating to records on appeal from orders granting or refusing a new trial.

Also: Senate Bill No. 641—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered nine hundred and fifty-one, relating to the preparation and service of records on appeal.

Also: Senate Bill No. 644—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken.

Also: Senate Bill No. 1744—An Act to amend Section 3937, and re-enacting Section 3938 of the Political Code relating to the county boundary between Tuolumne and Mariposa counties.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Also: Senate Bill No. 1192—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Also: Senate Bill No. 316—An Act to repeal Section 1298 of the Civil Code, and to amend Section 1299 of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

Also: Senate Bill No. 252—An Act to amend Section 1313 of the Civil Code relating to restrictions on devises or bequests for charitable uses.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 591—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 149, relating to the creation of a lien during the pendency of actions for divorce by filing of a notice of *lis pendens*, and providing methods for the release thereof.

Also: Senate Bill No. 983—An Act to amend Section 103 of the Code of Civil Procedure relating to justices of the peace.

Also: Senate Bill No. 642—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered nine hundred and fifty-two, relating to transcript of reporter.

Also: Senate Bill No. 596—An Act to amend Section 1027 of the Code of Civil Procedure of the State of California relating to costs on appeal.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1115 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 532 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 533 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 643 read first time, and referred to Committee on Judiciary.

Senate Bill No. 594 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1736 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1732 read first time, and referred to Committee on Judiciary.

Committee Substitute for Senate Bill No. 254 read first time, and referred to Committee on Mines and Mining.

Senate Bill No. 739 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1472 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 995 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 1689 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1091 read first time, and referred to Committee on Judiciary.

Senate Bill No. 640 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1304 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1420 read first time, and referred to Committee on Insurance.

Senate Bill No. 1165 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 1220 read first time, and referred to Committee on Judiciary.

Senate Bill No. 597 read first time, and referred to Committee on Judiciary.

Senate Bill No. 609 read first time, and referred to Committee on Judiciary.

Senate Bill No. 641 read first time, and referred to Committee on Judiciary.

Senate Bill No. 644 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1744 read first time, and referred to Committee on Judiciary.

Senate Bill No. 602 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1192 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 316 read first time, and referred to Committee on Judiciary.

Senate Bill No. 401 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1608 read first time, and referred to Committee on Mines and Mining.

Senate Bill No. 508 read first time, and referred to Committee on Judiciary.

Senate Bill No. 368 read first time, and referred to Committee on Judiciary.

Senate Bill No. 369 read first time, and referred to Committee on Judiciary.

Senate Bill No. 367 read first time, and referred to Committee on Judiciary.

Senate Bill No. 366 read first time, and referred to Committee on Judiciary.

Senate Bill No. 365 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1463 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1465 read first time, and referred to Committee on Judiciary.

Senate Bill No. 724 read first time, and referred to Committee on Judiciary.

Senate Bill No. 595 read first time, and referred to Committee on Judiciary.

Senate Bill No. 639 read first time, and referred to Committee on Judiciary.

Senate Bill No. 252 read first time, and referred to Committee on Judiciary.

Senate Bill No. 591 read first time, and referred to Committee on Judiciary.

Senate Bill No. 983 read first time, and referred to Committee on Judiciary.

Senate Bill No. 642 read first time, and referred to Committee on Judiciary.

Senate Bill No. 596 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 248—An Act to appropriate the sum of thirty-two hundred and twelve dollars and ninety-four cents (\$3,212.94), to pay the claim of J. Harry Russell.

Also: Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Also: Assembly Bill No. 888—An Act to amend Sections 658, 659 and 669, Code of Civil Procedure, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

Also: Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure, relating to waiver of jury trial.

Also: Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 248?"

On page 1, line 4, after the word "Russell" strike out the period and insert in lieu thereof the following: "against the State of California".

The roll was called, and Senate amendment to Assembly Bill No. 248 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Ryan, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 166?"

On page 1, line 3, after the word "Palmer" and before the word "for" insert the following: "against the State of California."

The roll was called, and Senate amendment to Assembly Bill No. 166 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson,

Killingsworth, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Mr. Speaker—55.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 888?"

On page 1, line 2, of title, after the word "Procedure" insert the following: "of the State of California."

The roll was called, and Senate amendment to Assembly Bill No. 888 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuek, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 889?"

On page 1, line 2, of title, strike out the comma following the word "Procedure", and insert in lieu thereof the following: "of the State of California".

Also: On page 1, line 1, strike out the comma following the word "Procedure", and insert in lieu thereof the following: "of the State of California".

The roll was called, and Senate amendments to Assembly Bill No. 889 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—57.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 887?"

On page 1, line 2 of title, strike out the comma, and insert in lieu thereof the following: "of the State of California".

Also: On page 1, line 1, after the word "Procedure", insert the following: "of the State of California".

The roll was called, and Senate amendments to Assembly Bill No. 887 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—60.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 891—An Act to amend Section 963

of the Code of Civil Procedure, relating to cases in which an appeal may be taken.
Also: Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure, to be designated Sections 950, 951 and 952, relating to records on appeal.

Also: Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953, 953*a*, 953*b* and 953*c* of the Code of Civil Procedure, relating to papers on appeal.

Also: Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure, relating to costs on appeal.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 892?"

AMENDMENT No. 1.

On page 1, line 2, of the title, strike out the comma following the word "Procedure", and in lieu of said comma insert the following: "of the State of California".

AMENDMENT No. 2.

On page 1, line 2, of the bill, strike out the comma following the word "Procedure", and in lieu of said comma insert the following: "of the State of California".

AMENDMENT No. 3.

On page 2, line 5, of the bill, after the word "Procedure" insert the following: "of the State of California".

AMENDMENT No. 4.

On page 4, line 29, of the bill, strike out all of line 29, and in lieu thereof insert the following: "Printed copies of said record shall be filed".

AMENDMENT No. 5.

On page 5, line 1, of the bill, strike out all of line 1, and in lieu thereof insert the following: "affidavits having been so used. Printed copies".

AMENDMENT No. 6.

On page 5, lines 10 to 12, of the bill, strike out all of lines 10 to 12, inclusive, and in lieu thereof insert the following: "the time of filing and serving the same".

AMENDMENT No. 7.

On page 5, line 14, of the printed bill, after the word "Procedure", insert the following: "of the State of California".

The roll was called, and Senate amendments to Assembly Bill No. 892 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Ferguson, Fitzgerald, Ford, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Sutherland, Tulloch, Wall, Walsh, Woodley, and Mr. Speaker—51.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 891?"

On page 1, line 2, strike out the comma following the word "Procedure," and insert in lieu thereof the following: "of the State of California."

Also: On page 1, line 1, after the word "Procedure", insert the following: "of the State of California."

The roll was called, and Senate amendments to Assembly Bill No. 891 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald,

Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 894?"

On page 1, line 3 of title, strike out the comma following the word "Procedure," and insert in lieu thereof the following: "of the State of California."

Also: On page 1, line 2, after the word "Procedure", insert the following: "of the State of California."

The roll was called, and Senate amendments to Assembly Bill No. 894 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Bradford, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Scott, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 895?"

AMENDMENT No. 1.

On page 1, line 2 of the title, strike out the comma following the word "Procedure", and in lieu of said comma insert the words "of the State of California,".

AMENDMENT No. 2.

On page 1, line 1, of the bill, after the word "Procedure", insert the words "of the State of California".

AMENDMENT No. 3.

On page 1, lines 9 to 14, strike out all of lines 9 to 14, inclusive, and in lieu thereof insert the words "for the appeal, including the costs of printing briefs; *provided, however*, that no amount shall be allowed as costs of printing briefs in excess of fifty dollars to any one party. The appellate court may reduce costs in case of the insertion of unnecessary matter in the record."

The roll was called, and Senate amendments to Assembly Bill No. 895 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, McCarthy, Mouser, Murray, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Woodley, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

Also: Assembly Bill No. 1296—An Act conferring authority on the railroad commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Also: Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Also: Assembly Bill No. 1272—An Act to amend the Political Code of the State of California by adding a new section thereto, to be No. 2648, relating to county government.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 847—An Act to amend an Act entitled, "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 847?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Brown, Clarke, Geo. A., Ellis, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Sutherland, Walsh, Weldon, Woodley, and Mr. Speaker—42.

Bill ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 21—An Act to amend Section 650 of the Civil Code of the State of California, relating to the terms and powers of the trustees of colleges and seminaries of learning.

Also: Senate Bill No. 15—An Act to amend Section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Also: Senate Bill No. 238—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

GOVERNOR'S MESSAGE.

The following message from the Governor was taken up and read:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, April 25, 1913.

To the Assembly of the State of California:

I herewith return to you, without my approval, Assembly Bill No. 1317. My objections to this bill are embodied in a communication received by me from the Attorney General of this State to whom the measure was submitted:

The communication and report of the Attorney General are as follows:

"You have referred to me Assembly Bill No. 1317, and asked for the facts, to meet which, presumably this measure was drafted.

"Some time prior to 1907, the Lauritzen Company claimed to have sustained damage to their property by reason of the construction of what is generally known as the 'Newtown jetties' in the Sacramento River. At its session in 1907, the Legislature passed an Act authorizing this company to maintain an action against the State to have determined the damage alleged to have been so sustained. That Act is found in the statutes of that year at page 904. Subsequent to its approval, the Lauritzen Company commenced such action, a hearing was had upon the demurrer presented by the State, and the court held the Act to be unconstitutional because of its special character.

"In 1911, and following the decision of the court referred to, another Act was passed authorizing another action. That Act is found in the Statutes of 1911 at page 403. Subsequent to its approval, suit was commenced by this company against the State, and that action is now pending undetermined in the Superior Court in and for the county of Sacramento.

"The Act in question by its terms appears general in character, though I think without doubt intended to cover the alleged cause of action herein mentioned.

"The Legislature has twice acted in this matter. The suit under its second Act is undetermined, and I know of no public policy nor state obligation which would

justify the approval of this measure at this time. If any further action on the part of the Legislature in this matter should become justified, it surely will not become so until after the termination of the present litigation.

"There remains, however, a broader objection to enactments of this character. Under the organization of our state government, the legislative department is charged with the payment by appropriation, and without suit, of all legitimate demands against the State. If the State so conducted its work in the construction of the Newtown jetties that the property of individuals was damaged thereby, and the State should in equity and good morals compensate the parties for such damage, appeal for such compensation should be made to the Legislature, and the legislative judgment should be taken generally, if not always, as final.

"I am not aware whether this demand has heretofore been presented to the Legislature. If it has, and payment refused, in the absence of a satisfactory showing that the legislative judgment was error, the matter should be deemed closed. If the claim has not been so presented, such presentation may be hereafter made."

Upon the suggestions of the Attorney General, and because of the reasons contained in his communication, which I believe to be sound, I have vetoed the bill.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

The question being put: "Shall the bill become a law notwithstanding the veto of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Woodley, and Mr. Speaker—49.

RESOLUTION.

The following resolution was offered:

By Mr. Schmitt:

Resolved, That the Assembly of the State of California recommend to the authorities in charge of the San Quentin penitentiary that guards Irwin and Grubb, who, according to the report of the special investigating committee of the House, have been guilty of inflicting unwarranted cruelties upon certain prisoners, be at once discharged from their said employment; and be it further

Resolved, That the Assembly also recommends to those in control of any state prison, whenever it hereafter appears that any guard exceeds his authority in the infliction of punishment upon prisoners, that he be immediately removed from his position.

Resolution read, and ordered printed in the Journal.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following Assembly concurrent resolution was introduced, and referred as indicated:

By Mr. Morgenstern: Assembly Concurrent Resolution No. 34—Approving a certain amendment to the charter of the city of Alameda, in Alameda County, California.

Resolution read, and ordered on file without reference.

AMENDMENT OF BILLS.

Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

During the consideration of the bill, the following amendments were submitted:

By Mr. Bagby:

AMENDMENT No. 1.

On page 1, line 1, of printed bill, after the word "of", strike out the words "seven thousand five-hundred" and insert in lieu thereof "ten thousand".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 2, strike out the figures (\$7,500.00).

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 8, after the word "than", strike out the words "six acres in extent, the purchase of which", and insert in lieu thereof the following: "five acres in extent and shall join the present site of said school. The purchase of such land".

Amendment adopted.

Mr. Chandler moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 99.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 99 considered.

Mr. Chandler moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 99, and do now report the same back, and recommend that it do pass as amended.

YOUNG, Chairman.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out the semicolon in line 11, page 1, and insert in lieu thereof a comma, and the following: "until January 4, 1915, on and after which date he shall receive five cents per name for each person registered;"

Also: Insert before the word "all" in line 18, page 2, the following: "the salary of the county clerk shall be three thousand five hundred dollars per annum, and on and after said date".

Also: Strike out the word "each" in line 18, page 3.

Also: Strike out in line 5, page 6, the words "three thousand", and insert in lieu thereof the following: "two thousand five hundred".

Also: Strike out the word "fifteen" in line 15, page 8, and insert in lieu thereof "twenty-five".

Also: Strike out in line 37, page 8, the words "in criminal cases".

Also: Insert the word "The" after the period in line 28, page 7.

Also: Strike out the capital "S" in the word "secretary" in line 28, page 7, and insert in lieu thereof a small "s".

Also: Strike out the words "in criminal cases" in line 3, page 9.

Also: Insert after the word "all" in line 2, page 9, the words "fees and".

Also: Strike out the word "criminal" in line 5, page 9.

Also: Insert before the word "fines", in line 5, page 9, the words "fees and".

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1091, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 232—An Act entitled "An Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act."

During third reading of the bill, Mr. Byrnes moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 5, after the word "business", insert the following: "*and provided, further, that when the owner or user of a steam boiler or boilers holds an annual report or certificate of inspection by an inspector employed by any insurance company authorized to insure boilers in this state, the steam boilers described in such certificate or report shall be exempted from the inspections required to be made by the state inspectors under this Act, and said state inspectors shall not collect any fees or charges with respect thereto, during the period of one year following the date of such certificate or report, except when said boilers are reported by the employees thereon to the state inspectors to be in a leaky or dangerous condition.*"

Motion carried.

The Speaker appointed Mr. Byrnes as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 232, with instructions, do now report that the instructions of the Assembly have been carried out.

BYRNES, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint re-engrossment, and on file for passage.

Assembly Bill No. 1054—An Act to provide for the publication and issuing of an official register and directory of physicians, surgeons, and specialists, in medicine, surgery, or osteopathy, or other systems of medicine, in the State of California, providing for the printing thereof; making regulations in connection with the same; and providing for a penalty for violations thereof.

During third reading of the bill, Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

In line 4, page 1, strike out the letter "s" in the words "modes, systems".

Also: In line 12, page 1, after the word "thereafter" insert the word "and".

Also: In line 7, page 2, after the word "specialists" strike out the words "as herein", and add in lieu thereof the words "in section one" after the word "to".

Also: In line 21, page 2, before the word "registered", insert the word "any", and take off the letter "s" in "physicians, surgeons and specialists", and add the words "or other person" after the word "specialists"; and after the word "surgeons" take out the word "and", and insert in lieu thereof a comma, same line.

Also: On page 3, line 1, after the second "the", insert the words "funds of the respective examining".

Motion carried.

The Speaker appointed Mr. Gelder as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1054, with instructions, do now report that the instructions of the Assembly have been carried out.

GELDER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

On motion of Mr. Judson, the above Senate Bill was re-referred to Committee on Ways and Means.

Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the secretary thereof.

On motion of Mr. Hinkle, the above Senate Bill was re-referred to Committee on Ways and Means.

WITHDRAWAL OF BILL.

Mr. Hinkle asked for and was granted unanimous consent to withdraw Assembly Bill No. 974.

Bill withdrawn, and ordered stricken from the file.

Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

During third reading of the bill, Mr. Green moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 24, strike out the words "nine hundred", and insert in lieu thereof the following: "twelve hundred".

Motion carried.

The Speaker appointed Mr. Green as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 766, with instructions, do now report that the instructions of the Assembly have been carried out.

GREEN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738 $\frac{1}{2}$, with reference to the location of county high schools.

During third reading of the bill, Mr. Shartel moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, after the word "site" and before the word "from", insert the following: "within thirty days".

Also: On page 1, line 14, after the word "special" and before the word "and", insert the following: "within thirty days".

Also: On page 2, line 17, strike out the period after the word "election", and insert the following: "within thirty days."

Motion carried.

The Speaker appointed Mr. Shartel as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1287, with instructions, do now report that the instructions of the Assembly have been carried out.

SHARTEL, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

The question being upon the following pending amendments:

AMENDMENT No. 1.

On page 1, line 1, of the printed title, strike out the words "reference and".

AMENDMENT No. 2.

On page 1 of the printed bill, strike out all of lines 2, 3, 4, 5 and 6, beginning with the words "legislative reference" and ending with the words "shall be in", and insert in lieu thereof the following: "legislative counsel bureau which shall be in".

AMENDMENT No. 3.

On page 1, line 9, strike out the words "reference and".

AMENDMENT No. 4.

On page 2, line 24, strike out the word "Each", and insert in lieu thereof the word "The".

AMENDMENT No. 5.

On page 2, strike out all of the lines 26, 27, 28 and 29, beginning with the words "the chief of" and ending with the words "counsel division".

AMENDMENT No. 6.

On page 2, line 31, strike out the words "The chief of each division of the bureau", and insert in lieu thereof the word "He".

AMENDMENT No. 7.

On page 3, beginning on line 3 and ending on line 17, strike out the words beginning "It shall be the duty" and ending with the words "the bureau".

AMENDMENT No. 8.

On page 3, line 18, strike out the words "counsel division, and the work of that division," and insert in lieu thereof the following: "counsel bureau and the work of that bureau."

AMENDMENT No. 9.

On page 3, line 21, strike out the words "The chief of said division", and insert in lieu thereof the word "He".

AMENDMENT No. 10.

On page 3, beginning on line 26 and ending on line 28, strike out the words "Both divisions and the chiefs thereof shall in every way possible co-operate with each other."

AMENDMENT No. 11.

On page 3, beginning on line 29 and ending on line 15 of page 4, strike out the words beginning "The chief of the legislative reference division" and ending "gathered by the bureau."

AMENDMENT No. 12.

On page 4, line 15, strike out the word "division", and insert in lieu thereof the word "bureau".

AMENDMENT No. 13.

On page 4, line 36, strike out the word "division", and insert in lieu thereof the word "bureau".

AMENDMENT No. 14.

On page 5, line 2, strike out the word "division", and insert in lieu thereof the word "bureau".

AMENDMENT No. 15.

On page 5, line 8, strike out the word "division", and insert in lieu thereof the word "bureau".

AMENDMENT No. 16.

On page 5, line 11, strike out the words "of either division."

AMENDMENT No. 17.

On page 5, line 17, between the words "Neither" and "chief", insert the word "the".

AMENDMENT No. 18.

On page 5, strike out all of Section 4, beginning on line 22 and ending on line 28, and insert in lieu thereof the following:

"SEC. 4. The chief of the bureau shall be in attendance on all sessions of the legislature, and his permanent office shall be in the state capitol in Sacramento, but he may, at the pleasure of said board, maintain temporary offices at other places in the State of California."

AMENDMENT No. 19.

On page 5, line 29, strike out the word "each", and insert in lieu thereof the word "the".

AMENDMENT No. 20.

On page 5, line 30, strike out the word "divisions".

AMENDMENT No. 21.

On page 5, line 34, strike out the words "division chiefs", and insert in lieu thereof the words "chief of the bureau."

AMENDMENT No. 22.

On page 6, line 11, strike out the word "each", and insert in lieu thereof the word "the".

AMENDMENT No. 23.

On page 6, line 19, strike out the words "division chiefs", and insert in lieu thereof the word "chief".

AMENDMENT No. 24.

On page 6, line 21, strike out the word "them", and insert in lieu thereof the word "him".

AMENDMENT No. 25.

On page 6, line 33, strike out the words and figures "thirty thousand (\$30,000)", and insert in lieu thereof the following: "fifteen thousand (\$15,000)".

On motion of Mr. Inman, the above amendments were withdrawn.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, of the printed title, strike out the words "reference and".

Also: On page 1, of the printed bill, strike out all of lines 2, 3, 4, 5 and 6, be-

ginning with the words "legislative reference", and ending with the words "shall be in", and insert in lieu thereof the following: "legislative counsel bureau which shall be in".

Also: On page 1, line 9, strike out the words "reference and".

Also: On page 2, line 24, strike out the word "Each", and insert in lieu thereof the word "The".

Also: On page 2, strike out all of lines 26, 27, 28 and 29, beginning with the words "the chief of", and ending with the words "counsel division".

Also: On page 2, line 31, strike out the words "The chief of each division of the bureau", and insert in lieu thereof the word "He".

Also: On page 3, beginning on line 3, and ending on line 17, strike out the words beginning "It shall be the duty", and ending "the bureau".

Also: On page 3, line 18, strike out the words "counsel division, and the work of that division", and insert in lieu thereof the following: "counsel bureau and the work of that bureau".

Also: On page 3, line 21, strike out the words "The chief of said division", and insert in lieu thereof the word "He".

Also: On page 3, beginning on line 26, and ending on line 28, strike out the words "Both divisions and the chiefs thereof shall in every way possible co-operate with each other".

Also: On page 3, beginning on line 29, and ending on line 15, of page 4, strike out the words beginning "The chief of the legislative reference division", and ending "gathered by the bureau".

Also: On page 4, line 15, strike out the word "division", and insert in lieu thereof the word "bureau".

Also: On page 4, line 36, strike out the word "division", and insert in lieu thereof the word "bureau".

Also: On page 5, line 2, strike out the word "division", and insert in lieu thereof the word "bureau".

Also: On page 5, line 8, strike out the word "division", and insert in lieu thereof the word "bureau".

Also: On page 5, line 11, strike out the words "of either division".

Also: On page 5, line 17, between the words "Neither" and "chief", insert the word "the".

Also: On page 5, strike out all of section 4, beginning on line 22, and ending on line 28, and insert in lieu thereof the following:

"SEC. 4. The chief of the bureau shall be in attendance on all sessions of the legislature and his permanent office shall be in the state capitol in Sacramento, but he may, at the pleasure of said board, maintain temporary offices at other places in the State of California."

Also: On page 5, line 29, strike out the word "each", and insert in lieu thereof the word "the".

Also: On page 5, line 30, strike out the word "division".

Also: On page 5, line 34, strike out the words "division chiefs", and insert in lieu thereof the words "chief of the bureau".

Also: On page 6, line 11, strike out the word "each", and insert in lieu thereof the word "the".

Also: On page 6, line 19, strike out the words "division chiefs", and insert in lieu thereof the word "chief".

Also: On page 6, line 21, strike out the word "them", and insert in lieu thereof the word "him".

Also: On page 6, line 33, strike out the words and figures "thirty thousand (\$30,000)", and insert in lieu thereof the words "twenty thousand (\$20,000)".

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 970, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

RECESS.

At eleven o'clock and ten minutes a.m., on motion of Mr. Bohnett, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.
Speaker pro tem. Johnstone in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building, and the old domestic science building at San Jose State Normal School.

Also: Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Also: Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

Also: Senate Bill No. 1727—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Senate Bill No. 1013—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Also: Senate Bill No. 1252—An Act reappropriating nine hundred and sixty-four dollars and ninety-eight cents from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Also: Senate Bill No. 482—An Act appropriating money for the construction of farm building at Folsom State Prison.

Also: Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Also: Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

Also: Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor—which was re-referred to us from the Committee on Elections, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years—which was re-referred to us from the Committee on Fish and Game, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Also: Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the Home for Feeble-Minded.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CRAM, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

CRAM, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 881—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children and of convicts in the state prisons," approved April 26, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCHMITT, Acting Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 160—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

SCHMITT, Acting Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 343—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

Also: Senate Bill No. 670—An Act to amend an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, approved May 1, 1911," to be known as Section 14a.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

SCHMITT, Acting Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 869—An Act to add a new section to the Penal Code, to be known as Section 1132, relating to an internal revenue license as evidence that the person having the same is engaged in the business of selling alcoholic liquors—which was re-referred to us from the Committee on Revision of Criminal Procedure, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1580—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be re-referred to Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2109—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city or county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass; minority report, do not pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Concurrent Resolution No. 33—Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California, including recreation in rural com-

munities as well as in small and large towns and cities—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WYLLIE, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Rules respectfully reports, with the recommendation that it be adopted, the following resolution:

Resolved, That Special Rule No. 4, adopted by the Assembly, April 19, 1913, is hereby amended to read as follows:

SPECIAL RULE No. 4.

Commencing April 28, 1913, the clerk shall place upon the special file provided for by standing rule No. 15, in addition to the bills provided for in said standing rule, all Assembly county government bills and all Assembly appropriation bills not already provided for in said standing rule. The said special file shall be considered from 2 o'clock to 3 o'clock p.m. each day the Assembly is in session; the Senate file shall be considered from 3 o'clock to 4.30 o'clock p.m.; and between said hours, from 2 o'clock to 4.30 o'clock p.m., no business other than as herein provided shall be considered except by a three-fourths vote of the Assembly. Nothing herein shall prevent the consideration of the said Assembly special file at other times during the session.

BROWN, Chairman.

Mr. Brown moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, White, Woodley, and Wyllie—47.

NOES—None.

THIRD READING OF SENATE BILLS.

Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotelkeepers on property of guests for charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 261 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Green, Hinkle, Inman, Johnson, Geo. H., Johnstone,

W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Shannon, Slater, Strine, Tulloch, Walsh, Weldon, Woodley, and Wyllie—45.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1214—An Act to repeal an Act entitled “An Act to establish a uniform system of county and township governments,” approved April 1, 1897, and all Acts amendatory thereof or supplemental thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1214 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, and Woodley—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 487—An Act to amend Section 4261 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 487 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Shearer, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, and Wyllie—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1339—An Act to add a new section to the Penal Code, to be numbered Section 527, making it a misdemeanor to sell or permit to be sold, tickets in excess of the seating capacity of the theater or other place of indoor amusement and fixing penalty thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Ryan moved a call of the House.

Motion carried.

Time, three o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Waish, Weldon, White, and Wyllie—61.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Ryan.

The roll of absentees was called, and Senate Bill No. 1339 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Smith, Sutherland, Walsh, Woodley, and Wyllie—47.

NOES—Messrs. Bradford, Cary, Cram, Dower, Fish, Gates, Johnston, T. D., Killingsworth, Libby, Murray, Simpson, Slater, Stuckenbruck, Tulloch, Weldon, and White—16.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Schmitt gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1339 was this day passed.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same, with the recommendation that the author be permitted to introduce it. The title of the bill is as follows:

An Act to provide for the issuance and sale of state bonds, to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land, for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer,

Peairs, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Wyllie—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Inman: Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land, for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Bill read first time, and referred to Committee on Ways and Means.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as may be necessary to continue the work of the mailing department, postage, expressage, etc., said amount not to exceed the sum of three hundred dollars (\$300), and the State Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

LEAVES OF ABSENCE.

On motion of Mr. Bohnett, Messrs Bradford, Fish, Shannon, Byrnes, and Bohnett were granted leave of absence for the evening.

RECESS.

At four o'clock and ten minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Young in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1570—An Act to provide for the survey and construction of a

state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor—and report that the same has been correctly engrossed.

AMBROSE, Vice-Chairman.

RECONSIDERATION POSTPONED.

On request of Mr. Ambrose, reconsideration of the vote of Senate Bills Nos. 513 and 514 was postponed until the next legislative day.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 200—An Act to amend Section 4250 of the Political Code of the State of California relating to the salaries and fees of the officers of the counties of the twenty-first class (Santa Cruz County).

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 200 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Ryan, Schmitt, Slater, Smith, Stuckenbruck, Walsh, Weisel, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section to be designated as 731a, relating to the abatement of public nuisances and by whom actions may be instituted for such purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1573 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bowman, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Ryan, Scott, Simpson, Slater, Stuckenbruck, Walsh, Weisel, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 230—An Act to amend Section 3748 of the Political Code of the State of California, relating to time and place of payment of taxes and prohibiting the tax collector from accepting payment of taxes for the current year on any particular lot, piece or parcel of real estate until all delinquent taxes against the same property shall have been paid.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 230 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bowman, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson,

Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Simpson, Slater, Smith, Stuckenbruck, Walsh, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1364—An Act to amend Section 4251 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1364 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Simpson, Slater, Smith, Stuckenbruck, Walsh, Weisel, White, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1948—An Act appropriating money for building and furnishing an observatory at San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1948 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Scott, Simpson, Slater, Smith, Walsh, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved. *

Bill ordered transmitted to the Senate.

Assembly Bill No. 1428—An Act to amend An Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 14, strike out the words "which board", and insert in lieu thereof the following: "the state controller."

Motion lost.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, lines 7 and 8, strike out after the word "state", in line 7, all of lines 7 and 8, and insert in lieu thereof the words "general fund".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1428 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1464 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kinglsey, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Smith, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 774 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1671 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell,

Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1570 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2095—An Act to regulate the use and operation of motor vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating motor vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

During third reading of the bill, Mr. Walsh moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 30, strike out "two dollars.", and insert in lieu thereof the words "one dollar."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2095 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bowman, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ferguson, Finnegan, Fitz-

gerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—49.

NOES—Messrs. Bloodgood, Canepa, and Walsh—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 790 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shearer, Slater, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma, in Imperial County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2096 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—50.

NOES—Mr. Guiberson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 550—An Act to amend Section 4028 of the Political Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 550 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Scott, Shearer, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—50.

NOES—Mr. Slater—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with the state schools and reformatories.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2044 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bowman, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Wall, Weisel, and Mr. Speaker—49.

NOES—Mr. White—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1620—An Act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquor within or contiguous to certain state buildings and grounds.

Mr. Ferguson moved that the consideration of above Assembly bill be made a special order for Wednesday, April 30, 1913, at eleven o'clock a.m.

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Canepa moved a call of the House.

Motion carried.

Time, eleven o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—67.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and twenty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Ferguson.

The roll of absentees was called, and Assembly Bill No. 1620 refused passage by the following vote:

AYES—Messrs. Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Collins, Dower, Fitzgerald, Ford, Gates, Hayes, Johnston, T. D., Killingsworth, Libby, McCarthy, McDonald, Nolan, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, and White—31.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert,

Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Mouser, Peairs, Polsley, Roberts, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—34.

NOTICE OF MOTION TO RECONSIDER.

Mr. Ferguson gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1620 was this day refused passage.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

During third reading of the bill, Mr. Ellis moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section 4242 of the Political Code of the State of California is hereby amended to read as follows:

4242. In counties of the thirteenth class, county officers shall receive as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

1. The county clerk, two thousand eight hundred dollars per annum, and there shall be and there is hereby allowed to the county clerk, in addition, two deputies, who shall be paid the sum of one thousand four hundred dollars per annum each, and one deputy, who shall be paid the sum of one thousand dollars per annum; the said salaries to be paid by such county in monthly installments at the time and in the manner and out of the same fund as the salaries of county officers are paid; *and provided, further*, that in each year in which a new and complete registration of voters is required by law, said county clerk shall appoint an additional deputy, or deputies, who shall receive the sum of seven and one half cents per name for taking the affidavits of registration outside of the city of Riverside, and the claims for their service at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed; *and provided, further*, that all fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions of this paragraph shall apply to the present incumbent.

2. The sheriff, three thousand three hundred dollars per annum, and all commissions, fees and mileage for the service of papers or process coming from courts other than those of his own county; *provided*, that in counties of this class there shall be, and is hereby, allowed to the sheriff, one under sheriff, whose salary is hereby fixed at the sum of one thousand five hundred dollars per annum, and one deputy, who shall be jailer, whose salary is hereby fixed at the sum of one thousand dollars per annum; and one deputy, whose salary is hereby fixed at the sum of nine hundred dollars per annum, said deputies to be appointed by the sheriff, and their salaries to be paid by the county in equal monthly installments at the time and in the manner and out of the same fund as the salaries of county officers are paid. All the provisions of this paragraph shall apply to the present incumbent.

3. The recorder, two thousand eight hundred dollars per annum; and one deputy, whose office is hereby expressly created, to be appointed by the recorder, who shall receive a salary of one thousand four hundred dollars per annum; *and provided, further*, that the recorder is hereby allowed as many copyists as may be required, who shall receive as compensation, the sum of five cents per folio for recording any instrument or notice. The salaries of the deputy recorder and copyists herein provided, shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions of this paragraph are to apply to the present incumbent.

4. The auditor, two thousand eight hundred dollars per annum; and there shall be, and there is hereby, allowed to the auditor, in addition, one deputy, to be appointed by the auditor, who shall be paid a salary of one thousand five hundred dollars per annum, and one deputy, who shall be appointed by the auditor, who shall be paid a salary of eight hundred dollars per annum, and such additional clerks and assistants as the auditor may require and whose compensation in the aggregate shall not exceed five hundred dollars in any one year; *and provided*, that the auditor shall file with the county clerk a verified statement showing in detail the amount paid, and the persons to whom said compensation is paid for such extra assistants aforesaid. The salaries herein provided shall be paid by the county in monthly installments at the same time and out of the same fund as the salaries of county officers are paid. All that portion of this paragraph relating to deputies and other assistants shall apply to the present incumbent.

5. The treasurer, two thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be, and there is hereby, allowed to the treasurer, one deputy, to be appointed by him, who shall receive from the county a salary of one thousand dollars per annum, to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All that portion of this paragraph relating to the salary of deputy shall apply to the present incumbent.

6. The tax collector, two thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the tax collector the following deputies and assistants whose offices are hereby created and who shall be appointed by the tax collector; one deputy at a salary of one thousand two hundred dollars per annum; a stenographer to be appointed by the tax collector during the years 1913 and 1914 at a salary of one thousand two hundred dollars per annum; and such assistants as the tax collector may require; *provided*, that the compensation of such assistants shall not, in the aggregate, exceed the sum of one thousand dollars in any one year; *and*, *provided*, that the tax collector shall file with the county auditor a verified statement showing in detail, the amounts and the persons to whom said compensation is paid. The salaries of the said deputy, stenographer and other assistants shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salaries of the county officers are paid. All that portion of this paragraph relating to deputy, stenographer and other assistants shall apply to the present incumbent.

7. The assessor, two thousand eight hundred dollars per annum; and his actual traveling expenses when away from his office on county business; *provided*, that in counties of this class there shall be and there is hereby allowed to the assessor, the following deputies and assistants whose offices are hereby created and who shall be appointed by the assessor; one deputy at a salary of one thousand six hundred dollars per annum, one stenographer at a salary of eight hundred dollars per annum, one stenographer at a salary of seven hundred and twenty dollars per annum, and such other deputies as the assessor may require, and whose compensation, in the aggregate, shall not exceed the sum of five thousand dollars in any one year; *and* *provided*, that the assessor shall file with the county auditor, a verified statement showing in detail, the amounts, and the persons to whom said compensation is paid. The salaries of such deputies and stenographers shall be paid by said county in monthly installments and at the same time and in the same manner and out of the same fund that county officers are paid. All the provisions of this paragraph are to apply to the present incumbent. All fees and commissions, including poll tax, collected by this office shall be turned over to the county and become the property of the county.

8. The coroner, such fees as are now, or may hereafter be allowed by law.

9. The public administrator, such fees as are now, or may hereafter be allowed by law.

10. The district attorney, two thousand five hundred dollars per annum, and actual traveling expenses when away from his office on county business; *provided*, that in counties of this class there shall be and there is hereby allowed to the district attorney, one deputy to be appointed by the district attorney who shall be paid the salary of one thousand two hundred dollars per annum; *and* *provided*, *further*, that a stenographer be appointed by the district attorney to be paid a salary of twelve hundred dollars per annum for the years 1913 and 1914, and thereafter at a salary of nine hundred dollars per annum. Said deputy and stenographer shall be paid out of the county treasury in monthly installments in the same manner and out of the same fund as county officers are paid. That portion of this paragraph relating to stenographer shall apply to the present incumbent.

11. The superintendent of schools, two thousand four hundred dollars per annum; his office shall be kept open on all business days from nine a.m. to five p.m.; he shall be allowed his actual traveling expenses when visiting the schools of his county; *provided*, that in counties of this class there shall and there hereby is allowed, to the superintendent of schools, one deputy to be appointed by him who shall receive from the county a salary of twelve hundred dollars per annum to be paid by said county in monthly installments in the same manner and out of the same fund as the salaries of county officers are paid. That portion of this paragraph relating to deputies shall apply to the present incumbent.

12. The surveyor, one thousand five hundred dollars per annum, and in addition thereto, all necessary field assistants; *provided*, that in counties of this class there shall be and there hereby is allowed the surveyor, two deputies who shall be appointed by the surveyor of said county, and who shall be paid salaries as follows: one deputy at a salary of fifteen hundred dollars per annum, and one deputy at nine hundred dollars per annum; *and* *provided*, *further*, that the county surveyor shall be allowed a third deputy who shall be a draftsman at a salary of one thousand two hundred dollars per annum, to be in effect from July 1, 1913, to December 31, 1914, and whose duty it shall be to complete the road abstracts and maps for the county. The salaries of said deputies herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All necessary expenses for field assistants shall be paid by the county, and the actual cost of preparing assessor's maps, whenever a complete set of such maps is ordered prepared by the board of supervisors.

said cost of preparing said assessor's maps not to exceed the sum of one thousand eight hundred dollars.

13. The justice of the peace in townships having one or more cities or portions thereof, and having a population of twelve thousand or more, fifteen hundred dollars per annum, which shall be in full for all services rendered by him in both civil and criminal cases tried before him. He shall each month pay to the county treasurer all fines and commissions collected by him as such justice of the peace, including fees for celebrating marriages and returning certificates thereof to the county recorder; *provided*, that in townships of this class there shall be and there is hereby allowed to the justice of the peace, one clerk, which office is hereby created, at a salary of fifty dollars per month, and who shall be appointed by said justice of the peace. In townships having a population of six thousand and less than twelve thousand, the justice of the peace therein shall receive fifty dollars per month; in townships having a population of four thousand and less than six thousand, twenty-five dollars per month; in all other townships in said county, twenty dollars per month; *provided, however*, that in all townships having an area equal to or exceeding one thousand square miles, such salary shall not be less than fifty dollars per month. Each justice of the peace must pay into the county treasury once a month all fines collected by him in criminal cases, and the auditor shall withhold the warrant for salary until a sworn statement has been filed with him of all criminal cases tried, and fines collected and paid into the county treasury. In addition to the monthly salary allowed herein, each justice of the peace, except the justice fees above mentioned in this paragraph, may receive for his own use in civil cases the fees allowed by law. For all services appertaining to the coroner's office, which the coroner is unable to attend to, the justice of the peace shall receive the same fees as are allowed the coroner in similar cases. There shall be no more than one justice of the peace elected in any township in counties of this class.

14. Constables in townships having one or more cities or portion thereof, and having a population of twelve thousand or more, fifteen hundred dollars per annum, and actual traveling expenses when engaged on official business outside of such township, which shall be in full for all services rendered by him in all civil and criminal business. He shall charge and collect such fees as are allowed by law and he shall each month pay into the county treasury all fees, forfeitures, fines and commissions collected by him in the discharge of his official duties as such constable. In townships having a population of six thousand and less than twelve thousand, fifty dollars per month; in townships having a population of four thousand and less than six thousand, twenty-five dollars per month; in townships having a population of two thousand and less than four thousand, fifteen dollars per month; in townships having a population of one thousand and less than two thousand, ten dollars per month; in townships having a population of less than one thousand, five dollars per month; *provided*, that in all townships having an area equal to or exceeding one thousand square miles, such salary shall not be less than fifty dollars per month; *provided, further*, that in addition to the salary herein allowed, each constable, except constables in townships having cities or portions thereof having a population of twelve thousand or more, shall be paid out of the treasury of the county for traveling expenses outside of his own township, for the service of a warrant of arrest or any other paper in a criminal case, both going and returning, ten cents per mile; for each mile actually traveled outside of his county, both going and returning from the place of arrest or other service, five cents per mile; for transporting prisoners to the county jail, the actual cost of transportation; in addition to the monthly salary allowed him each constable shall receive for his own use in civil cases, the fees allowed by law. The above mentioned salaries shall be paid such constables monthly in the same manner as other county salaries are paid, and shall be in full for all services rendered.

15. The population of the several judicial townships, for the purpose of fixing the compensation of township officers, shall be ascertained and declared by the board of supervisors, on the first Monday after the first day of January every odd numbered year.

16. Each supervisor, fifteen hundred dollars per annum, and fifteen cents per mile one way for traveling from his residence to the place of meeting of the board at the county seat, not more than four board meetings per month.

Motion carried.

The Speaker appointed Mr. Ellis as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1152, with instructions, do now report that the instructions of the Assembly have been carried out.

ELLIS, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUSH, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUSH, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 263—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporations to the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also providing for the Secretary of State determining the order of placing all questions, propositions, proposed laws and constitutional amendments on the ballot and providing for the preparation of the designation or ballot title by the Attorney General and by a board of title commissioners, created by this Act, if objection be made to the ballot title prepared by the Attorney General, by which all such questions, propositions, proposed laws and constitutional amendments shall be designated on the ballot and providing the procedure therefor.

Assembly Bill No. 321—An Act to amend Section 1665a of the Political Code of the State of California, relating to the establishment and maintenance of cosmopolitan schools in cities of the first, first and one half, second, and second and one half classes.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Assembly Bill No. 1482—An Act to provide through the State Board of Charities and Corrections for the investigation of the conditions and causes of insanity, vice and crime in this State, the collection, compilation and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals, and making an appropriation therefor.

Also: Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

And report that the same have been correctly re-engrossed.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 58—An Act to amend Section 1858 of the Political Code of the State of California, relating to the method of determining the number of teachers to which a school district is entitled, and the apportionment of county school funds by the county superintendent of schools.

Assembly Bill No. 84—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park, in Santa Cruz County, and making an appropriation therefor.

Assembly Bill No. 206—An Act to amend Section 635½ of the Penal Code, relating to two-mesh, three-mesh and trammel nets.

Assembly Bill No. 285—An Act to provide for locating, surveying and maintaining a highway from Pescadero, in the county of San Mateo, to the Santa Cruz County line, to connect with a road to the California Redwood Park, and making an appropriation therefor.

Assembly Bill No. 332—An Act to amend Sections 344, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission.

Assembly Bill No. 367—An Act to amend Section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

Assembly Bill No. 1158—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

Assembly Bill No. 1252—An Act prohibiting the destruction of foodstuffs, food products or food articles.

Assembly Bill No. 1312—An Act making an appropriation to pay the claim of Duane Bliss against the State of California.

Assembly Bill No. 1542—An Act making an appropriation for the location and survey of a proposed highway from Boca to the Nevada state line along the Truckee River, in Nevada County.

Assembly Bill No. 1559—An Act providing for the construction and maintenance by the State of state aid highways in counties and towns.

Assembly Bill No. 1572—An Act to amend Section 4283 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California, relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination.

Assembly Bill No. 1843—An Act to amend Section 409 of the Political Code.

Assembly Bill No. 1890—An Act to amend Section 1204 of the Political Code of the State of California, relating to the manner of voting.

Assembly Bill No. 1996—An Act to authorize the State Board of Health to purchase, or prepare, and distribute, free of cost, to certain persons, anti-rabic virus, and making an appropriation therefor.

And report that the same have been correctly engrossed.

AMBROSE, Vice-Chairman.

RECONSIDERATION POSTPONED.

On request of Mr. Brown, the reconsideration of the vote on Assembly Bill No. 598 was postponed until Monday, May 5, 1913.

GUESTS ADMITTED TO THE FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Slater, Mr. William C. Chisholm and Douglas Chisholm were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Scott, Mr. W. W. Watson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kuck, Mr. Walter A. Lewis was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Clarke, Mr. Joseph Patrick was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Dower, Mrs. J. Wall and Miss Alice Wall were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McDonald, Mr. N. E. Antone was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roberts, Mr. and Mrs. B. R. Jones were granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Kingsley, Senator Seanlon of Nevada was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Finnegan, Judge Bowton of Redding and R. W. Nelson were granted the privilege of the floor of the Assembly for this day.

ADJOURNMENT.

At eleven o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Tuesday, April 29, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk W. E. Monahan, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Walsh, the further reading was dispensed with.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

To the Assembly of the State of California:

The undersigned members of the congregation of St. John's Presbyterian Church, Berkeley, hereby protest against the passage of Assembly Bill No. 1620, introduced by Hon. Daniel Ferguson, to amend the Penal Code, Section 172, relating to the sale or gift of vinous or alcoholic liquors within or contiguous to certain state buildings and grounds and to the State University, but we favor Assembly Bill No. 615, introduced by Assemblyman Ellis, which makes no exemptions.

GEO. G. ELDREDGE, Pastor.

Attest: A. A. BROWN.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 594—An Act making an appropriation for the location and survey of a proposed highway to connect the counties of Trinity, Tehama and Shasta with the road system of Humboldt County—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California, relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and creating a board for the purpose of preparing statement as to the effect and purpose of such questions, propositions and constitutional amendments—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor.

Bill read second time.

Assembly Bill No. 789—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, of printed bill, strike out the word "thirty", and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, of printed bill, at the end thereof, after the dollar sign, strike out the figures "5000", and insert in lieu thereof "3500".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 11, of printed bill, strike out everything to the semicolon, and insert in lieu thereof "on and after September 1, 1913"; also, on the same line, after the semicolon, strike out everything, and insert in lieu thereof "and \$3500".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 12, of printed bill, strike out everything to the semicolon, and insert in lieu thereof "on and after April 1, 1914".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 12, of printed bill, strike out everything after the semicolon; also, all of line 13 and all of line 14 to and including the period.

Amendment adopted.

Bill read second time.

Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the Alpine state highway.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, of printed bill, strike out the words "one hundred", and insert in lieu thereof the word "forty"; also, on the same line, after the word "thousand", strike out everything to the word "dollars".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 8, of printed bill, strike out the word "fifty", and insert in lieu thereof the word "twenty"; also, on the same line, after the word "thousand", strike out everything to the word "dollars"; also, at the end of said line 8, strike out the word "fifty", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 9, of printed bill, after the word "thousand", strike out everything to the word "dollars".

Amendment adopted.

Bill read second time.

Assembly Bill No. 2110—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 221—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and

regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

Bill read second time.

Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Bill read second time.

Assembly Bill No. 869—An Act to add a new section to the Penal Code, to be known as Section 1132, relating to an internal revenue license as evidence that the person having the same is engaged in the business of selling alcoholic liquors.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1841—An Act to amend Section 528 of the Political Code, relating to the printing of laws and journals.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 841—An Act to amend Section 2641 of the Political Code, relating to road districts, road commissioners and road engineer.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2113—An Act to provide for one day's rest in seven for the employees of the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2103—An Act amending Sections 7 and 26 of an Act of the Legislature of the State of California, entitled "An Act providing for the organization and government of districts for the protection of the lands of farming or other communities or neighborhoods within this State from overflow or damage from the waters of any innavigable stream, watercourse, canyon or wash extending by, through, or over such communities or neighborhoods, and to provide for the acquisition of lands, rights of way, and other property by purchase, gift, or condemnation, and for extending, straightening, locating, improving, and maintaining the channels of such streams, watercourses, canyons, or washes, and confining said waters in such channels and preventing the overflow thereof, and for the construction by such districts of the necessary works for said purposes," approved February 23, 1907.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing a means for the abatement of such nuisance and collecting the cost of removing such weeds from the owners of abutting land.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 401—An Act to amend Section 1839 of the Political Code of the State of California, relating to public schools.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, strike out "Section 2", and insert "1839".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, after the word "levied", and before the word "by", insert the following: "for elementary school purposes".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 5, strike out the word "fifty", and insert in lieu thereof the word "seventy".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 305—An Act to amend Section 869 of the Penal Code of the State of California, relative to the taking, filing and authentication of testimony and proceedings on examinations in criminal cases and to provide for the fees in payment therefor.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1056—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of wild birds, other than game birds, their nests and eggs.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1188—An Act to amend Section 670 of the Penal Code of the State of California, relating to the terms of imprisonment of persons convicted of crime.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1189—An Act to repeal Section 1970 of the Civil Code of the State of California, relating to responsibility of employers for injury to, or death of employees, and designating the persons by whom an action can be brought to recover damages for wrongful death.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1840—An Act to amend Section 52 of the Political Code, relating to printing.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1842—An Act to repeal Section 533 of the Political Code, relating to ruling and binding contracts.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1193—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2059—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign-born resident of this State, and providing punishment therefor, and providing for disposition of such shotguns or rifles.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 480—An Act to amend Section 372 of the Code of Civil Procedure of the State of California, providing for a compromise of suits by guardians.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 31—An Act limiting the hours of labor of persons employed in manufacturing, mechanical, mining or mercantile establishment, laundry, barber shop, hotel, restaurant, telegraph or

telephone establishment or office, or employed by an express or transportation company, or any common carrier, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, or foreman, or other agent of any such employer to violate the provisions of this Act.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 2, strike out the period after the word "week", and insert the following: "*provided*, that in cases of emergency involving injury to persons or property or both, the number of hours of employment may exceed eight hours per day and forty-eight hours per week; *provided, further*, that the wages or salary for such number of extra hours of labor above eight hours in any such day shall be increased fifty per cent above the regular rate per hour of any such wage or salary; *provided, further*, that in case of persons employed by express or transportation companies, or by common carriers, the number of hours of employment may exceed eight hours per day but not over ten hours per day nor more than sixty hours per week; *provided, however*, that the wages or salary for such number of extra hours of labor above eight hours in any such day, shall be increased fifty per cent above the regular rate per hour of any such wage or salary; *provided, further*, that the provisions of this Act shall not apply to engineers, firemen, brakemen or conductors employed in regular train service on steam railroads."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1498—An Act to appropriate the sum of \$8,841.79 out of the general fund in the state treasury, to pay the assessments levied by the city and county of San Francisco against property belonging to the State of California for local improvements.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 646—An Act appropriating money to be used in establishing and maintaining an exhibit of the citrus industry and citrus products of this State at the fourth and fifth national orange shows, to be held in the city of San Bernardino during the month of February, in the years 1914 and 1915.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2108—An Act appropriating money to pay the claim of John Ewart for the expense incurred in improving American street, between Park and Poplar streets, fronting the property belonging to the Stockton State Hospital, in the city of Stockton.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1543—An Act providing for making it the duty of telegraph companies to receive and transmit dispatches and creating their liability for mistakes, errors, or delays in the transmission, delivery or non-delivery of any repeated or non-repeated message.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 481—An Act to amend Section 1769 of the Code of Civil Procedure, relating to powers and duties of guardians.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 12, strike out the word "and", and insert in lieu thereof the word "with".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2109—An Act to repeal an Act entitled “An Act providing for the removal of human remains from cemeteries in any city or city and county in this State, and repealing all Acts in conflict therewith,” approved April 24, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1190—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such incorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses to do so.

Bill read second time, and ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1911, 221 and 1437.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 1911, 221 and 1437 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 1911, 221 and 1437, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 789 and 13.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 789 and 13 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 789 and 13, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1013—An Act appropriating the sum of \$10,000 to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of \$5,000 therefor, approved April 5, 1911.

Bill read second time.

Senate Bill No. 1255—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article, to be designated and numbered Article IXa of Chapter III of Article III, Part III of said code, relating to the elementary and secondary schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 15, strike out everything after the word "state", and also all of line 16, on page 1, and all of lines 1 to 22, inclusive, on page 2, and insert in lieu thereof the following: "shall be guilty of a misdemeanor; *provided*, that it shall be lawful to use fyke nets, without wings, for the purpose of catching catfish in the San Joaquin river and tributaries between the mouth of said river and south boundary of San Joaquin county between the first day of August and the first day of May of the year following; *and provided*, that it shall be lawful to use two-mesh or three-mesh or trammel nets, the meshes of which, when drawn closely together and measured inside the knots, shall measure nine inches or more in length, in the waters of the Pacific ocean, outside of one mile from the shore line thereof; *and provided, further*, that it shall be lawful to use two-mesh or three-mesh or trammel nets, the meshes of which when drawn closely together and measured inside the knots, shall measure

seven and one half inches or more in length, in the waters of Monterey bay, outside of one mile from the shore line thereof, and outside of existing fish and animal reservations and outside of an imaginary line in said bay, drawn from the outer end of the Moss Landing wharf just south of the mouth of Elkhorn slough, northerly and westerly to Point Santa Cruz; *and provided, further*, that no person shall cast, extend or use any two-mesh or three-mesh or trammel net and permit such net to remain in a fixed or set condition for a period of time of more than six hours from the time of casting, extending or setting such net, without taking up such net and removing any fish that may have been taken therein.

For the purposes and in the meaning of this section, every net shall be considered a set net that is secured in any way and is not free to drift with the current or tide.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars, or by imprisonment in the county jail in the county in which conviction shall be had, not less than fifty days, or by both such fine and imprisonment; and all fines or forfeitures imposed and collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 258—An Act in relation to fences and other structures erected to annoy, and for the abatement of nuisances.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water-works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1092—An Act to amend Section 1775 of the Code of Civil Procedure of the State of California, relating to the powers and duties of guardians of insane and incompetent persons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 788—An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1298—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, aliening, encumbering or granting of the real property of religious, social and benevolent corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1686—An Act to amend Section 542*a* of the Code of Civil Procedure of the State of California, relating to attachment liens.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1871, relating to the testimony of expert witnesses.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 747—An Act to amend Section 667 of the Penal Code of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1125—An Act to amend Sections 302 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1005—An Act to add a new section to the Political Code of the State of California, to be numbered 1097*a*, relating to elections and the registration of voters.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 810—An Act to amend Section 499*a* of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 17, beginning with the word "or", following the word "apparatus", strike out all of the balance of the line and also all of line 18.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 1, strike out the following words: "cause the evasion of payment therefor,".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California, relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 9, strike out the period after the word "injury", and insert in lieu thereof a semicolon and the following: "*provided*, that said resolution or ordinance shall not be such conclusive evidence in the case of the taking by any county, city and county, or incorporated city or town, of property located outside of the territorial limits thereof."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247*a* and 1247*e* of the Penal Code of the State of California, relating to the

duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeal, in criminal cases.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 4, strike out the words "ten days", and insert in lieu thereof the words "twenty days".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 155—An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 17, strike out the word "Sacramento", and insert in lieu thereof the words "San Francisco".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 18, strike out the semicolon following the word "work", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 3.

On page 2, commencing in line 18 with the word "and", strike out all the balance of the line, also all of lines 19, 20, 21, 22, 23, 24, 25 and in line 26 the following: "state", approved March 15, 1909.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1496—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California, relating to the regulation of loading and unloading of vessels, to be known as and numbered 368a of said code.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 876—An Act to make an appropriation for the maintenance and improvement of the Alpine state highway.

Bill read second time.

Senate Bill No. 151—An Act to appropriate the sum of \$11,433.82 out of the general fund in the state treasury, to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Bill read second time.

Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose Normal School.

Bill read second time.

Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Bill read second time.

Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

Bill read second time.

Senate Bill No. 1727—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 1252—An Act reappropriating \$964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire, in September, 1912.

Bill read second time.

Senate Bill No. 482—An Act appropriating money for the construction of farm buildings at Folsom State Prison.

Bill read second time.

Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the state prison at Folsom and for construction of a wall around said prison.

Bill read second time.

Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

Bill read second time.

Senate Bill No. 405—An Act providing for the construction of additional live stock barns and sheds and poultry building on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission in Lunacy.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 881—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an Act entitled "An Act to permit asexualization of inmates of state hospitals and the California Home for the Care and Training of Feeble-Minded Children and convicts in the state prisons," approved April 26, 1909.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 343—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 10, of the printed bill, strike out all after the word "contain", down to including the "period", on line 12, and insert in lieu thereof "sufficient air space to insure an adequate supply of fresh air for each person occupying such bunk-house, tent or other sleeping place. The bunks or beds shall be made of iron, canvas or other sanitary material and shall be so constructed as to afford reasonable comfort to the persons occupying such bunks or beds."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 18, of the printed bill, strike out the words "commissioner of the bureau of labor statistics", and insert in lieu thereof "state board of health".

Amendment adopted.

AMENDMENT No. 3.

Strike out, beginning with the word "it", line 12, page 2, of the printed bill, to and including the word "act", line 16, page 2, and insert in lieu thereof the following: "It shall be the duty of the state board of health to enforce the provisions of this Act."

Amendment adopted.

AMENDMENT No. 4.

Strike out beginning with the word "less", line 8, page 2, to and including the first word "or", line 9, page 2.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 670—An Act to amend an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, approved May 1, 1911," to be known as Section 14a.

During second reading of the bill, the following amendment was submitted by the committee:

In line 6, of the title, after the numerals "1911", insert the following words: "by adding a new section thereto".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement thereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 10, strike out the words "between the ages of twelve and", and in lieu thereof insert the following: "under the age of".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 22, strike out the word "sixteen", and in lieu thereof insert the word "fifteen".

Amendment adopted.

AMENDMENT No. 3.

On page 8, line 7, strike out the words "Section 12".

Amendment adopted.

AMENDMENT No. 4.

On page 8, lines 12 and 13, after the word "imprisonment", change the semicolon to a period and strike out the words "*provided, however*, that no", and in lieu thereof insert the following: "Section 12. No".

Amendment adopted.

AMENDMENT No. 5.

On page 8, line 14, strike out the words "Section 4", and in lieu thereof insert the following: "Sections 3, 4 and 5".

Amendment adopted.

AMENDMENT No. 6.

On page 8, line 15, strike out the words "Section 11", and in lieu thereof insert the following: "Sections 9, 10 and 11".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places, and providing for the punishment for violation of this Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1240—An Act to amend Sections 10^e and 10ⁿ of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing

a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out the title of Senate Bill No. 1240 and insert in lieu thereof the following:

An Act to amend an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911, by amending the title and Sections 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l, 10m, 10n, 10r, 10t, 10u, 10v, and 10x.

Amendment adopted.

AMENDMENT No. 2.

Strike out all of Section 1, and insert in lieu thereof the following:

SECTION 1. The title of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, is hereby amended to read as follows: "An Act concerning dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons; fixing the salaries of probation officers; providing for detention homes for said persons, providing for the punishment of those responsible for or contributing to, the dependency or delinquency of said persons; and giving to the superior court jurisdiction of such offenses and repealing inconsistent Acts."

Amendment adopted.

AMENDMENT No. 3.

Strike out all of Section 2, and insert in lieu thereof the following:

SEC. 2. Section 10a of said Act is hereby amended to read as follows:

Section 10a. In counties of the first class there shall be one probation officer and twenty-five assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen probation officers, one hundred dollars per month; one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month; one assistant probation officer to act as probation officer's clerk, eighty-five dollars per month; one assistant probation officer to act as stenographer to the probation officer in clerical work, seventy-five dollars per month; one assistant probation officer to act as book-keeper, seventy-five dollars per month; one assistant probation officer to act as telephone exchange operator and stenographer, sixty-five dollars per month.

SEC. 3. Section 10b of said Act is hereby amended to read as follows:

Section 10b. In counties or cities and counties of the second class, there shall be one probation officer and ten assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per

month; one assistant probation officer, one hundred and seventy-five dollars per month; and nine assistant probation officers, one hundred and twenty-five dollars per month each.

Sec. 4. Section 10c of said Act is hereby amended to read as follows:

Section 10c. In counties of the third class there shall be one probation officer and eight assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; two assistant probation officers, each one hundred dollars per month; two assistant probation officers, each seventy-five dollars per month.

Sec. 5. Section 10d of said Act is hereby amended to read as follows:

Section 10d. In counties of the fourth class there shall be one probation officer, one assistant probation officer, and one assistant probation officer who shall act as probation officer's clerk. The salaries of said officer shall be as follows: Probation officer, one hundred and fifty dollars per month; assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month.

Sec. 6. Section 10e of said Act is hereby amended to read as follows:

Section 10e. In each of the counties of the fourth, fifth and tenth classes, there shall be one probation officer whose salary shall be one hundred and fifty dollars per month. In counties of the fourth class, there shall be one assistant probation officer whose salary shall be one hundred dollars per month, and one assistant probation officer to act as probation officer's clerk whose salary shall be seventy-five dollars per month. In counties of the fifth class there shall be one assistant probation officer whose salary shall be one hundred and twenty-five dollars per month.

Sec. 7. Section 10f of said Act is hereby amended to read as follows:

Section 10f. In counties of the sixth class there shall be one probation officer and two assistant probation officers. The salaries of such officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, one hundred dollars per month.

Sec. 8. Section 10g of said Act is hereby amended to read as follows:

Section 10g. In counties of the seventh class there shall be one probation officer and two assistant probation officers. The salaries of said officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and twenty dollars per month; and one assistant probation officer, one hundred dollars per month.

Sec. 9. Section 10h of said Act is hereby amended to read as follows:

Section 10h. In each of the counties of the eleventh and fourteenth class there shall be one probation officer whose salary shall be one hundred and twenty-five dollars per month.

Sec. 10. Section 10i of said Act is hereby amended to read as follows:

Section 10i. In each of the counties of the eighth, ninth, twelfth, thirteenth, sixteenth, seventeenth, eighteenth, twenty-second, twenty-third, twenty-sixth, twenty-seventh and thirty-third class there shall be one probation officer, whose salary shall be one hundred dollars per month. In counties of the ninth class there shall be two assistant probation officers, whose salaries shall be as follows: One assistant probation officer whose salary shall be seventy-five dollars per month and one assistant probation officer whose salary shall be fifty dollars per month. In counties of the thirteenth class there shall be one assistant probation officer whose salary shall be twenty-five dollars per month. In counties of the eighteenth class there shall be four assistant probation officers, whose salaries shall be twenty-five dollars per month each. In counties of the twenty-third class there shall be one assistant probation officer whose salary shall be fifty dollars per month. In counties of the twenty-sixth class there shall be one assistant probation officer whose salary shall be forty dollars per month.

Sec. 11. Section 10j of said Act is hereby amended to read as follows:

Section 10j. In each of the counties of the fifteenth and thirty-fourth class there shall be one probation officer whose salary shall be eighty dollars per month.

Sec. 12. Section 10k of said Act is hereby amended to read as follows:

Section 10k. In each of the counties of the nineteenth, twentieth, thirtieth and thirty-eighth class there shall be one probation officer whose salary shall be seventy-five dollars per month. In counties of the twentieth class there shall be one assistant probation officer whose salary shall be fifty dollars per month.

Sec. 13. Section 10l of said Act is hereby added to read as follows:

Section 10l. In each of the counties of the twenty-fifth class there shall be one probation officer whose salary shall be seventy dollars per month and one assistant probation officer whose salary shall be fifty dollars per month.

Sec. 14. Section 10m of said Act is hereby amended to read as follows:

Section 10m. In each of the counties of the thirty-first class there shall be one probation officer whose salary shall be sixty dollars per month.

SEC. 15. Section 10*n* of said Act is hereby amended to read as follows:

Section 10*n*. In counties of the thirty-fifth class there shall be one probation officer who shall maintain an office in the courthouse at the county seat. The salary of said probation officer shall be one hundred dollars (\$100) per month.

SEC. 16. Section 10*r* is hereby added to read as follows:

Section 10*r*. In each of the counties of the twenty-first, thirty-second, thirty-sixth, thirty-ninth and forty-second class, there shall be one probation officer whose salary shall be fifty dollars per month.

SEC. 17. Section 10*t* of said Act is hereby amended to read as follows:

Section 10*t*. In each of the counties of the twenty-fourth, twenty-eighth, twenty-ninth, thirty-seventh, fortieth, forty-first, forty-third, forty-fifth, forty-sixth, forty-seventh, forty-ninth, fifty-first, fifty-second, fifty-third, fifty-fourth and fifty-sixth class there shall be one probation officer whose salary shall be thirty-five dollars per month.

SEC. 18. Section 10*u* of said Act is hereby amended to read as follows:

Section 10*u*. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 19. Section 10*v* of said Act is hereby amended to read as follows:

Section 10*v*. In each of the counties of the forty-fourth, fiftieth and fifty-fifth class there shall be one probation officer whose salary shall be ten dollars per month.

SEC. 20. Section 10*z* of said Act is hereby amended to read as follows:

Sec. 10*z*. In each of the counties of the fifty-seventh and fifty-eighth class there shall be one probation officer whose salary shall be five dollars per month.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 263—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporations to the United States.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 2, after the comma following the word establishment, insert the words "where five or more persons are employed."

Amendment adopted.

AMENDMENT No. 2.

On page 2, strike out Section 4.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 10, at the end of line 22 and beginning of line 23, change the word "contaning" to the word "containing".

Amendment adopted.

AMENDMENT No. 2.

On page 17 of the printed bill, line 36 thereof, after the word "room" and before the word "shall", insert the following words: "containing more than one hundred and eighty square feet of floor area".

Amendment adopted.

AMENDMENT No. 3.

On page 18 of the printed bill, strike out from and including the word "not", at the end of line 1, down to and including the word "than", on line 2 of the same page.

Amendment adopted.

AMENDMENT No. 4.

On page 18 of the printed bill, strike out from and including the word "All", at the beginning of line 5, down to and including the period at the end of line 7.

Amendment adopted.

AMENDMENT No. 5.

On page 18 of the printed bill, on line 16, after the word "tenement" and before the period, strike out the word "building", and insert in lieu thereof the word "house".

Amendment adopted.

AMENDMENT No. 6.

On page 18 of the printed bill, line 17 thereof, after the word "tenement" and before the word "may", strike out the word "building", and insert in lieu thereof the word "house".

Amendment adopted.

AMENDMENT No. 7.

Strike out from and including the figure "(1)", at the beginning of line 33, on page 27 of the printed bill, and all the balance of the section down to and including the period following the word "provided", at the end of line 9, on page 28.

Amendment adopted.

AMENDMENT No. 7b.

On page 25, in line 2, strike out the word "point", and insert in lieu thereof the word "paint".

Amendment adopted.

AMENDMENT No. 8.

On page 28 of the printed bill, line 28 thereof, after the word "rooms" and before the word "located", strike out the comma and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT No. 9.

On page 30 of the printed bill, in line 20 thereof, after the word "the" and before the word "building", insert the words "tenement house or".

Amendment adopted.

AMENDMENT No. 10.

On page 30 of the printed bill, after the word "house", at the end of line 30, insert a comma.

Amendment adopted.

AMENDMENT No. 11.

On page 31 of the printed bill, on line 30 thereof, after the word "tenement" and before the word "is", insert the following words: "house or building".

Amendment adopted.

AMENDMENT No. 12.

On page 40 of the printed bill, line 1 thereof, strike out the words "coal gas", and insert in lieu thereof the word "coal-gas".

Amendment adopted.

AMENDMENT No. 13.

On page 40 of the printed bill, on line 21 thereof, strike out the word "groved", and insert in lieu thereof the word "grooved".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 565—An Act regulating the disinfection of shoddy and raw material used in the manufacture thereof.

During second reading of the bill, the following amendments were submitted by the committee:

On page 1, lines 5, 6 and 7, strike out the words "or by", in line 5, and all of lines 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

On page 2, lines 9 and 10, strike out the words "formaldehyde gas, under pressure of at least fifty pounds, or".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 1013, 876, 151, 199, 226, 1656, 1727, 1252, 482, 484, 406 and 405.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 1013, 876, 151, 199, 226, 1656, 1727, 1252, 482, 484, 406 and 405 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 1013, 876, 151, 199, 226, 1656, 1727, 1252, 482, 484, 406 and 405, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bill No. 481.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bill No. 481 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 481, and do now report the same back, and recommend that it do pass as amended.

YOUNG, Chairman.

Bill ordered to reprint, and on file for third reading.

AMENDMENT OF BILLS.

Assembly Bill No. 332—An Act to amend Sections 344, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 3, line 26, strike out the words "two hundred and fifty", and insert in lieu thereof the following: "two hundred and eighty"; also, in lines 27 and 28, page 3, strike out the words and figures "for the fiscal years 1913-1914 and 1914-1915", and insert in lieu thereof the following: "One hundred and forty thousand dollars for the fiscal years 1913-1914 and one hundred and forty thousand dollars for the fiscal years 1914-1915".

AMENDMENT No. 2.

On page 2, strike out lines 30, 31, 32, 33, 34, 35 and 36, and insert in lieu thereof the following:

"2. To conduct such scientific investigations of the life history of the wild birds, wild mammals and fishes of the state as in the board's opinion may be necessary to the proper conservation of such wild birds, wild mammals and fishes.

3. To inform and educate the public as the board may deem necessary or advisable concerning the nature and value of the wild birds, wild mammals and fishes of the state, and of the need of properly conserving same.

4. To establish and maintain fish breederies and to acquire by purchase, gift or lease or otherwise such land as may be deemed necessary for the purpose of establishing state fish breederies for stocking the waters of this state with foreign and native fish.

5. To purchase and import the spawn or ova of fish suitable for food.

6. To stock with such spawn the waters of this state.

7. To employ persons skilled in fish and game breeding and conservation, and such other employees as may be necessary to assist them in their duties.

8. To receipt to the state controller for all licenses issued by him or under his authority; which licenses must bear the signature of the state controller."

AMENDMENT No. 3.

On page 2, line 37, strike out the number "6", and insert in lieu thereof the figure "9".

AMENDMENT No. 4.

On page 3, line 3, strike out the number "7", and insert in lieu thereof the figures "10".

AMENDMENT No. 5.

On page 3, line 13, strike out the number "8", and insert in lieu thereof the number "11".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 332, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Concurrent Resolution No. 33—Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting, with recommendations, upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities.

During consideration of the resolution, the following amendments were submitted by the committee:

AMENDMENT No 1.

On page 2, line 10, strike out all after the period, and insert in lieu thereof the following: "The moneys received by such committee may be used to defray the expenses incurred by it in the performance of its duties in accordance with this resolution. The report to the governor herein mentioned shall be accompanied by a financial statement, showing the amount of all moneys received and the disposition of the same."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, insert a comma (,), after the word "senate".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, insert a comma (,), after the word "assembly".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 4, strike out the comma (,), after the word "secretary".

Amendment adopted.

Assembly Concurrent Resolution No. 33 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

During third reading of the bill, Mr. Weisel moved that the Speaker appoint a select committee of one to amend the bill as follows:

Beginning on page 1, line 6, with and including the word "waste", strike out everything down to and including the word "use", in line 13, on page 2, and insert in lieu thereof the following:

"SEC. 3. Waste is defined for the purposes of this Act, to be the causing, suffering or permitting of any water to flow from an artesian well, unless the said water is thereafter used for the beneficial purposes of irrigation of land or domestic use or for the propagation of fish, or the maintenance of game preserves; *provided*, that

when such water is used for the propagation of fish, or the maintenance of game preserves, the flow of such well shall not exceed one half of one miner's inch of water, perpetual flow; *and provided, further*, that not more than one artesian well shall be permitted to flow into any pond, reservoir, or lake used for said purpose of propagating fish, or the maintenance of game preserves. Whenever five per cent or more of the water flowing from an artesian well for any of the beneficial purposes herein mentioned, is permitted to escape without having been used for such beneficial purpose, or when five per cent or more of the water flowing from an artesian well for the purpose of irrigation is permitted to flow away from the land intended to be irrigated, then and in that case the said five per cent or more of said water shall be deemed and considered a waste within the meaning of this Act."

Motion carried.

The Speaker appointed Mr. Weisel as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 447, with instructions, do now report that the instructions of the Assembly have been carried out.

WEISEL, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

1. On page 4, line 5, after the word "that", insert the following: "in counties of this class there shall be and there is hereby allowed to the treasurer, one clerk, who shall be appointed by the treasurer and who shall receive a salary of seventy-five dollars per month, said salary to be paid in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid; *provided, however*, that".

2. Also: On page 5, line 23, strike out the words "three thousand two hundred and fifty", and insert in lieu thereof the words "five thousand".

3. Also: On page 5, line 35, strike out the period after the word "month", and insert in lieu thereof the following: "; one copyist at a salary of sixty dollars per month."

4. Also: On page 6, line 4, strike out the word "fifteen", and insert in lieu thereof the words "two thousand four".

5. Also: On page 6, line 18, strike out the period after the word "taxes", and insert in lieu thereof the following: "nor shall such assessor receive any compensation or commission for the collection of poll taxes or road poll taxes nor shall the said assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by Section 1901 of the Political Code; *provided, however*, that fifteen per cent of all moneys collected by him for poll taxes and road taxes shall be allowed to such counties on their settlement with the state and be and remain the property of such counties".

6. Also: On page 8, line 10, after the period following the word "court", insert the following: "For summoning a coroner's jury the same fees as are now or may be hereafter allowed for summoning a jury in a civil action in the justice's court."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 679, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Emmons:

SACRAMENTO, CAL., April 29, 1913.

Resolved by the Assembly at its fortieth session. That Assembly Bill No. 2054, relating to "practitioners of dental surgery," heretofore referred to Committee on Medical and Dental Laws, be and the same is hereby returned and placed on file.

Resolution read, and on motion adopted.

Also:

SACRAMENTO, CAL., April 29, 1913.

Resolved by the Assembly at its fortieth session. That Assembly Bill No. 1469, relating to "An Act standardizing and regulating the branding and sale of commercial feeding stuff," be and the same is asked to be returned from the Committee of Manufactures, and placed on file.

Resolution read, and on motion adopted.

UNFINISHED BUSINESS.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as Section 1202a, relating to indeterminate sentences.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1518 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Finnegan, Fish, Gabbert, Gates, Green, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Ryan, Shearer, Strine, Sutherland, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—45.

NOES—Messrs. Bowman, Ferguson, Ford, Griffin, Polsley, Schmitt, Simpson, Stuckenbruck, and Weldon—9.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1695—An Act to authorize and empower the board of trustees of Whittier State School to sell and convey all or any part of the lands and buildings of said school, and from the proceeds of such sale to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for the said school; and to provide for the purchase of furniture, fixtures and apparatus for said school.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1695 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer,

Peairs, Polsley, Ryan, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, strike out the word "seven", and insert in lieu thereof the word "six".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1183, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1939 passed by the following vote.

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shearer, Simpson, Strine, Sutherland, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—46.

NOES—Messrs. Ford and McCarthy—2.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Concurrent Resolution No. 19—Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California and fixing the date for said adjournment.

Mr. Bohnett moved that consideration of the above resolution be postponed until Friday, May 2, 1913, at eleven o'clock a.m.

Motion carried.

Assembly Bill No. 136—An Act appropriating money for general repairs to buildings at the Veterans' Home of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 136 passed by the following vote.

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HOOR OF RECESS EXTENDED.

On motion of Mr. Gelder, the hour of recess was extended until the business before the House be disposed of and committee reports received.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all of Section 11, following the period in line 21 on page 9, to the end of the section.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Dower, Emmons, Ford, Gelder, Griffin, Guiberson, Inman, Johnson, Geo. H., Murray, Palmer, Polsley, Schmitt, Shannon, Simpson, Slater, Stuckenbruck, Weldon, and White—25.

NOES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bush, Cary, Chandler, Clark, Wm. C., Ellis, Farwell, Ferguson, Fish, Gabbert, Gates, Guill, Johnston, T. D., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Roberts, Ryan, Scott, Smith, Sutherland, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—36.

Mr. White moved that the Speaker appoint a special committee of one to amend the bill as follows:

On page 22, line 14, strike out all after the word "him" down to and including the word "appropriator" on line 16, on said page 22, and insert in lieu thereof the following: "or when said water is used for mining purposes, and the amount of water so used for such mining purposes does not exceed five hundred miner's inches".

Motion carried.

The Speaker appointed Mr. White as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 642, with instructions, do now report that the instructions of the Assembly have been carried out.

WHITE, Select Committee.

Report of select committee and amendment adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1053—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a new section, to be numbered Section 3½, relating to the manner of effecting certain local improvements—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 743—An Act to amend Sections 2, 3, 4, 16 and 30 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, and to add two new sections to said Act, to be numbered Sections 26a and 33a, relating to reassessments and the form of certain notices, resolutions, orders and determinations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CRAM, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 1773—An Act to provide for the exemption of honorably discharged soldiers, sailors and marines of the United States, from payment of any state, county, city and county or city license fees in certain cases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SUTHERLAND, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted as amended.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Assembly Concurrent Resolution No. 18, introduced by Assemblyman Farwell—Relative to memorializing the life, deeds and character of Homer Lea and providing a method of popular subscription for the erection of a suitable monument to his memory—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BROWN, Chairman.

The above reported Assembly concurrent resolution ordered on file for adoption.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Also: Senate Bill No. 995—An Act making an appropriation for office equipment for the State Board of Health.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FITZGERALD, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 291—An Act to amend Sections 276, 277 and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counsellors at law, and to add

three sections to said code, to be known as Sections 276a, 276b and 276c, relating to the same subject, and making an appropriation to carry out the purpose of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading, and referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 508—An Act to amend Section 372 of the Code of Civil Procedure, providing for a compromise of suits by guardians.

Also: Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter, to be known as Chapter VIII of Title II of Part IV of Division First of said Civil Code, relating to mortgage insurance companies.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1913—An Act to amend Sections 1401 and 1402 of the Civil Code of the State of California, relating to the disposition of community property upon the death of the wife or husband—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II of Title II of Part IV of Division First of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code, forming part of said Chapter II, and to add to said Civil Code a new chapter, to be known as Chapter VII of Title II of Part IV of Division First of said Civil Code, relating to title insurance companies.

Also: Senate Bill No. 1665—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248b, 1248c and 1248d, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of such referees and exceptions thereto, to the hearing of such reports and exceptions, and to judgments thereon in such proceedings.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 1274—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by amending Section 9 of said Act, relating to the recording of certificates authorized under said Act in the office of the county clerk of the county in which the holder of said certificate is a resident—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2102—An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance, and to make appropriation therefor," approved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway," which became a law under constitutional provision without the Governor's approval March 12, 1901; providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station, on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley turnpike" to a point on the wagon road near the junction of Silver Creek, near the east fork of Carson River, said highway to be named the Alpine state highway, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1027—An Act to amend Section 4264 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1584—An Act to amend Section 4014 of the Political Code of the State of California, relating to township officers—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock and twenty minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker pro tem. Johnstone in the chair.

HON. L. D. BOHNETT IN THE CHAIR.

At one o'clock and thirty-two minutes p.m., Hon. L. D. Bohnett, Assemblyman of the Forty-fourth District, in the chair.

The question being upon the further consideration of Assembly Bill No. 642.

Mr. Simpson moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out all of Section 24, Section 25, Section 26, Section 27, Section 28, Section 29, Section 30, Section 31, Section 32, Section 33, Section 34, Section 35, and Section 36.

POINT OF ORDER.

Mr. Murray rose to the following point of order: "That the time for consideration of the special file as per Special Rule No. 4 adopted by this Assembly on a previous day, has arrived."

POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

MOTION TO SUSPEND RULE.

Mr. Ryan moved that Special Rule No. 4 be temporarily suspended. Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Farwell, Ferguson, Fish, Fitzgerald, Gates, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Roberts, Ryan, Scott, Smith, Strine, Sutherland, Weisel, and Woodley—36.

NOES—Messrs. Alexander, Bagby, Bradford, Brown, Clarke, Geo. A., Dower, Finnegan, Ford, Gabbert, Griffin, Guiberson, Guill, Inman, Johnson, Geo. H., Killingsworth, Kingsley, Libby, McCarthy, Murray, Palmer, Polsley, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, White, and Wyllie—33.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1937—An Act to amend Section 1115 of the Political Code, relating to affidavits of registration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1937 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Byrnes, Cary, Chandler, Clark, Wm. C., Dower, Ellis, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Wyllie—50.

NOES—Messrs. Canepa, Collins, Ferguson, Ford, Griffin, Guiberson, Libby, McCarthy, McDonald, Murray, Nelson, Palmer, Ryan, Slater, and Weldon—15.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Shannon gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1937 was this day passed.

SPEAKER PRO TEM. IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 1677—An Act to appropriate the sum of three hundred and sixty-one dollars to pay the claims of the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1677 passed by the following vote.

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guilberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 2000—An Act, to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein and prescribing punishment therefor.

During third reading of the bill, Mr. White moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 6, line 34, after the period following the word "vouchers", strike out all down to and including the period after the word "jurisdiction", on line 2 of said page 7.

Motion carried.

The Speaker appointed Mr. White as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2000, with instructions, do now report that the instructions of the Assembly have been carried out.

WHITE, Select Committee.

Report of select committee and amendment adopted.

Mr. Simpson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 9, strike out the word "sworn".

Mr. Johnston moved that the Assembly proceed to the consideration of the Senate third-reading file.

Motion carried.

Assembly Bill No. 2000, with pending amendment, passed on file.

THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation.

During consideration of the constitutional amendment, Mr. Ford moved that the Speaker appoint a select committee of one to amend the amendment as follows:

On page 1, line 11, strike out the words "of more than fifty tons burden".

Motion lost.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 17 finally adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—61.

NOES—Messrs. Alexander, Gelder, and Polsley—3.

Senate Constitutional Amendment No. 17 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 17.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 4 of said Article XIII of the Constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the sixth day of January, nineteen hundred thirteen, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes to the electors of the State of California, that a new section be added to Article XIII of the Constitution of the State of California, to be known and designated as Section 4 of Article XIII of the Constitution of the State of California, and to read as follows:

Section 4. All vessels of more than fifty tons burden registered at any port in this State and engaged in the transportation of freight or passengers, shall be exempt from taxation except for state purposes, until and including the first day of January, nineteen hundred thirty-five.

Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 953 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Murray, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weldon, White, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 955 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gelder, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Murray, Nolan, Palmer, Pears, Polesley, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weldon, White, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1397—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 402f, providing that certain buildings shall be provided with fire escapes.

During third reading of the bill, Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 3, strike out everything after the word "concrete" up to and including the bracket on line 6.

Motion carried.

The Speaker appointed Mr. McDonald as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1397, with instructions, do now report that the instructions of the Assembly have been carried out.

McDONALD, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1720—An Act to amend Section 20 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1720 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bowman, Bradford, Bush, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polesley, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 63—An Act to amend an Act entitled "An Act to provide for the work in and upon the streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts,

places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, by adding a new section thereto, to be numbered 77a, relating to the doing of work and making improvements upon railroad tracks and the roadbed thereof existing upon the streets of municipalities and the proceedings relating thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 63 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 512—An Act to amend Section 607f of the Civil Code of the State of California, relating to the appointment, qualification, duties and powers of humane officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 512 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Fitzgerald, Gabbert, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kuck, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Weisel, Woodley, Wyllie, and Mr. Speaker—42.

NOES—Messrs. Bloodgood and Schmitt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 292—An Act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 292 finally passed by the following vote:

AYES—Messrs. Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Richardson, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 221—An Act for the promotion of the viticultural industries of the State; dividing the State into viticultural districts; appointing a state board of viticultural commissioners; providing for

the selection of its officers; defining its powers and duties; and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 221 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 709—An Act to amend Section 1248a of the Code of Civil Procedure of the State of California, relating to the removal or relocation of railroad, street, or interurban railway tracks on property sought to be taken under Title VII, Part III, of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 709 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Smith, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 132—An Act to amend Section 719 of the Political Code of the State of California, relating to the employment by the Superintendent of the Capitol Building and Grounds of gardeners, laborers, porters and other help, and fixing the compensation of such employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 132 finally passed by the following vote:

AYES—Messrs. Bagby, Bowman, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Ryan, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, and Mr. Speaker—45.

NOES—Messrs. Cary, Griffin, Guiberson, Weisel, Weldon, Woodley, and Wyllie—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 14—An Act appropriating money for additional salaries at Los Angeles State Normal School for the sixty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 14 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Ford, Gelder, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 127—An Act appropriating money for repainting and calcimining the training school building at San Francisco State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 127 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Ford, Gelder, Griffin, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1206—An Act appropriating money for the purpose of preservation, protection and improvement of the old theater building and grounds at Monterey.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1206 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gelder, Guiberson, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Schmitt, Simpson, Slater, Smith, Stuckenbruck, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 820—An Act appropriating money for the installation of new lights at Sutter's Fort.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 820 finally passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Guiberson, Guill, Inman, Johnson, Geo. H., Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Schmitt, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 819—An Act appropriating money to pay the proportion of the costs chargeable against the State for the construction of cement curbing in K street, between Twenty-sixth and Twenty-seventh streets, in the city of Sacramento, and bordering on a portion of the property belonging to the State of California, known as Sutter's Fort.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 819 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Finnegan, Gabbert, Gelder, Guiberson, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 818—An Act appropriating money for repairing and improving Sutter's Fort.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 818 finally passed by the following vote:

AYES—Messrs. Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Finnegan, Ford, Gabbert, Gelder, Griffin, Guiberson, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Ryan, Shartel, Simpson, Slater, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 483—An Act appropriating money for general repairs and improvements at Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 483 finally passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Finnegan, Gabbert, Gelder, Griffin, Guiberson, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Shannon, Shartel, Smith, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 404—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 404 finally passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Griffin, Guiberson, Guill, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Slater, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 353—An Act appropriating money for building a dairy barn at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 353 finally passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Griffin, Guiberson, Guill, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Shannon, Slater, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 96—An Act appropriating money for the construction of six additional cottage units and living and dining-room at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 96 finally passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gelder, Griffin, Guiberson, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Shannon, Slater, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 18—An Act to provide for the survey and construction of a state highway from Saratoga Gap, on the line between the counties of Santa Clara and Santa Cruz, to, into and within California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 18 finally passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Cary, Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Griffin, Guiberson, Inman, Johnstone, W. A., Judson, Killingsworth,

Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Pears, Polesley, Richardson, Shannon, Slater, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—42.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILLS.

Mr. Inman asked for and was granted unanimous consent to withdraw Assembly Bills Nos. 82, 808 and 807.

Bills withdrawn, and ordered stricken from the file.

RE-REFERENCE OF BILL.

On motion of Mr. Clarke, Senate Bill No. 1251 was re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILL.

Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized.

During second reading of the bill, the following amendment was submitted by Mr. Murray:

On page 1, of the printed bill, as amended in Senate, strike out all from and including the word "any" in line 4 down to and including the word "said" in line 5, and insert in lieu thereof the following: "any contemplated or outstanding bonds of said".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

RECONSIDERATIONS.

In compliance with his notice given on a previous day, Mr. Ferguson moved that the vote whereby Assembly Bill No. 1620 was refused passage be reconsidered.

On request of Mr. Ferguson, consideration of above motion was postponed until the next legislative day.

In compliance with his notice given on a previous day, Mr. Schmitt moved that the vote whereby Senate Bill No. 1339 was passed be reconsidered.

On request of Mr. Schmitt, consideration of above motion was postponed until the next legislative day.

CONSIDERATION OF MOTION TO RECONSIDER POSTPONED.

On request of Mr. Killingsworth, consideration of the motion to reconsider the vote whereby Assembly Bill No. 1120 was refused passage was postponed until the next legislative day.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Hinkle, Hayes and Bradford a Committee on Conference to meet with a like committee from the Senate to consider Senate Bill No. 847.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act.

Assembly Bill No. 412—An Act to amend Section 2322a of the Political Code of the State of California, said section relating to orchards, trees, vines or plants of any variety infested with diseases or scale insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the eradication of insect pests and diseases, prescribing his duties and powers.

Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Assembly Bill No. 970—An Act to establish a legislative counsel bureau, and making an appropriation therefor.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 221—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director, and to the times and places of hearing food cases.

Assembly Bill No. 279—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Assembly Bill No. 305—An Act to amend Section 1869 of the Penal Code of the State of California, relative to the taking, filing and authentication of testimony and proceedings on examinations in criminal cases, and to provide for the fees in payment therefor.

Assembly Bill No. 425—An Act to regulate the practice of medicine, surgery, osteopathy, naturopathy, chiropractic, mechanotherapy and other systems or modes of treating sick or afflicted human beings in the State of California; fixing the standard for the admission to such practice; for the appointment of a board of medical examiners; providing for the duties thereof in the matter of said regulation; appointing medical inspectors thereunder; imposing certain duties and obligations upon all persons who shall practice or shall attempt to practice, medicine and surgery, osteopathy, naturopathy, chiropractic, mechanotherapy, or other systems or modes of treating sick or afflicted human beings in the State of California; providing penalties for a violation of any of the provisions of this Act; to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," which became a law under constitutional provision without Governor's approval February 27, 1901; to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907; to repeal an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a

board of medical examiners in the matter of said regulation," which became a law March 19, 1909; to repeal an Act entitled "An Act to amend an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, as amended by a certain Act approved March 19, 1909, by amending Section 16 thereof, and by adding a new section to said Act, which section shall be numbered 13a, relating to the practice of medicine and surgery, osteopathy and other systems and modes of treating the sick or afflicted, in the State of California, and imposing certain duties and obligations upon all persons who shall practice or shall attempt to practice, medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and providing penalties for a violation of any of the provisions of said Act, or of any of the provisions of Section 13a hereby added thereto," approved May 1, 1911; to repeal an Act entitled "An Act to regulate the practice of osteopathy in the State of California, and to provide for a state board of osteopathic examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act," which became a law under constitutional provisions without Governor's approval March 9, 1901; to repeal an Act entitled "An Act to amend Section 16 of an Act entitled 'An Act for the regulation of practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,'" approved March 19, 1909; to repeal all Acts, or parts of Acts in anywise conflicting with the provisions of this Act.

Assembly Bill No. 480—An Act to amend Section 372 of the Code of Civil Procedure of the State of California, providing for a compromise of suits by guardians.

Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California, defining the powers and duties of boards of school trustees and city boards of education.

Assembly Bill No. 646—An Act appropriating money to be used in establishing and maintaining an exhibit of the citrus industry and citrus products of this State at the fourth and fifth national orange shows to be held in the city of San Bernardino during the month of February in the years 1914 and 1915.

Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Assembly Bill No. 841—An Act to amend Section 2641 of the Political Code, relating to road districts, road commissioners and road engineer.

Assembly Bill No. 861—An Act to provide for the instruction of blind students in certain state institutions.

Assembly Bill No. 869—An Act to add a new section to the Penal Code, to be known as Section 1132, relating to an internal revenue license as evidence that the person having the same is engaged in the business of selling alcoholic liquors.

Assembly Bill No. 961—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending Sections 7 and 12 of said Act.

Assembly Bill No. 1056—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of wild birds, other than game birds, their nests and eggs.

Assembly Bill No. 1064—An Act to make an appropriation for the location and survey of a proposed highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada, at Crystal Bay, in Placer County.

Assembly Bill No. 1188—An Act to amend Section 670 of the Penal Code of the State of California, relating to the terms of imprisonment of persons convicted of crime.

Assembly Bill No. 1189—An Act to repeal Section 1970 of the Civil Code of the State of California, relating to responsibility of employers for injury to, or death of employees, and designating the persons by whom an action can be brought to recover damages for wrongful death.

Assembly Bill No. 1190—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting, fails or refuses so to do.

Assembly Bill No. 1193—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Assembly Bill No. 1360—An Act to amend Section 4347 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Assembly Bill No. 1498—An Act to appropriate the sum of \$8,841 79/100 dollars out of the general fund in the state treasury to pay the assessments levied, by the city and county of San Francisco, against property belonging to the State of California for local improvements.

Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act.

Assembly Bill No. 1543—An Act providing for making it the duty of telegraph companies to receive and transmit dispatches and creating their liability for mistakes, errors or delays in the transmission, delivery or non-delivery of any repeated or non-repeated message.

Assembly Bill No. 1577—An Act to create a state school insurance fund and to provide for the insurance of all properties belonging to school districts.

Assembly Bill No. 1750—An Act to amend Section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

Assembly Bill No. 1840—An Act to amend Section 529 of the Political Code, relating to printing.

Assembly Bill No. 1841—An Act to amend Section 528 of the Political Code, relating to the printing of laws and journals.

Assembly Bill No. 1842—An Act to repeal Section 533 of the Political Code, relating to ruling and binding contracts.

Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor.

Assembly Bill No. 1944—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911; by amending Sections 1, 3 and 4 of said Act, and adding sixteen new sections to said Act to be designated as Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 16½, 17, 18 and 19; creating a drainage district to be known as Sacramento and San Joaquin Drainage District, appointing of a reclamation board, providing for the management and control of said district and defining the powers and duties of the reclamation board and the State Engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the floods thereof; the making of assessments; also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer and the reclamation board; also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others; to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers; to prevent the construction of and to require the removal or regulation of obstructions in streams, by-passes and overflow channels; to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento River, and making an appropriation for carrying out the purposes of this Act.

Assembly Bill No. 1947—An Act appropriating money for constructing a hospital building on site near the Ferry Building in the city and county of San Francisco; arranging for its upkeep by said city and county.

Assembly Bill No. 2020—An Act to amend Section 2978 of the Political Code, relating to who shall constitute the State Board of Health.

Assembly Bill No. 2059—An Act to legalize, confirm and validate tax deeds made to the State of California for delinquent taxes, and deeds made to purchasers of property sold under and in pursuance of the provisions of Sections 3897 and 3898 of the Political Code.

Assembly Bill No. 2073—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

Assembly Bill No. 2085—An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate name of each.

Assembly Bill No. 2103—An Act amending Sections 7 and 26 of an Act of the Legislature of the State of California, entitled "An Act providing for the organization and government of districts for the protection of the lands of farming or other communities or neighborhoods within this State from overflow or damage from the waters of any innavigable stream, watercourse, canyon, or wash extending by, through, or over such communities or neighborhoods, and to provide for the acquisition of lands, rights of way, and other property by purchase, gift, or condemnation, and for extending, straightening, locating, improving and maintaining the channels of such streams, watercourses, canyons, or washes, and confining said waters in such channels and preventing the overflow thereof, and for the construction by such districts of the necessary works for said purposes," approved February 23, 1907.

Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing a means for the abatement of such nuisance, and collecting the cost of removing such weeds from the owners of abutting land.

Assembly Bill No. 2108—An Act appropriating money to pay the claim of John Ewart for the expense incurred in improving American street between Park and Poplar streets, fronting the property belonging to the Stockton State Hospital, in the city of Stockton.

Assembly Bill No. 2109—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city or county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

Assembly Bill No. 2110—An Act to amend Sections 1, 2, 8, and 24 of an Act entitled, "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of construction, repairing and maintaining such improvements," approved March 13, 1909.

Assembly Bill No. 2115—An Act to provide for one day of rest in seven for employees in the State of California.

Also: Assembly Concurrent Resolution No. 34—Approving a certain amendment to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the tenth day of April, one thousand nine hundred and thirteen.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 346—An Act to amend Section 4255 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers and fees and mileage of jurors in counties of the thirty-third class.

Assembly Bill No. 832—An Act making an appropriation to pay the claims of the California Highway Construction Company against the State of California.

Assembly Bill No. 1091—An Act to amend section number 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Assembly Bill No. 1263—An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

Assembly Bill No. 1378—An Act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said

bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power.

Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

Assembly Bill No. 1451—An Act to amend Section 628a of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 1549—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized.

Assembly Bill No. 1741—An Act to appropriate the sum of thirty-five hundred dollars for the purpose of clearing obstructions from the Pitt River, its tributaries and other streams.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

RECESS.

At five o'clock p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until eight o'clock and fifteen minutes p.m. of this day.

REASSEMBLED.

At eight o'clock and fifteen minutes p.m., the Assembly reconvened. Speaker Young in the chair.

RECESS.

At eight o'clock and sixteen minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until nine o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At nine o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

RECONSIDERATION POSTPONED.

On request of Mr. Ambrose, reconsideration of the vote on Senate Bills Nos. 513 and 514 was postponed until the next legislative day.

ADJOURNMENT.

At nine o'clock and thirty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, April 30, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk A. A. Wendering, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Kingsley, the further reading was dispensed with.

PETITIONS.

The following petitions were filed by the Chief Clerk, and ordered printed in the Journal:

PASADENA, CALIFORNIA, April 28, 1913.

State Assembly, Sacramento:

As State Commissioner for the Federation of American Motorcyclists, and as representative of at least 35,000 motorcyclists in California, I respectfully urge that while we desire to facilitate necessary legislation and did expect to favor Assembly Bill No. 2095, that said bill should be materially amended in accordance with the suggestions submitted to the committees by representatives of the Capital City Motorcycle Club of Sacramento. The bill as it stands would be decidedly unfair to the many motorcyclists in this State.

STATE COMMISSIONER,
FEDERATION OF AMERICAN MOTORCYCLISTS.

Also:

SAN FRANCISCO, CALIFORNIA, April 28, 1913.

To the Speaker and Members of the Assembly Chamber, State Capitol, Sacramento, California.

GENTLEMEN: The Point Lobos Improvement Club, an organization of thirty years standing, representing the property owners of the Richmond district of the city and county of San Francisco, do hereby request that your honorable body give the Boynton and Cassidy cemetery bills your closest consideration.

We have been endeavoring for a number of years to get legislation that would be fair to all to enable us to have the cemeteries removed from their present location, to aid us in building up the locality surrounding our homes, and we do hereby appeal to you, gentlemen, asking you to vote for the passage of these bills.

Yours very respectfully,

POINT LOBOS IMPROVEMENT CLUB.
THOS. P. ROBISON, President.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code relating to salaries of officers of counties of the forty-second class.

Assembly Bill No. 1684—An Act to amend the title of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

And report that the same have been correctly re-engrossed.

EMMONS, Acting Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Pursuant to the resolution of the Assembly of the State of California, adopted on April 18, 1913, referring to the Committee on Judiciary the complaint of James E. Whinnery against A. J. Buckles, a judge of the Superior Court of the State of California, in and for the county of Solano, your Committee on Judiciary appointed, on April 19, 1913, a subcommittee, consisting of Messrs. Sutherland, Weldon, Nelson, Brown and Shartel, to examine into said matter and report back to this committee:

That on the 29th day of April, 1913, said sub-committee made the report to this committee hereunto annexed, marked Exhibit "A" and made a part hereof;

That thereupon, at a meeting of said Committee on Judiciary held on the 29th day of April, 1913, the said report of said subcommittee was adopted in its entirety as the report to be submitted to this Assembly on the part of said Committee on Judiciary.

In accordance with said report of said subcommittee, and which said report was made and adopted as the report of your Committee on Judiciary, your Committee on Judiciary respectfully recommends that no further proceedings be had in said matter.

Respectfully submitted.

BENEDICT, Chairman.

EXHIBIT "A."

SACRAMENTO, CALIFORNIA, April 29, 1913.

To the Committee on Judiciary of the Assembly, California Legislature:

Pursuant to a resolution of the Committee on Judiciary, adopted April 18, 1913, referring to us as a subcommittee the complaint of James E. Whinnery against A. J. Buckles, a judge of the Superior Court of the State of California, in and for the county of Solano, we report as follows:

That immediately upon our appointment as such subcommittee we set the said matter for hearing at 7.30 o'clock p.m., April 28, 1913, in room No. 127, State Capitol, and caused notice thereof to be given to said complainant and to said judge and extended to both parties the benefit of the process of this subcommittee to compel the attendance of witnesses at said hearing.

That at the time and place fixed for such hearing, the said complainant James E. Whinnery was personally present and stated that he was ready to proceed with the hearing, as did also the judge who was present.

That thereupon Mary Deitch and Ruth Koester were sworn to correctly take and write in shorthand the testimony of all witnesses produced, after which James E. Whinnery offered himself as a witness in his own behalf, was duly sworn, and his evidence, including the entire record in the following case, to wit:

Whinnery vs. Whinnery, tried before said judge in the county of Alameda, May 23, 1911, was received.

That upon the conclusion of the complainant's testimony he announced that all of his evidence had been introduced, whereupon the said judge offered in his own behalf certain documents and records on appeal in said action and Messrs. Jas. H. Creeley and E. R. Eliassen were sworn and testified in behalf of the said judge.

That at all times during the introduction of the testimony the right of cross-examination was granted to both parties to the proceeding.

That at the conclusion of the testimony offered on behalf of the said judge, both parties to the proceedings stated that all of their testimony had been received and that they had no further evidence of any kind to offer, whereupon the matter was submitted by both parties for decision.

That since the submission of said matter we have given consideration to the evidence introduced, and as a result of such consideration now find that there is no evidence whatever tending in the least to sustain said charges or any of them, or to show that the said judge acted in the consideration of the case, or in the decision thereof otherwise than in the conscientious discharge of his official duty.

That none of the charges in said complaint have been sustained, and that the same are wholly untrue and groundless.

As our conclusion from the foregoing we recommend that no further action be taken in the premises.

Respectfully submitted,

SUTHERLAND.
WEIDON.
SHARTEL.
BROWN.
NELSON.

Mr. Sutherland moved the adoption of the report.

Motion carried.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Pursuant to a resolution of the Assembly of the State of California, adopted on April 10, 1913, referring to the Committee on Judiciary the complaint of Mrs. H. P. Jorgensen against E. N. Rector, a judge of the Superior Court of the State of California, in and for the county of Merced, your Committee on Judiciary appointed, on April 19, 1913, a subcommittee consisting of Messrs. Bohnett, Bradford, Fish, Shannon, and Brynes to examine into said matter and to report back to this committee;

That on the 29th day of April, 1913, said subcommittee made the report to said committee hereunto annexed, marked Exhibit "A" and made a part hereof;

That thereupon, at a meeting of said Committee on Judiciary, held on the 29th day of April, 1913, the said report of said subcommittee was adopted in its entirety as the report to be submitted to this Assembly on the part of said Committee on Judiciary.

In accordance with said report of said subcommittee, and which said report was made and adopted as the report of your Committee on Judiciary, your Committee on Judiciary respectfully recommends that no further proceedings be had in said matter.

Respectfully submitted,

BENEDICT, Chairman.

EXHIBIT "A."

SACRAMENTO, CALIFORNIA, April 29, 1913.

To the Committee on Judiciary of the Assembly, California Legislature:

Pursuant to a resolution of the Committee on Judiciary, adopted April 18, 1913, referring to us as a subcommittee the complaint of Mrs. H. P. Jorgensen against E. N. Rector, a judge of the Superior Court of the State of California, in and for the county of Merced, we report as follows:

That immediately upon our appointment as such subcommittee, we set the matter for hearing at 7.30 o'clock p.m., April 28, 1913, in room No. 118, State Capitol, and caused notice thereof to be given to said complainant and to said judge and extended to both parties the benefit of the process of this subcommittee to compel the attendance of witnesses at said hearing.

That at the time and place fixed for such hearing, the said complainant, Mrs. H. P. Jorgensen, was personally and by her attorneys, Dunn, Cowan & Brand, present and stated that she was ready to proceed with the hearing, as did also the judge, who was present.

Whereupon, testimony, oral and documentary, was offered on behalf of each party to the proceedings, the right of cross-examination of witnesses being granted to both parties.

That at the conclusion of the testimony offered on behalf of the said judge, both parties to the proceeding stated that all of their testimony had been received and that they had no further evidence of any kind to offer, whereupon the matter was submitted by both parties for decision.

That since the submission of said matter we have given consideration to the evidence introduced, and as a result of such consideration now find that there is not

sufficient evidence to sustain the said charges or any of them, or to show that the said judge acted in any way contrary to law or the usual practice.

As our conclusion from the foregoing, we recommend that no further action be taken in the premises.

Respectfully submitted.

BOHNETT.
SHANNON.
FISH.
BRADFORD.
BYRNES.

Mr. Bohnett moved the adoption of the report.
Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 90—An Act appropriating money to pay claim of Riverside County against the State of California.

Also: Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Also: Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Also: Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Also: Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Also: Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Also: Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry building at Southern California State Hospital.

Also: Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Also: Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Also: Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Also: Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Also: Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Also: Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining-room equipment at Napa State Hospital.

Also: Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Also: Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at Napa State Hospital.

Also: Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Also: Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near Summit Station.

Also: Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Also: Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California.

Also: Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Also: Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E. Smith of Modoc County against the State of California, exempting this Act from the provision of Section 672 of the Political Code and prescribing the duties of the Controller and Treasurer of State in relation thereto.

Also: Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1464—An Act to amend Section 1373 of the Code of Civil Procedure of the State of California, relating to setting day for hearing petition for letters of administration, and requests for notice of application.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 28, 1913, passed Senate Constitutional Amendment No. 31—An resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Also: Senate Bill No. 590—An Act to amend Section 4307 of the Political Code, relating to county charges.

Also: Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3787, 3897, and 3898 of the Political Code of the State of California, and to add to said

Political Code two new sections, to be numbered 3773 and 3785b, all relating to property sold to the State for delinquent taxes and providing for its disposal by sale and redemption.

Also: Committee Substitute for Senate Bill No. 1218—An Act to amend an act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examination for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911; by amending Sections 1, 3 and 4 of said Act, and adding sixteen new sections to said Act, to be designated as Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 16½, 17, 18 and 19; creating a drainage district to be known as Sacramento and San Joaquin Drainage District, appointing of a Reclamation Board, providing for the management and control of said district and defining the powers and duties of the Reclamation Board and the State Engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the floods thereof, the making of assessments; also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer and the Reclamation Board; also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others; to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers; to prevent the construction of and to require the removal or regulation of obstructions in streams, by-passes and overflow channels; to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento River and making an appropriation for carrying out the purposes of this Act.

Also: Senate Bill No. 363—An Act controlling the sanitation of oyster and other shellfish grounds and premises where oysters and other shellfish are opened, packed or prepared for the market, and controlling the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof and making an appropriation therefor.

Also: Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 532a, relating to secret societies, fraternal societies, orders, or organizations.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this passed Senate Bill No. 1515—An Act to appropriate the sum of three hundred and fifty-eight dollars and fifty cents to pay the claims of the State Board of Health.

Also: Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1044—An Act to add a new section to the Political Code, to be numbered 4153a, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and providing for their compensation.

Also: Senate Bill No. 1740—An Act to add a new section to the Civil Code to be numbered 955, relating to assignments of or orders for wages or salaries.

Also: Senate Bill No. 1297—An Act authorizing and empowering the regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

Also: Senate Bill No. 1389—An Act to amend Section 4248 of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Also: Senate Bill No. 1586—An Act to amend Section 529 of the Political Code relating to printing.

Also: Senate Bill No. 1587—An Act to amend Section 528 of the Political Code relating to the printing of laws and journals.

Also: Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

Also: Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Also: Committee Substitute for Senate Bill No. 191—An Act providing that the State Board of Equalization shall determine the net loss in county revenue sustained by any county of the State by the withdrawal of railroad property from county taxation, in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, and providing for the payment of such loss by the State, when no objection is made to the amount thereof, and making an appropriation for the payment of such loss and to authorize any county in the State which claims to have sustained any such net loss in county revenue, and which said county has objected to the amount of such net loss as determined by the State Board of Equalization, to commence suit against the State of California for the recovery of such loss, prosecute such suit to final judgment, regulating the procedure to be followed in such suits, the time within which such suits must be commenced, and providing for the payment of any judgment recovered in such suits, and repealing an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 26, 1913, passed Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of Richmond in Contra Costa County in the State of California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the eighth day of April, 1913.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California relating to limitation of rights of officers to levy on mortgaged personal property.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 905—An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in the State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, contingent upon the appropriation by the United States of America of the like or greater sum for the same purpose.

Also: Senate Bill No. 1554—An Act for the relief of purchasers of school lands.

Also: Senate Bill No. 613—An Act to amend Section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Also: Senate Bill No. 1456—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

Senate Bill No. 1464 read first time, and referred to Committee on Judiciary.

Senate Constitutional Amendment No. 31 read, and referred to Committee on Constitutional Amendments.

Senate Bill No. 526 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 590 read first time, and referred to Committee on County Government.

Senate Bill No. 1085 read first time, and referred to Committee on Judiciary.

Committee Substitute for Senate Bill No. 1218 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 363 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 141 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1515 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 312 read first time, and referred to Committee on County Government.

Senate Bill No. 1044 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1740 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1297 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1389 read first time, and referred to Committee on County Government.

Senate Bill No. 1586 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1587 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1567 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1743 read first time, and referred to Committee on Commerce and Navigation.

Committee Substitute for Senate Bill No. 191 read first time, and referred to Committee on Revenue and Taxation.

Senate Concurrent Resolution No. 26 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 208 read first time, and referred to Committee on Judiciary.

Senate Bill No. 905 read first time, and referred to Committee on Labor and Capital.

On motion of Mr. Inman, Committee Substitute for Senate Bill No. 1218 was referred to Committee on Engrossment and Enrollment for comparison with Committee Substitute for Assembly Bill No. 1944.

On motion of Mr. Gelder, Senate Bill No. 1586 was referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1840.

On motion of Mr. Gelder, Senate Bill No. 1587 was referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1841.

Also:

SENATE CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Also: Assembly Bill No. 532—An act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Also: Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Also: Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Also: Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 532?"

On page 1, line 7, after the word "the" and before word "current" insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 532 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, Kuck, Mouser, Murray, Palmer, Polsley, Ryan, Scott, Shannon, Shartel, Slater, Stuckenbruck, Sutherland, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 531?"

On page 1, line 7, after the word "the" and before the word "current" insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 531 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1373?"

On page 1, line 6, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1373 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1642?"

On page 1, line 8, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1642 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Murray, Palmer, Peairs, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—51.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 782?"

On page 1, line 8, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 782 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Murray, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Strine, Sutherland, Walsh, Weisel, Wyllie, and Mr. Speaker—53.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Myer's Station to McKinney's.

Also: Assembly Bill No. 1377—An Act making an appropriation for the maintenance of the Emigrant Gap state road.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1375?"

On page 1, line 6, after the word "for" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1375 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorehouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shartel, Simpson, Strine, Sutherland, Tulloch, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1377?"

After the word "for" and before the word "current", on page 1, line 6, insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1377 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Palmer, Peairs, Ryan, Schmitt, Scott, Shartel, Simpson, Strine, Tulloch, Walsh, White, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 26, 1913, amended the title and passed Senate Bill No. 638—An Act making an appropriation to pay the claim of the directors of the State Board of Agriculture against the State of California.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Senate Bill No. 638 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 24, 1913, amended the title and passed Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships having a population between two hundred and fifty thousand and four hundred thousand.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Senate Bill No. 1154 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in the Assembly amendments to Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 364?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—Mr. Ford—1.

NOES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Palmer, Peairs, Roberts, Ryan, Schmitt, Simpson, Slater, Strine, Sutherland, Walsh, Weldon, Wyllie, and Mr. Speaker—47.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Wyllie, Judson, and Bradford a committee on conference to meet with a like committee from the Senate to consider Senate Bill No. 364.

Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

By Mr. Walsh:

WHEREAS, The Honorable Speaker of the Assembly of the fortieth session of the California Legislature courteously and hospitably entertained the members of the Assembly, together with the distinguished Secretary of State of the United States and the worthy Governor of the Golden State of California; therefore, be it

Resolved, That the thanks of this body be tendered Hon. C. C. Young, Speaker of the Assembly, for his thoughtfulness and kind friendliness in this regard; and be it

Resolved, further, That as a further mark of the appreciation of the members of the Assembly of the courtesy and hospitality shown by our excellent Speaker, that these resolutions be printed in the Journal.

Resolution read.

Mr. Walsh moved the adoption of the resolution.

The question being put by Assistant Chief Clerk T. G. Walker, the resolution was unanimously adopted.

AMENDMENT OF BILLS.

Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

During third reading of the bill, Mr. Killingsworth moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 19, after the word "law", insert the following: "except that the county clerk and the county assessor shall each be allowed the fees and commissions as provided for in subdivisions one and seven, respectively, of this Act."

Motion carried.

The Speaker appointed Mr. Killingsworth as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1390, with instructions, do now report that the instructions of the Assembly have been carried out.

KILLINGSWORTH, Select Committee.

Report of select committee and amendment adopted.

Assembly Constitutional Amendment No. 88—Relative to a resolution to propose to the people of the State of California an amendment

to Section 2 of Article XVIII of the Constitution of the State of California, relating to convention for revising the Constitution of the State of California.

During the consideration of the constitutional amendment, Mr. Clark moved that the Speaker appoint a select committee of one to amend the constitutional amendment as follows:

On page 1, line 15, strike out the rest of the page after the word "provision" and insert in lieu thereof the following: "for the election of delegates not to exceed in number that of both branches of the legislature who shall, except as herein provided, be".

Also: On page 2, between lines 30 and 31, insert the following: "Without the constitution being amended the legislature may, by resolution submitted to the electors of the state in the same manner that a proposed amendment to the constitution is submitted by the legislature, provide for any other plan for nominating and electing any delegates to any such convention."

Also: On page 2, line 31, strike out the word "three" and insert in lieu thereof the word "nine".

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 88, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendments adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations.

During the consideration of the constitutional amendment, Mr. Clark moved that the Speaker appoint a select committee of one to amend the constitutional amendment as follows:

On page 2, line 11, after the word "nominated", insert the word "either".

Also: On page 2, line 13, after the word "government", insert the words "or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to be voted for at general elections".

Also: On page 2, line 22, strike out the word "thereupon" and insert in lieu thereof the words "within fifteen days after such filing".

Also: On page 2, line 22, strike out the words "five times" and insert in lieu thereof the word "once".

Also: On page 2, line 31, after the word "freeholders" insert the words "before such filing and designated on such charter".

Also: On page 3, lines 17, 18 and 19, strike out the words "at a general or special election held within the six months next preceding a regular session of the legislature" and insert in lieu thereof the words "only during the six months next preceding a regular session of the legislature or thereafter and before the final adjournment of that session and at either a special election called for that purpose or at any general or special election".

Also: On page 3, line 28, after the word "shall" insert the word "so".

Also: On page 3, lines 29, 30, 31 and 32, strike out the words "at the general election next following the filing of the petitions therefor, or at a special election to be called by such legislative body for the purpose of voting thereon."

Also: On page 4, lines 10, 11, 12, 13, 14, 15, 16 and 17, strike out the words "any alternative proposition to any part thereof may be submitted at the same time for the choice of the electors, and may be voted on separately without prejudice to others. Any alternative proposition approved by a majority of the voters voting thereon shall become a part of the charter or amendment in place of the provision to

which it is offered as an alternative, in case such charter or amendment is ratified as herein provided," and substitute in lieu thereof the following words: "separate propositions, whether alternative or conflicting, or one included within the other, may be submitted at the same time to be voted on by the electors separately, and, as between those so related, if more than one receive a majority of the votes, the proposition receiving the larger number of votes shall control as to all matters in conflict."

Also: On page 4, lines 19, 20, 21, 22 and 23, strike out the words "for general grants of power to the city or city and county governed thereby to make and enforce all laws and regulations relating to municipal affairs, not inconsistent with the provisions of such charter or of this constitution," and substitute therefor the following words: "that the municipality governed thereunder may make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws."

Also: On page 4, line 26, after the word "such" insert the words "general or".

Also: On page 4, line 26, after the word "and" and before the word "be" insert the word "to".

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 25, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendments adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a paragraph to Section 14 of Article XI thereof, relating to the creation, organization, duties and powers of a commission to be known as the fruit commission of the State of California.

During the reading of the constitutional amendment, Mr. Cary moved that the Speaker appoint a select committee of one to amend the constitutional amendment as follows:

AMENDMENT No. 1.

On page 1, line 8, strike out the words and figures "Section 14 of".

AMENDMENT No. 2.

On page 1, line 11, strike out the word "five", and insert in lieu thereof "three".

AMENDMENT No. 3.

On page 1, line 15, beginning with the words "and no person", strike out all as far as the word "The" on page 2, line 5; also, after the word "state" in line 15, page 1, insert a period.

AMENDMENT No. 4.

On page 2, line 17, strike out "of quantity" and insert "and" after "sugar".

AMENDMENT No. 5.

On page 2, line 18, strike out "and of labeling".

AMENDMENT No. 6.

On page 2, line 19, after the word "state" and before the period, insert "and said commission shall prescribe the proper labels for designating such standards".

AMENDMENT No. 7.

On page 2, line 20, after the word "fruits", insert a comma, and strike out the word "and"; also, after the word "nuts," insert the words "and vegetables".

AMENDMENT No. 8.

On page 2, lines 21 and 22, strike out "packing".

AMENDMENT No. 9.

On page 3, line 12, after the period, add "Nothing in this section shall be taken as having any application to interstate commerce".

Motion carried.

The Speaker appointed Mr. Cary as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 13, with instructions, do now report that the instructions of the Assembly have been carried out.

CARY, Select Committee.

Report of select committee and amendments adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Bill No. 1684—An Act to amend section two of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts." approved March 8, 1909.

During third reading of the bill, Mr. Peairs moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 2, line 28, strike out all of section 2 after the colon, and on page 3, lines 1 to 18, inclusive, and insert in lieu thereof the following:

(1) Who is found begging, receiving or gathering alms, whether actually begging or under the pretext of selling, or offering anything for sale; or

(2) Who is found in any street, road or public place for the purpose of so begging, gathering or receiving alms; or

(3) Who, being under the age of sixteen years, is found singing or playing any musical instrument, or giving any public entertainment in any street, road, or public place, or who accompanies or is used in aid of any person so doing for the purpose of begging, gathering or receiving alms whether actually begging or under the pretext of selling or offering anything for sale; or

(4) Who is found wandering and not having any home, or any settled place of abode, or any proper guardianship, or any visible means of subsistence; or

(5) Who has no parent or guardian; or who has no parent or guardian willing to exercise, or capable of exercising, proper parental control; or

(6) Who is destitute; or

(7) Whose home by reason of neglect, cruelty or depravity of his parents, or either of them, or on the part of his guardian, or on the part of the person in whose custody or care he may be, is an unfit place for such person; or

(8) Whose father is dead or has abandoned his family or is an habitual drunkard, or whose father or mother does not provide for such person, and it appears that such person is destitute of a suitable home or of adequate means of obtaining an honest living, or who is in danger of being brought up to lead an idle and dissolute or immoral life; or where both parents of such person are dead, or the mother or father, if living, is unable to provide proper support and care of such person; or.

AMENDMENT No. 2.

On page 3, line 19, strike out all of Section 2a.

AMENDMENT No. 3.

On page 3, strike out lines 28 to 37 inclusive, and on page 4, lines 1 to 21, inclusive, and insert in lieu thereof the following:

- (1) Who is a vagrant; or
- (2) Who frequents the company of reputed criminals, vagrants or prostitutes; or
- (3) Who is found living or being in any house of prostitution or assignation; or
- (4) Who habitually visits, without parent or guardian, any billiard room or pool room, or any saloon, or place where any spirituous, vinous or malt liquors are sold, bartered or given away; or
- (5) Who persistently refuses to obey the reasonable and proper orders or directions of his parents or guardian; or
- (6) Who is incorrigible; that is, who is beyond the control and power of his parents, guardian or custodian by reason of the vicious conduct or nature of said person; or
- (7) Who is an habitual truant within the meaning of an act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of said Act," approved March 24, 1903, and any Act or Acts amending or suspending the same, and who is not placed in a parental school under the provisions of said Act, or who being over the age of fifteen years refuses to attend public or private school, as directed by his parents, duly authorized guardian or legal custodian; or
- (8) Who habitually uses intoxicating liquor as a beverage or habitually smokes cigarettes or who habitually uses opium, cocaine, morphine or other similar drug, without the direction of a competent physician; or
- (9) Who from any cause is in danger of growing up to lead an idle, dissolute, or immoral life.
- (10) Who violates any law of this state, or any ordinance of any town, city, county or city and county of this state, defining crime, and which does not involve moral turpitude.

AMENDMENT No. 4.

On page 4, line 26, after the period insert the following:

SEC. 4a. For the purpose of distinguishing merely neglected and unfortunate persons from dependent persons, and delinquent persons, it is hereby provided that no person shall be dealt with as a neglected person who properly should be dealt with as a dependent person or as a delinquent person, and that no person shall be dealt with as a dependent person or as a delinquent person who properly can be dealt with as a neglected person; but whenever it shall appear to the court that an alleged neglected person should properly be dealt with as an alleged dependent or as an alleged delinquent person, or that an alleged dependent or an alleged delinquent person should be dealt with as an alleged neglected person, then and in that case the court shall direct that the proper petition be filed, and upon the filing of such petition shall dismiss the original petition.

AMENDMENT No. 5.

On page 4, line 32, after the word "annually", insert a comma and the words: "in the month of January".

AMENDMENT No. 6.

On page 7, strike out all of line 6, and to the semicolon in line 7, and insert in lieu thereof the following: "may make an order placing said neglected person, for such time as the court may deem fit, but not beyond the time when such neglected person shall reach the age of twenty-one years, in the care of some reputable person of good moral character, or in the care of some association, society or corporation willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for neglected persons, or to the care of the probation officer or other person to remain in the home of said neglected person, or other home approved by the court.

AMENDMENT No. 7.

On page 7, line 9, after the word "home", strike out the words "association, society, corporation, school", and insert the words "detention home".

AMENDMENT No. 8.

On page 7, line 10, strike out the words "there are", and insert in lieu thereof the words "such person will be brought into association with".

AMENDMENT No. 9.

On page 7, line 10, after the period insert the following:

"No person adjudged to be a neglected person shall be eligible for adoption in accordance with Section 224 of the Civil Code of the State of California, unless the judge of the juvenile court has declared such child to be eligible for adoption, and such parent or parents have been present in court on the day when such declaration

of such eligibility for adoption has been made, or have been duly cited and have failed to appear in court, or, in case the party serving such citation, after due and diligent search, has been unable to find such parent or parents and to make service upon them of such citation, then after publication of such citation as is provided for the publication of summonses in section four hundred and thirteen of the Code of Civil Procedure and failure of the parties thus cited to appear.

Whenever the judge of the juvenile court shall make an order of placement of a neglected person, or of commitment of a dependent or delinquent person, said judge shall also make a finding as to whether or not such person is an orphan, half-orphan, or abandoned child, said judge shall certify the same to the auditor of the county in which the court making the finding is situated."

AMENDMENT No. 10.

On page 8, line 29, strike out the words "two of whom shall have been mothers," and insert in lieu thereof the words "one of whom shall be a mother".

AMENDMENT No. 11.

On page 10, strike out all of line 37 after the semicolon and all of line 38, and on page 11, line 1, strike out all the words preceding the second comma, and insert in lieu thereof the following: "but either the judge, or the probation officer, with the consent of the judge, may at any time in his discretion".

AMENDMENT No. 12.

On page 11, line 38, strike out the word "shown".

AMENDMENT No. 13.

On page 12, line 3, after the word "be" insert the following: "approved and".

AMENDMENT No. 14.

On page 12, line 6, strike out the rest of the page; also strike out page 13, page 14, and page 15 through line 17, and insert in lieu thereof the following:

SEC. 14a. In counties of the first class there shall be one probation officer and twenty-five assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty-two dollars per month; eighteen probation officers, one hundred dollars per month; one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month; one assistant probation officer to act as probation officer's clerk, eighty-five dollars per month; one assistant probation officer to act as stenographer to the probation officer in clerical work, seventy-five dollars per month; one assistant probation officer to act as bookkeeper, seventy-five dollars per month; one assistant probation officer to act as telephone exchange operator and stenographer, sixty-five dollars per month.

SEC. 14b. In counties, or cities and counties, of the second class there shall be one probation officer and ten assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred and twenty-five dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; and nine assistant probation officers, at one hundred and twenty-five dollars per month each.

SEC. 14c. In counties of the third class there shall be one probation officer and eight assistant probation officers. The salaries of said officers shall be as follows: Probation officer, two hundred dollars per month; one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and sixty dollars per month; one assistant probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred and twenty-five dollars per month; two assistant probation officers, each one hundred dollars per month; two assistant probation officers, each seventy-five dollars per month.

SEC. 14d. In counties of the fourth class there shall be one probation officer, one assistant probation officer, and one assistant probation officer who shall act as probation officer's clerk. The salaries of said officers shall be as follows: Probation officer, one hundred and fifty dollars per month; assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, seventy-five dollars per month.

SEC. 14e. In each of the counties of the fourth, fifth and tenth classes, there shall be one probation officer whose salary shall be one hundred and fifty dollars per month. In counties of the fourth class, there shall be one assistant probation officer whose salary shall be one hundred dollars per month, and one assistant probation officer to act as probation officer's clerk whose salary shall be seventy-five dollars per month. In counties of the fifth class there shall be one assistant probation officer whose salary shall be one hundred and twenty-five dollars per month.

SEC. 14f. In counties of the sixth class there shall be one probation officer and two assistant probation officers. The salaries of such officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant

probation officer, one hundred and fifty dollars per month; one assistant probation officer, one hundred dollars per month; and one assistant probation officer to act as probation officer's clerk, one hundred dollars per month.

SEC. 14g. In counties of the seventh class there shall be one probation officer and two assistant probation officers. The salaries of said officers shall be as follows: Probation officer, one hundred and seventy-five dollars per month; one assistant probation officer, one hundred and twenty dollars per month; and one assistant probation officer, one hundred dollars per month.

SEC. 14h. In each of the counties of the eleventh and fourteenth class there shall be one probation officer whose salary shall be one hundred and twenty-five dollars per month.

SEC. 14i. In each of the counties of the eighth, ninth, twelfth, thirteenth, sixteenth, seventeenth, eighteenth, twenty-second, twenty-third, twenty-sixth, twenty-seventh, and thirty-third class there shall be one probation officer whose salary shall be one hundred dollars per month. In counties of the ninth class there shall be two assistant probation officers, whose salaries shall be as follows: One assistant probation officer whose salary shall be seventy-five dollars per month and one assistant probation officer whose salary shall be fifty dollars per month. In counties of the thirteenth class there shall be one assistant probation officer whose salary shall be twenty-five dollars per month. In counties of the eighteenth class there shall be four assistant probation officers, whose salaries shall be twenty-five dollars per month each. In counties of the twenty-third class there shall be one assistant probation officer whose salary shall be fifty dollars per month. In counties of the twenty-sixth class there shall be one assistant probation officer whose salary shall be forty dollars per month.

SEC. 14j. In each of the counties of fifteenth and thirty-fourth class, there shall be one probation officer whose salary shall be eighty dollars per month.

SEC. 14k. In each of the counties of the nineteenth, twentieth, thirtieth and thirty-eighth class there shall be one probation officer whose salary shall be seventy-five dollars per month. In counties of the twentieth class there shall be one assistant probation officer, whose salary shall be fifty dollars per month.

SEC. 14l. In each of the counties of the twenty-fifth class there shall be one probation officer whose salary shall be seventy dollars per month and one assistant probation officer whose salary shall be fifty dollars per month.

SEC. 14m. In each of the counties of the thirty-first class, there shall be one probation officer whose salary shall be sixty dollars per month.

SEC. 14n. In counties of the thirty-fifth class there shall be one probation officer who shall maintain an office in the court house at the county seat. The salary of said probation officer shall be one hundred dollars (\$100) per month.

SEC. 14o. In each of the counties of the twenty-first, thirty-second, thirty-sixth, thirty-ninth and forty-second class, there shall be one probation officer whose salary shall be fifty dollars per month.

SEC. 14p. In each of the counties of the twenty-fourth, twenty-eighth, twenty-ninth, thirty-seventh, fortieth, forty-first, forty-third, forty-fifth, forty-sixth, forty-seventh, forty-ninth, fifty-first, fifty-second, fifty-third, fifty-fourth and fifty-sixth class there shall be one probation officer whose salary shall be thirty-five dollars per month.

SEC. 14q. In counties of the forty-eighth class there shall be one probation officer whose salary shall be twenty-five dollars per month.

SEC. 14r. In each of the counties of the forty-fourth, fiftieth and fifty-fifth class there shall be one probation officer whose salary shall be ten dollars per month.

SEC. 14s. In each of the counties of the fifty-seventh and fifty-eighth class there shall be one probation officer whose salary shall be five dollars per month.

AMENDMENT No. 15.

On page 18, line 13, strike out the word "complaint" and insert in lieu thereof the following words: "petition alleging dependency or delinquency as the case may be".

AMENDMENT No. 16.

On page 18, line 13, strike out the words "Section 6 of".

AMENDMENT No. 17.

On page 18, line 15, strike out the words "Section 9 of".

AMENDMENT No. 18.

On page 18, line 18 after the words "of a" insert the words "dependent or".

AMENDMENT No. 19.

On page 18, line 19, after the words "of his" insert the words "dependency or".

AMENDMENT No. 20.

On page 19, line 19, after the words "if said" insert the words "dependent or".

AMENDMENT No. 21.

On page 19, line 22, after the words "against said" insert the words "dependent or".

AMENDMENT No. 22.

On page 21, line 26, after the words "to be" insert the words "neglected, dependent, or".

AMENDMENT No. 23.

On page 21, line 28, after the word "adjudged" insert the words "neglected, dependent, or".

AMENDMENT No. 24.

On page 21, line 33, strike out the words "termination of his" and insert in lieu thereof the words "determination of his neglect, dependency or".

AMENDMENT No. 25.

On page 22, insert at beginning of line 22 the word "neglected".

AMENDMENT No. 26.

On page 22, line 24, after the word "of" insert the word "neglect".

AMENDMENT No. 27.

On page 24, line 31, insert the word "neglected" after the words "of a".

AMENDMENT No. 28.

On page 26, line 2, insert the word "neglected" after the word "of".

AMENDMENT No. 29.

On page 27, line 1, after the word "misdemeanor" strike out the semicolon and all the words thereafter and all of lines 2, 3, 4, 5, 6 and 7 and insert a period.

AMENDMENT No. 30.

On page 27, line 17, after the words "care of" strike out the comma and the words "or committed" and at the beginning of line 18, strike out the word "to".

AMENDMENT No. 31.

On page 27, line 19, after the word "then" strike out the words "to one" and insert in lieu thereof the words "with people".

AMENDMENT No. 32.

On page 27, line 32, after the word "plural" insert the following: "Each section of this Act shall be construed separately and any decision rendered as to the constitutionality or legality thereof shall not affect any other section of the Act."

AMENDMENT No. 33.

On page 28, line 30, strike out the word "and" and insert in lieu thereof the word "in".

Motion carried.

The Speaker appointed Mr. Peairs as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1684, with instructions, do now report that the instructions of the Assembly have been carried out.

PEAIRS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from

the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City, in Nevada County.

Bill read second time, and ordered to engrossment and third reading.

UNFINISHED BUSINESS.

Assembly Bill No. 642—An Act creating a state water commission; specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

The question being upon the motion of Mr. Simpson to appoint a select committee of one to amend the bill as follows:

Strike out all of Sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36.

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Brown, Clarke, Geo. A., Dower, Ford, Gelder, Griffin, Johnson, Geo. H., Libby, Murray, Nelson, Palmer, Polsley, Schmitt, Shannon, Shartel, Shearer, Simpson, Stuckenbruck, Weldon, and White—22.

NOES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Clark, Wm. C., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Peairs, Roberts, Ryan, Slater, Smith, Strine, Sutherland, Woodley, Wyllie, and Mr. Speaker—42.

Mr. Simpson moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out lines 34, 35, 36 and 37, on page 6, and line 1 down to and including line 11, on page 7, and insert in lieu thereof the following:

(d) A witness must answer questions legal and pertinent to the matter in issue, though his answer may establish a claim against himself; but he need not give an answer which will have a tendency to subject him to punishment for a felony; nor need he give an answer which will have a direct tendency to degrade his character, unless it be to the very fact in issue, or to a fact from which the fact in issue would be presumed. But a witness must answer as to the fact of his previous conviction for felony.

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Bowman, Clarke, Geo. A., Dower, Ford, Griffin, Johnson, Geo. H., Libby, Murray, Palmer, Polsley, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Weldon, White, and Wyllie—22.

NOES—Messrs. Ambrose, Beek, Benedict, Bloodgood, Bobnett, Bush, Byrnes, Cary, Clark, Wm. C., Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Roberts, Ryan, Smith, Strine, Sutherland, Woodley, and Mr. Speaker—38.

Mr. Woodley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 29, line 36, strike out the period following the word "water" at the end of the line, and insert in lieu thereof a semicolon and the following: "*provided, however*, that nothing in this Act shall be construed as limiting in any way the use, or the disposition of the use of any water appropriated, acquired or held by any municipality, prior to the time this Act shall go into effect."

Motion carried.

The Speaker appointed Mr. Woodley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 642, with instructions, do now report that the instructions of the Assembly have been carried out.

WOODLEY, Select Committee.

Report of select committee and amendment adopted.

Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 7, strike out the period, and insert in lieu thereof the following: "*provided*, that the term 'useful or beneficial purpose,' as contained in this Act shall not be construed to mean the flooding or irrigation of uncultivated areas of land not devoted to cultivated crops."

Motion carried.

The Speaker appointed Mr. Guiberson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 642, with instructions, do now report that the instructions of the Assembly have been carried out.

GUIBERSON, Select Committee.

Report of select committee and amendment adopted.

Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 29, lines 23 to 31, strike out all of Section 40 and re-number the succeeding sections accordingly.

Motion lost.

MOTION.

Mr. Simpson moved that after committee reports be read, the Assembly take a recess until one o'clock and thirty minutes p.m. of this day.

Mr. Bohnett moved as a substitute that the hour of recess be extended until the business before the House be disposed of.

Substitute motion carried.

Mr. Johnson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 24, line 12, insert in lieu of the period a semicolon and the following: "*Provided, further, that if any person, firm, association or corporation desires to contest any such ascertainment by the state water commissioner as hereinbefore provided, such contest may be brought as provided in Sections 31 and 32 hereof.*"

Motion carried.

The Speaker appointed Mr. Johnson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 642, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSON, Select Committee.

Report of select committee and amendment adopted.

Mr. White moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 10, line 20, strike out all commencing with line 20 on page 10, down to and including the period after the word "section", on line 29 of page 12 of said bill.

Motion lost.

Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 30, line 5, strike out the period after the word "water", and insert in lieu thereof the following: ". and to subterranean streams flowing through known and definite channels".

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 642, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendment adopted.

Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

At the end of Section 33, on page 27, line 13, add the following: "Nothing in this Act contained shall be so construed as to take away, or impair the vested right of any person, firm, corporation or association, to any water, or the use thereof."

Motion lost.

Mr. Johnston moved that the Assembly be at recess until two o'clock p.m., of this day.

Motion lost.

Mr. Johnston moved that further consideration of Assembly Bill No. 642 be continued until ten o'clock a.m. of Wednesday, April 30, 1913.

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced, and referred as indicated:

By Mr. Bohnett: Assembly Concurrent Resolution No. 35—Relative to the Governor's making temporary appointments to fill vacancies that may happen in the representation of the State of California, in the Senate of the United States.

Read, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 2107—An Act to amend Section 626p of the Penal Code of the State of California, relating to the protection of wild geese and brant.

Also: Assembly Bill No. 2111—An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserve for commercial purposes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GULL, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 703—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Also: Senate Bill No. 704—An act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use.

Also: Senate Bill No. 964—An Act to amend Section 538 of the Political Code.

Also: Senate Bill No. 965—An Act to amend Section 535 of the Political Code.

Also: Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

Also: Senate Bill No. 13—An Act to amend an Act entitled "An Act to provide for the establishing and quieting of title of real property in case of the loss or destruction of public records," approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1914, but not thereafter.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 28—An Act to diminish the number of judges of the Superior Court of the

county of Shasta, State of California—have had the same under consideration, and respectfully report the same back, without recommendation.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 633—An Act to amend the Code of Civil Procedure by adding thereto Title 5a, Part 3, relating to the support of bastards, and proceedings therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1460—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 604a, providing for the formation of religious corporations.

Also: Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the court.

Also: Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

Also: Senate Bill No. 366—An Act to amend Section 976 of the Civil Code of the State of California, relating to appeals to Superior Courts.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California—which was re-referred to us from the Committee on Ways and Means, have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to the Committee on Ways and Means.

BENEDICT, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom, and repealing all Acts in conflict therewith.

Also: Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate.

Also: Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations.

Also: Senate Bill No. 326—An Act to amend Section 613 of the Civil Code of the State of California, relating to the title of cemetery lots.

Also: Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered Section 618, relating to membership in cemetery corporations and the rights of members to the assets thereof.

Also: Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State, the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: A minority of your Committee on Judiciary, to whom was referred Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

Also: Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate.

Also: Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations.

Also: Senate Bill No. 326—An Act to amend Section 613 of the Civil Code of the State of California, relating to the title of cemetery lots.

Also: Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered six hundred eighteen, relating to membership in cemetery corporations and the rights of members to the assets thereof.

Also: Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BROWN, Chairman.

The above reported bills ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 1201—An Act to add a new section to the Penal Code, to be numbered 1202a, relating to "indeterminate sentences."

Also: Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ELLIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 2062—An Act to regulate the visiting of prisoners or inmates in state institutions, to regulate the delivery of mail to such prisoners or inmates, and to provide for the subscribing to newspapers and periodicals by such prisoners or inmates—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ELLIS, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 1420—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Also: Assembly Bill No. 1805—An Act appropriating moneys in the "Accident Prevention Fund" for the purpose of enforcing and promoting safety in employment and places of employment.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KUCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Also: Assembly Bill No. 1804—An Act creating an "industrial accident fund" and appropriating moneys therein.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

KUCK, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation, and twisting, and providing a penalty for a violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

ON LIBRARIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1913.

MR. SPEAKER: Your Committee on Libraries, to whom was referred Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relative to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CLARK, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX, a new section to be numbered 17½, relating to the conditions of labor and welfare of employees—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 92—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 20 of Article V thereof, relating to the election of United States Senators—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted with amendments.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 1536—An Act making an appropriation to pay the claim of J. W. Kavanagh

against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 29—Relative to the salaries of state employees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported Assembly concurrent resolution ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredger for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Also: Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 1329—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Also: Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape, near every window more than twelve feet from the ground, in every building, edifice or structure in the State of California; providing for the enforcing of this Act; providing for an appropriation for the same covering state buildings and institutions, and providing penalties for the violation thereof.

Have had the same under consideration, and respectfully report the same back without recommendation.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making an appropriation therefor and prescribing the duties

of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the State Hygienic Laboratory.

Also: Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as No. 2982a, providing for a sanitary engineer to the State Board of Health, and fixing his salary.

Which were re-referred to us from the Committee on Public Health and Quarantine, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1580—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same—which was re-referred to us from the Committee on Judiciary, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1582—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1588—An Act making an appropriation of twenty-five thousand dollars for purchasing machinery and equipment for the State Printing Office.

Also: Senate Bill No. 1754—An Act appropriating money for the support and maintenance of the State Prison at Folsom.

Also: Senate Bill No. 396—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California in the city of Oakland, for the use of the National Guard of the State of California.

Also: Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the Secretary thereof.

Also: Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico, and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site, and appropriating money therefor.

Also: Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON REVISION OF CRIMINAL PROCEDURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1913.

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to whom was referred Senate Bill No. 539—An Act to amend Section 1333 of the Penal Code of the State of California, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WEISEL, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled "An Act creating a state commission on voting or balloting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting or ballot machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the result at such elections; and providing for the punishment of all violations of the provisions of this Act." (approved March 20, 1903, as subsequently amended)—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock and fifty-five minutes p.m., the Assembly was declared at recess until one o'clock and forty-five minutes p.m., of this day.

REASSEMBLED.

At one o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Young in the chair.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 970—An Act to establish a legislative reference and counsel bureau and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 970 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—43.

NOES—Messrs. Schmitt and Stuckenbruck—2.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

The question being upon the motion of Mr. Simpson to appoint a select committee of one to amend the bill as follows:

On page 5, line 9, strike on the word "sworn".

Motion lost.

Mr. Slater moved that the Speaker appoint a select committee of one to amend the bill as follows:

On pages 11 and 12, strike out all of section 19.

Roll call regularly demanded.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Finnegan moved a call of the House.

Motion lost.

The roll of absentees was called, and the motion carried by the following vote:

AYES—Messrs. Beck, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Ford, Green, Hayes, Inman, Killingsworth, Kuck, McDonald, Murray, Nelson, Roberts, Schmitt, Scott, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, and White—34.

NOES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Clark, Wm. C., Farwell, Finnegan, Gabbert, Gelder, Griffin, Guiberson, Guill, Hinkle, Judson, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Palmer, Peairs, Polsley, Shannon, Shearer, Smith, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—31.

The Speaker appointed Mr. Slater as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2000, with instructions, do now report that the instructions of the Assembly have been carried out.

SLATER, Select Committee.

Report of select committee and amendment adopted.

Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 13, line 36, strike out the word "no" and all of the rest of Section 24.

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2000, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Mr. White moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out the enacting clause.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Brown, Bush, Byrnes, Collins, Ellis, Ferguson, Ford, Gabbert, Green, Griffin, Libby, McCarthy, Murray, Nelson, Schmitt, Scott, Simpson, and White—21.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bradford, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Finnegan, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Polsley, Roberts, Ryan, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

Further consideration of Assembly Bill No. 2000 postponed temporarily.

THIRD READING OF SENATE BILLS.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 7, strike out the word "one", and insert in lieu thereof the word "two".

Also: On page 1, line 7, strike out the word "five", and insert in lieu thereof the word "six".

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Collins, Dower, Ferguson, Ford, Gelder, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McCarthy, McDonald, Murray, Nolan, Palmer, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Walsh, Weldon, and White—38.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Gabbert, Guill, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Shartel, Strine, Weisel, Woodley, Wyllie, and Mr. Speaker—33.

The Speaker appointed Mr. Schmitt as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 142, with instructions, do now report that the instructions of the Assembly have been carried out.

SCHMITT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 402f, providing that certain buildings shall be provided with fire escapes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1397 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse,

Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Smith, Strine, Stuckenbruck, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—56.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1072—An Act to amend Section 1734 of the Political Code of the State of California, relating to the annexation of school districts to high school districts, and to the exclusion of school districts from union or joint union high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1072 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Griffin, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Shartel, Simpson, Slater, Smith, Stuckenbruck, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—48.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS.

On request of Mr. Speaker, Senate Bills Nos. 351 and 352 were re-referred to Committee on Ways and Means, and ordered stricken from the file.

Senate Bill No. 500—An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 500 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Green, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—51.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 503—An Act to amend Section 1731 of the Political Code of the State of California, relating to the election of members of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 503 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Brown, Bush, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert,

Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Palmer, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Weisel, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1510—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1510 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Bush, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article XIII thereof, relating to revenue and taxation.

During the reading of the constitutional amendment, Mr. Schmitt moved that the Speaker appoint a select committee of one to amend the amendment as follows:

On page 2, line 6, strike out the word "property", and insert in lieu thereof the word "land".

Also: On page 2, line 8, strike out the word "property", and insert in lieu thereof the word "land".

Also: On page 2, line 11, strike out the word "property", and insert in lieu thereof the word "land".

Also: On page 2, line 14, strike out the word "property", and insert in lieu thereof the word "land".

Motion lost.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 6 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cran, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weldon, Woodley, Wyllie, and Mr. Speaker—64.

NOES—Messrs. Bush, Canepa, Ford, McDonald, and Schmitt—5.

Assembly Constitutional Amendment No. 6 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6.

A resolution to propose to the people of the State of California an amendment to the Constitution of the state by amending section one of article thirteen thereof, relating to revenue and taxation.

The legislature of the State of California at its fortieth regular session, commencing on the sixth day of January, nineteen hundred and thirteen, and two thirds

of all the members elected to each of the houses of legislature voting in favor thereof hereby proposes that section one of article thirteen of the Constitution of the State of California be amended to read as follows:

SECTION 1. All property in the State except as otherwise in this Constitution provided, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law, or as hereinafter provided. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things real, personal, and mixed, capable of private ownership; *provided*, that a mortgage, deed of trust, contract, or other obligation by which a debt is secured when land is pledged as security for the payment thereof, together with the money represented by such debt, shall not be considered property subject to taxation; *and further provided*, that property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county, city and county, or municipal corporation within this State shall be exempt from taxation; *provided, further*, that no property belonging to any county, city and county, or municipal corporation shall be exempt from taxation when said property shall be located outside of the county, city and county, or municipal corporation owning the same; *and provided, further*, that all property belonging to any county, city and county, or municipal corporation not exempt from taxation shall be assessed by the assessor of the county, city and county, or municipal corporation in which such property is located and said assessment shall be subject to review and adjustment by the state board of equalization. The legislature may provide, except in the case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State.

RECONSIDERATION POSTPONED.

On request of Mr. Ambrose, reconsideration of the vote on Senate Bills Nos. 513 and 514 was postponed until the next legislative day.

On request of Mr. Ferguson, consideration of motion to reconsider the vote whereby Assembly Bill No. 1620 was refused passage was postponed until the next legislative day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Clarke, Mr. Geo. Watterson was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Bowman, Judge J. H. Logan was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Roberts, Dr. Whitman was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgenstern, Miss Bessie Wood was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Alexander, Mr. Ed Pyburn was granted the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Murray, Messrs. G. H. Hocke and H. S. Madden were granted the privilege of the floor of the Assembly for this day.

REPORT OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 38—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Assembly Bill No. 1183—An Act to amend Sections 1160 and 1164 of the Political Code, relating to time of opening and closing the polls.

Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

And report that the same have been correctly re-engrossed.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the "Alpine State Highway."

Assembly Bill No. 31—An Act limiting the hours of labor of persons employed in manufacturing, mechanical, mining or mercantile establishment, laundry, barber shop, hotel, restaurant, telegraph or telephone establishment or office, or employed by any express or transportation company, or any common carrier, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, or foreman, or other agent of any such employer to violate the provisions of this Act.

Assembly Bill No. 401—An Act to amend Section 1839 of the Political Code of the State of California, relating to public schools.

Assembly Bill No. 481—An Act to amend Section 1769 of the Code of Civil Procedure, relating to powers and duties of guardians.

Assembly Bill No. 789—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway.

Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City, in Nevada County.

Also: Assembly Concurrent Resolution No. 18—Relative to memorializing the life, deeds and characters of Homer Lea, and providing a method of popular subscription for the erection of a suitable monument to his memory.

Also: Assembly Concurrent Resolution No. 33—Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities.

Also: Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX, a new section, to be numbered 17½, relating to the conditions of labor and welfare of employees.

And report that the same have been correctly engrossed.

AMBROSE, Acting Chairman.

RECESS.

At five o'clock and ten minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Young in the chair.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

MOTION.

Mr. McDonald moved that Assembly Bill No. 2070 be read the third time and placed upon its passage.

Mr. Johnston moved as a substitute that the bill be re-referred to Committee on Judiciary.

Roll call regularly demanded.

The roll was called, and substitute motion lost by the following vote:

AYES—Messrs. Bagby, Beck, Bush, Ferguson, Gabbert, Gates, Griffin, Guiberson, Hayes, Johnson, Geo. H., Johnstone, T. D., Killingsworth, Kuck, Libby, McCarthy, Mouser, Palmer, Scott, Simpson, and Weldon—20.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gelder, Green, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Slater, Smith, Stuckenbruck, Walsh, Weisel, Woodley, and Wyllie—44.

The question being upon the original motion of Mr. McDonald.

Motion carried.

Bill read third time.

HON. H. S. BENEDICT IN THE CHAIR.

At eight o'clock and fifty-five minutes p.m., Hon. H. S. Benedict, Assemblyman of the Sixty-third District, in the chair.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2070 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—68.

NOES—Mr. Nolan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Killingsworth gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2070 was this day passed.

Assembly Bill No. 2105—An Act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil for petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Act known as the Public Utilities Act of the State of California, approved December 23, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2105 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse,

Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—66.
NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION^{*} TO RECONSIDER.

Mr. Johnston gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2105 was this day passed.

Assembly Bill No. 1378—An Act to provide for an irrigation commission and for the organization and supervision thereby of irrigation districts, for the organization and government of such irrigation districts, for the acquisition or construction thereby of irrigation works; for the irrigation of lands embraced therein, for the distribution of water for irrigation purposes, for the dissolution thereof, and providing for the issuance of bonds, and that the said bonds shall be a legal investment for insurance and trust companies, banks and banking institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1378 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—64.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2065—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2065 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, and Woodley—63.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At nine o'clock and forty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, and to make an appropriation therefor.

Mr. Slater moved that the above bill be made a special order for Thursday, May 1, 1913, at ten o'clock a. m.

Motion lost.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 10 of the printed bill, lines 3, 4 and 5, strike out the words "the chief deputy or assistant state librarian and also one person holding a position having a confidential relation to the state librarian," and insert in lieu thereof the following: "all employees of the state library".

Motion lost.

Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 1, strike out "Definition of terms used in this act".

Also: On page 2, lines 10 and 17, strike out "Creation of 'state civil service commission,' appointment, salaries and expenses".

Also: On page 3, lines 1 and 2, strike out "Employees of the commission and their duties, salaries and expenses".

Also: On page 3, line 21, strike out "Rooms, accommodations and supplies".

Also: On page 3, line 29, strike out "The general powers and duties of the commission".

Also: On page 8, line 17, strike out "General duties of state officers and employees".

Also: On page 9, line 3, strike out "Duties of the appointing power".

Also: On page 11, line 1, strike out "Rules for classifying positions".

Also: On page 11, line 10, strike out "Appointments".

Also: On page 12, line 7, strike out "Examinations".

Also: On page 13, line 17, strike out "Temporary appointees".

Also: On page 13, line 28, strike out "Emergency appointments".

Also: On page 13, line 34, strike out "Promotion, transfer, reinstatement".

Also: On page 14, line 21, strike out "Removals and suspensions".

Also: On page 15, line 27, strike out "Laborers".

Also: On page 16, lines 1 and 2, strike out "Official roster. Report of appointing officers. Present incumbents of positions".

Also: On page 17, line 3, strike out "Disbursing officers".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2080 passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pears, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Smith, Strine, Struckenbruck, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—57.

NOES—Messrs. Beck, Griffin, Johnston, T. D., Libby, Schmitt, and Weldon—6.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION POSTPONED.

On request of Mr. Killingsworth, consideration of motion to reconsider the vote whereby Assembly Bill No. 1120 was refused passage was postponed until the next legislative day.

On request of Mr. Schmitt, consideration of motion to reconsider the vote whereby Senate Bill No. 1339 was passed was postponed until the next legislative day.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Shannon moved that the vote whereby Assembly Bill No. 1620 was passed be reconsidered.

On request of Mr. Shannon, consideration of above motion postponed until the next legislative day.

COMMUNICATION.

The following communication addressed to the Chief Clerk was filed, and ordered printed in the Journal:

HOUSE OF REPRESENTATIVES, UNITED STATES,
WASHINGTON, D. C. April 25, 1913.

MR. L. B. MALLORY, *Chief Clerk of Assembly, State Capitol, Sacramento, Cal.*

DEAR SIR: Your night letter of April 22d, containing a copy of Joint Resolution No. 18 of the Assembly, received. In reply will say that this matter has been presented to Congress by the members of the California delegation and the spirit of the resolution will receive the hearty support of all of our members to the end that the California beet sugar industry will not be disturbed.

Trusting that we may be able by united effort to bring about amendments that will be helpful to the beet sugar industry of California, I remain,

Yours very truly,

JOHN I. NOLAN, Fifth District, California.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

STOCKTON, CAL., April 29, 1913.

Assembly, Sacramento, Cal.:

Fifty voters of the First Baptist Church, Stockton, urge the passage of the Ferguson bill, Assembly Bill No. 1620.

JOSEPH B. TRAVIS, Pastor.

Also:

SAN JOSE, CAL., April 27, 1913.

Assembly, Sacramento:

Do all possible to defeat Ferguson bill—1620.

F. E. CATON.

Also:

BERKELEY, CAL., April 30, 1913.

Assembly, State of California, care C. C. Young, or care Geo. Gelder, Sacramento, Cal.:

We protest against the reconsideration or passage of the Ferguson bill as being unconstitutional, and also as not desired by the people of California.

J. O. DAVIS,
MRS. E. MUSSELMAN,
LOUESA PERRY,
E. E. JEYES,
SAMUEL HIRST,
LEON E. MARTIN,
LELAND PERRY.

Trinity Methodist Episcopal Church (eight hundred members).

By Chas. B. Dalton, pastor; Mrs. J. G. Sanchez, Joseph G. Sanchez, Rev. J. A. B. Fry, in behalf of the membership of Epworth Methodist Church; J. O. Davis, Jr., E. F. Davis, Mrs. J. O. Davis, county superintendent legislative work Woman's Christian Temperance Union.

Also :

ALAMEDA, CAL., April 30, 1913.

The Assembly, Sacramento, Cal.:

We protest against the reconsideration of the Ferguson bill.

MRS. ADDIE J. FORBES.

MRS. DUCOS J. SPENCER.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, Sacramento, Cal.:

I desire to protest vigorously against passage of Ferguson bill.

R. E. JOHNSTON.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, State Capitol, Sacramento, Cal.:

I most emphatically object to the passage of the Ferguson bill.

H. J. LOKEN.

Pastor First Christian Church.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, Sacramento, Cal.:

My family, four voters, vicinity Claremont Hotel, protest against sale of liquor in said hotel.

FRANCES H. ROBINSON.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, Sacramento, Cal.:

We, as voters, protest against passage of Ferguson bill.

MRS. ANNA LACY.

MIRTH LACY.

HELEN LACY.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, Sacramento, Cal.:

North Berkeley Congregational Church protests against passing the Ferguson bill.

REV. S. C. PATTERSON.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, Sacramento, Cal.:

I desire to protest vigorously against passage of Ferguson bill.

GEO. R. KLEEBERGER.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, State Legislature, Sacramento, Cal.:

I protest against reconsideration or passage of the Ferguson bill.

WM. H. POPERT.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, Sacramento, Cal.:

We approve vote of Assembly on Ferguson bill and protest reconsideration.

MR. and MRS. E. H. MOSHER.

Also :

BERKELEY, CAL., April 30, 1913.

The Assembly, Sacramento, Cal.:

We protest vigorously against the passage of the Ferguson bill.

C. T. and G. G. WRIGHT.

Also:

BERKELEY, CAL., April 30, 1913.

State Assembly, Sacramento, Cal.:

We urge you to defeat reconsideration Assembly bill sixteen twenty.

IRA D. VAYHINGER,
F. A. JACSON.

Also:

SAN FRANCISCO, April 25, 1913.

To the Honorable, the Assembly, California Legislature:

GENTLEMEN: On my own behalf and that of my whole congregation of five hundred members (mostly voters), I respectfully protest against the passage of Ferguson bill (A. B. 1620), which proposes to reduce the dry zone around the University of California so as to make possible a bar in the Claremont Hotel. It is a most dangerous precedent to make such an exception in favor of one resort, most pernicious special legislation, and is vicious in policy and principle.

Very respectfully,

ELBERT R. DILLE.

Pastor Central Methodist Episcopal Church, San Francisco.

Also:

BETHEL M. E. CHURCH, SOUTH, MERCED, CAL., April 25, 1913.

To the Honorable Assembly, Sacramento, Cal.

GENTLEMEN AND FATHERS: As the representative of a large number of your constituents, consisting of the best people of this city and community, let me beg you to maintain the dry zone around our State University at Berkeley by voting against the Ferguson bill (Assembly Bill No. 1620).

Also: To vote for the bill creating a dry zone around all universities.

Also: To vote for the bill forbidding the sale of liquors from one to five a.m.

We humbly beg you, by all means in your power, to legislate in the interests of the good, clean, honest, productive citizens of our great commonwealth, and the young and inexperienced, and the morally weak and susceptible to temptation, instead of the criminal classes, who exploit the young and the weak, and feed and fatten on the vices of men.

Our children are the greatest and most valuable asset, both of parents and the State; so, in God's name, and for their sake, draw the lines hard, and as far as possible handicap the vicious in their awful work of destruction.

We sincerely thank you for all the advance steps you have thus far taken along moral lines, and urge you to continue the good work until every boy and girl, and man and woman, who wants to do right and lead a clean and honest life, shall have a fair chance to do so.

God bless you forever.

J. M. WEEMS, Pastor.

ADJOURNMENT.

At eleven o'clock and five minutes p.m., on motion of Mr. Stuckenbruck, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, May 1, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A.,

Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ferguson, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

BERKELEY, CAL., April 30, 1913.

Assembly, Sacramento:

College Avenue M. E. Church, now assembled, prays that you will defeat the Ferguson bill.

OFFICIALS COLLEGE AVE. CHURCH.

C. A. WESTENBERG, President of Official Board.

REV. J. H. M. WILLIAMS, Pastor.

Also:

SALINAS, CAL., April 30, 1913.

The Assembly, Sacramento:

We urge defeat Ferguson bill, 1620.

GOOD GOVERNMENT LEAGUE.

DR. F. C. EDWARDS, Treasurer.

H. H. HITCHCOCK, Secretary.

By Mr. Johnson:

WHEREAS, The State Legislature has under consideration certain bills aimed now at the removal of San Francisco cemeteries, and said legislation if enacted would establish a precedent for scheming real estate exploiters in every city and town in the State; and

WHEREAS, Said proposed legislation is opposed to the very principle upon which our government is founded, to wit: the taking of property without permission of the owner, and not in the exercise of the right of public domain, and without due compensation or process of law; and

WHEREAS, This violation of justice would be perpetrated not because "the dead are crowding the living," but that the ambitions of certain investors, whose greed would forever deny a permanent resting place for the dead, might be satisfied; therefore, be it

Resolved, That we are unalterably opposed to all cemetery bills now pending, and do hereby petition the State Legislature to refuse to enact any of these bills.

ONTARIO CURRENT EVENTS CLUB.

CATHERINE M. HAMILTON, Secretary.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate this day concurred in Assembly amendments to Senate Bill No. 204—An Act to amend Section 1774 of the Code of Civil Procedure of the State of California, relating to guardians.

Also: Senate Bill No. 292—An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto.

Also: Senate Bill No. 487—An Act to amend Section 4261 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 163—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Also: Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "for printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from Section 4 of this Act) ten thousand dollars." available for the distribution of said Blue Book.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 870—An Act to amend Sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Also: Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basketball courts and tennis courts and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Also: Senate Bill No. 1290—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Also: Senate Bill No. 1755—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1508—An Act to amend Section 295 of the Civil Code of the State of California relative to oath of officer to subscription of stock and payment of ten per cent.

Also: Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code relating to the powers and duties of normal school boards.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 163 read first time, and referred to Committee on Claims.

Senate Bill No. 1722 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 870 read first time, and referred to Committee on Building and Loan Associations.

Senate Bill No. 1225 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1290 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1755 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, the following:

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto to be known as Section 653c, relating to wages to be paid to certain employees of the State of California or of any political subdivision thereof, whether such employees be employed directly or by contractors or sub-contractors of the

same; making it the duty of the Commissioner of the Bureau of Labor Statistics upon demand and for the purposes of this Act, to determine and certify the rate of wages prevailing in any trade or occupation in any locality; providing the manner of enforcing the provisions of this Act and fixing penalties for the violation thereof.

Assembly Bill No. 555—An Act ratifying and confirming the proceedings heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the state normal school at Los Angeles.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1495?"

On page 2, section 1, line 32, strike out the following: "the representative of".

Also: Strike out the third line of the title, and insert in lieu thereof the following: "to wages to be paid to certain employees of the State of California or of any political subdivision thereof, whether such employees be employed directly or by contractors or sub-contractors of the same; making it the duty of the commissioner of the bureau of labor statistics upon demand and for the purposes of this Act, to determine and certify the rate of wages prevailing in any trade or occupation in any locality; providing the manner of enforcing the provisions of this Act, and fixing penalties for the violation thereof."

Also: On page 2, line 30, at the end of the line add the following: "In case of any dispute concerning the prevailing rate of wages in any trade or occupation in any locality, such dispute shall be referred to the commissioner of the bureau of labor statistics for investigation and determination; upon demand therefor, said commissioner shall certify under the seal of the bureau of labor statistics the prevailing rate of wages as aforesaid, and such certificate shall be prima facie evidence of the facts therein contained; *provided, however*, that whenever information concerning rates of wages paid by employers shall be on file in said bureau, the labor commissioner may use such information for ascertaining and certifying the prevailing rates of wages as aforesaid. But nothing contained in this section shall be construed so as to authorize the payment of wages for labor or services hereunder at less rates than such as are or may be established by law."

The roll was called, and Senate amendments to Assembly Bill No. 1495 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Schmitt, Scott, Shartel, Simpson, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 555?"

On page 1, line 15, after the comma following the figure "7", insert the following: "as amended April 10, 1911."

The roll was called, and Senate amendment to Assembly Bill No. 555 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Palmer, Roberts, Schmitt, Scott, Shartel, Simpson, Smith, Stuckenbruck, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1685?"

On page 1, line 14 of the printed bill, immediately after the period following the word "agency", add the following: "Any banking firm or association, or incorporated banking institution so designated as such fiscal agency, may be required by the state treasurer, at his discretion, and subject to the approval of the governor, to execute a bond or bonds, to the State of California, conditioned for the faithful performance of its duties as such fiscal agency, in such amount or amounts as may from time to time be fixed by the state treasurer with the approval of the governor."

Also: On page 1, line 3 of the printed bill, after the word "responsible", insert the following: "banking firm or association in the city of New York, or some well known and responsible".

Also: On page 1, line 8 of the printed bill, strike out the word "a" immediately preceding the word "banking", and insert in lieu thereof the following: "such banking firm or association, or incorporated".

Also: On page 1, line 11 of the printed bill, after the word "banking", insert the following: "firm, association or incorporated".

Also: On page 2 of the printed bill, strike out the word "least" at the end of line 8, and all of line 9, and insert in lieu thereof the following: "such time as may be arranged by the state treasurer with such fiscal agency, subject to the approval of the governor, as hereinafter provided."

Also: On page 2, line 12 of the printed bill, strike out the period immediately after the word "coupons", and insert in lieu thereof a semicolon (;), and add the following: "provided, however, that the time when such funds shall be transmitted or remitted to such fiscal agency shall be not less than thirty days before the maturity of any such bonds or coupons."

Also: On page 2 of the printed bill, strike out all of lines 34 and 35, and insert in lieu thereof the following: "the above Act ———, in the city of New York, State of New York, has been designated as the fiscal".

Also: On page 3, line 22 of the printed bill, strike out the period after the word "act", and insert in lieu thereof a comma (,) and add the following: "and the time when funds for the redemption of bonds and coupons shall be transmitted or remitted to such fiscal agency."

The roll was called, and Senate amendments to Assembly Bill No. 1685 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Roberts, Scott, Shartel, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—42.

NOES—Mr. Murray—1.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1247—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Also: Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1247?"

On page 1 of the bill, strike out all of lines 1 to 3 inclusive, and in lieu thereof insert the following:

"SECTION 1. There is hereby dedicated to the public, for the purpose of widening Vermont avenue in the city of Los Angeles, that portion of the school lands of the state normal school at".

The roll was called, and Senate amendment to Assembly Bill No. 1247 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clarke, Geo. A., Cram, Ellis, Farwell, Finnegan, Gabbert,

Gates, Gelder, Green, Griffin, Guill, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Roberts, Scott, Shartel, Simpson, Slater, Smith, Stuckenbruck, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

NOES—Mr. Murray—1.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1001?"

AMENDMENT No. 1.

Amend Assembly Bill No. 1001 by striking out of page 1, Section 1, line 2, all after the word "increased", and insert in lieu thereof the following: "so that on and after the first Monday in January, A. D. 1915, there shall be two judges of said superior court in said county of Contra Costa".

AMENDMENT No. 2.

Amend Section 2 by striking out all after the figure 2, on page 1, line 3, and insert in lieu thereof the following: "At the next general election to be held in November, A. D. 1914, there shall be elected in said county of Contra Costa, in addition to the judge of said superior court of said county of Contra Costa now provided by the constitution of this state for said county of Contra Costa, another judge of said superior court in said county to hold office beginning on the first Monday in January, A. D. 1915, for the term prescribed by the Constitution and laws of this state, so that after the first Monday in January, 1915, there shall be two judges for said county."

The roll was called, and Senate amendments to Assembly Bill No. 1001 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Schmitt, Scott, Simpson, Stuckenbruck, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 215—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 215?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ambrose, Benedict, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—49.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Ryan, Morgenstern and Griffin a Committee on Conference on Senate Bill No. 215.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1587—An Act to amend Section 528 of the Political Code, relating to the printing of laws and journals—have had the same under consideration, and respectfully report that Senate Bill No. 1587 is not identical with Assembly Bill No. 1841.

MOORHOUSE, Chairman.

Senate Bill No. 1587 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1586—An Act to amend Section 529 of the Political Code, relating to printing—have had the same under consideration, and respectfully report that Senate Bill No. 1586 is identical with Assembly Bill No. 1840.

MOORHOUSE, Chairman.

Assembly Bill No. 1840 withdrawn, and ordered stricken from the file.

Senate Bill No. 1586 read second time, and ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examination for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911; also creating a drainage district, to be known as Sacramento Drainage District, providing for the management and control of said district and the making of assessments and issuing of bonds therein; also defining the powers of certain reclamation, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer; also making said bonds receivable as investments of or security for public money and trust funds and by banks—have had the same under consideration, and respectfully report that Senate Bill No. 1218 is identical with Assembly Bill No. 1944.

MOORHOUSE, Chairman.

Assembly Bill No. 1944 withdrawn, and ordered stricken from the file.

SECOND READING OF SENATE BILL.

Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys, and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, also creating a drainage district to be known as Sacramento Drainage District, providing for the management and control of said district and the

making of assessments and issuing of bonds therein, also defining the powers of certain reclamation, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer, also making said bonds receivable as investments of or security for public money and trust funds and by banks.

During second reading of the bill, the following amendments were submitted by Mr. Inman:

AMENDMENT No. 1.

On page 5, line 27, strike out all of line 27 after the first semicolon.

Amendment adopted.

AMENDMENT No. 2.

On page 34, line 13, after the word "river", insert the following: "or its tributaries".

Amendment adopted.

AMENDMENT No. 3.

On page 34, line 18, after the word "levees", insert a comma and the following words: "cuts, canals or gates".

Amendment adopted.

AMENDMENT No. 4.

On page 34, line 20, after the word "levees", insert a comma and the following words: "cuts, canals or gates".

Amendment adopted.

AMENDMENT No. 5.

On page 35, line 10, after the word "levees", insert the following words: "cuts, canals or gates".

Amendment adopted.

AMENDMENT No. 6.

On page 35, line 19, after the word "levees", insert the following words: "cuts, canals or gates".

Amendment adopted.

AMENDMENT No. 7.

On page 34, line 36, after the word "levees", insert a comma and the following words: "cuts, canals or gates".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

RE-REFERENCE OF BILL.

On motion of Mr. Inman, Senate Bill No. 450 was recalled from Committee on Claims and referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 805.

AMENDMENT OF CONCURRENT RESOLUTION.

Assembly Concurrent Resolution No. 18—Relative to memorializing the life, deeds and character of Homer Lea, and providing a method of popular subscription for the erection of a suitable monument to his memory.

During the reading of the resolution, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the resolution as follows:

In line 1 of the printed resolution, after the comma following the word "Whereas," strike out all the rest of the resolution and insert the following: "The late Homer Lea, although having been born in Denver, Colorado, on November 17, 1876, never-

theless spent the greater portion of his life in California, and it having been within the borders of this State, the State that he loved so well, that he received his education and performed most of his literary work, and, furthermore, after the close of a strenuous and brilliant campaign for the liberation of the Chinese nation, that he sought the quiet seclusion of his home in Santa Monica, Los Angeles County, and from which haven of rest he departed this life on November 1, 1912; and

WHEREAS, No stranger career than that of Homer Lea has ever appeared in the romantic history or the military annals of this State. A hopeless cripple from childhood, never free from pain or the bondage of physical weakness, and yet who, at the age of twenty-five, held a commission as Lieutenant General of the Chinese revolutionary troops, and, at the age of thirty, wrote a book on modern warfare, "The Valor of Ignorance," in which he described a possible attack, with suggestions for its defense, on our Pacific coast that amazed the military experts of all nations, and who became, finally, at the age of thirty-five, the confidential military adviser of the first President of the Chinese Republic, our neighbor across the sea; and

WHEREAS, The life and deeds of such a man, trained as he was in our home institutions, and endeared as he has become, not only in the hearts of our own people, but in the hearts of the millions of our friends across the Pacific; and

WHEREAS, Such a great soul, imprisoned in so weak a body, not only did heroic, self-sacrificing and wonderful things for the great Chinese nation, and, what is far more important, that he should eventually be one of the heartstrings that bind our two great nations together, then certainly we of California could do but little, at best, were we not to take some recognition, slight as it may be, of his life among us as a good citizen and in his passing recognize the services he has rendered to California; therefore, be it

Resolved, That whenever, by popular and voluntary subscription, or otherwise, from whatever source, the Treasurer of this State shall have received for the erection of a monument to said Homer Lea, consisting of a bronze figure, appropriate architectural pedestal and other sculptural accessories, the sum of fifty thousand dollars, that then an heroic, or larger than life-size, bronze statue representing said Homer Lea, together with said pedestal and accessories, shall be caused to be made under the auspices, directions and approval of the then governor of this State, and whose approval of the design for the figure, as well as the pedestal and other sculptural or architectural accessories, as well as the contracts for the execution of said work as herein described, must first have been formally approved by the majority vote of the several different municipal art leagues of this State, that will have been in existence as such, under charter from the state or municipality, within two years prior to such approval; and, furthermore, that the erection and completion of the said bronze figure, together with the pedestal, approaches and other accessories of a monument of that character be so placed in front of and on line with the main north and south axis of the Capitol Building and somewhere about midway of the first terrace above curb level on our State Capitol grounds that the memorial monument will properly reflect the sentiments and aspirations of the people of our State.

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF THE SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Concurrent Resolution No. 18, with instruction, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendment adopted.

Assembly concurrent resolution ordered to reprint, re-engrossment, and on file for adoption.

MOTION.

Mr. Brown moved that the Assembly take up county government and appropriation bills on the special third-reading file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1250—An Act providing for the changing of the name of the state normal school at Los Angeles and the estab-

lishment and administration of Los Angeles State Normal School and Teachers' College and making appropriations therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1250 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McDonald, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Slater, Smith, Stuckenbruck, Tulloch, Wall, Woodley, Wyllie and Mr. Speaker—47.

Noes—None.

Title read and approved.

Bill ordered transmitted to Senate.

Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 791 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Griffin, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Scott, Simpson, Smith, Stuckenbruck, Tulloch, Walsh, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 792 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Fish, Gabbert, Green, Griffin, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Scott, Smith, Stuckenbruck, Tulloch, Walsh, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 793 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan,

Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Simpson, Stuckenbruck, Tulloch, Walsh, Woodley, Wyllie, and Mr. Speaker—45.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 794 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Simpson, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2048—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2048 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Scott, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2090 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Simpson, Stuckenbruck, Tulloch, Wall, Walsh, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2057—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2057 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Brown, Byrnes, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Roberts, Scott, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—47.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2078 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Roberts, Ryan, Scott, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 86—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Mouser, Murray, Nelson, Pairs, Polsley, Roberts, Ryan, Scott, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2063 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Green, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 99 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 386—An Act providing for the extension of the agricultural pavilion on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 386 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Green, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1996—An Act to authorize the State Board of Health to prepare and distribute, free of cost, anti-rabic virus and other preparations and appliances for the prevention of disease, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1996 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 594—An Act making an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 594 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gelder, Griffin, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Stuckenbruck, Wall, Walsh, Weisel, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 285—An Act to provide for locating, surveying and maintaining a state highway from Pescadero in the county of San Mateo to the Santa Cruz county line, to connect with a road to the California Redwood Park, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 285 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Green, Griffin, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Slater, Strine, Stuckenbruck, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 302—An Act appropriating money for building, equipping and furnishing a nursery for children at Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 302 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Griffin, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Morgens-tern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Ryan, Schmitt, Scott, Slater, Strine, Stuckenbruck, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 60 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Fergu-

son, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Stuckenbruck, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 909 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Scott, Simpson, Strine, Stuckenbruck, Wall, Weldon, White, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter waste, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 703 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Simpson, Slater, Stuckenbruck, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 20 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy,

McDonald, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Simpson, Slater, Stuckenbruck, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

Assembly Bill No. 1620—An Act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquor within or contiguous to certain state buildings and grounds.

The question being upon the motion of Mr. Ferguson to reconsider the vote whereby the above bill was refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Collins, Dower, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Green, Griffin, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Ryan, Scott, Shearer, Slater, Smith, Stuckenbruck, Wall, Walsh, Weldon, and White—44.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Gabbert, Guill, Hinkle, Johnston, Geo. H., Judson, Moorhouse, Peairs, Polsley, Roberts, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—23.

The question being on the passage of the bill.

HON. H. S. BENEDICT IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Hon. H. S. Benedict, Assemblyman of the Sixty-third District, in the chair.

Assembly Bill No. 1620 considered.

SPEAKER IN THE CHAIR.

At eleven o'clock and fifty-nine minutes a.m., Hon. C. C. Young, Speaker of the Assembly in the chair.

HOURLY OF RECESS EXTENDED.

Mr. Mouser moved that the hour of recess be extended until the business before the House be disposed of.

Motion carried.

Mr. Inman moved the previous question.

Motion carried.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Smith moved a call of the House.

Motion carried.

Time, twelve o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Messrs. Finnegan, Fish and Alexander were brought before the bar of the House, and on motion excused.

Mr. Bloodgood moved that further proceedings under call of the House be dispensed with.

• Motion lost.

Mr. Simpson was brought before the bar of the House, and on motion excused.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At one o'clock and fifty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Ferguson.

The roll of absentees was called.

MEMBERS EXCUSED FROM VOTING.

On motion of Mr. Ryan, Mr. Cary was excused from voting.

On motion of Mr. Polsley, Mr. Finnegan was excused from voting.

Assembly Bill No. 1620 was refused passage by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Collins, Dower, Emmons, Ferguson, Fitzgerald, Ford, Gates, Green, Griffin, Hayes, Inman, Johnston, T. D., Killingsworth, Kuck, Libby, McCarthy, McDonald, Murray, Nolan, Palmer, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Wall, Walsh, and White—40.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Fish, Gabbert, Gelder, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Strine, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—36.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

By Mr. Mouser:

I desire to make the following explanation of my vote for reconsideration of Assembly Bill No. 1620: I favored a reconsideration of this bill simply to give the proponents the fullest opportunity to present their case and not because I in any way favored the passage of the bill.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1743—An Act to enlarge the powers of the Board of State

Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public drydocks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1419—An Act to amend Sections 858 and 861 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 1418—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of said municipalities voting upon the question of incurring such indebtedness.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Senate Bill No. 934—An Act to amend an Act entitled "An Act to provide for the regulation of fires on, and the protection and management of public and private forest lands within the State of California, creating a state board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this Act, and making an appropriation therefor," approved March 18, 1905—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CARY, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled, "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines and prescribing a penalty for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WHITE, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 254—An Act establishing a state mining bureau, creating the office of state mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a state mining bureau fund for the purpose of carrying out the provisions of this Act and repealing an Act entitled "An Act to provide for the establishment, maintenance, and support of a bureau to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties, and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1893, and all Acts amendatory thereof and supplemental thereto or in conflict herewith—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

WHITE, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 532a, relating to secret societies, fraternal societies, orders, or organizations.

Also: Senate Bill No. 1744—An Act to amend Section 3937, and re-enacting Section 3938, relating to the county boundary between Tuolumne and Mariposa counties.

Also: Senate Bill No. 1745—An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County, between said county and Placer County.

Also: Senate Bill No. 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County, between said county and El Dorado County.

Also: Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581b, relating to the dismissal of actions for want of prosecution after change of place of trial.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignments of claims for wages—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1990—An Act to add a new section to the Penal Code of the State of California, to be numbered 650b, and relating to remuneration for time lost to prisoners of the State who have been improperly or unjustly incarcerated.

Also: Assembly Bill No. 621—An Act to amend Section 190 of the Penal Code of the State of California, relating to capital punishment.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 56—A resolution proposing to the people of the State of California to amend Section 9 of Article I of the State Constitution, relative to curbing the one-sided power, and unfair influences of special interests owning the press, newspapers, magazines or other periodicals of general circulation during political campaigns.

Also: Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California amending Sections 17 and 19 of Article V of the Constitution of the State of California, relating to the state executive officers, the salaries thereof and the formation of the Governor's cabinet.

Also: Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California the repeal of Section 19 of Article XX of the Constitution and the substitution in lieu thereof a new section, to be known as Section 19, Article XX, and relating to the use of state funds for the payment of legitimate campaign expenses by any political party of the State.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendments ordered on file for consideration.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality or school district within the State in any bank or banks.

Also: Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 18 of Article XI thereof, relating to restrictions on the power of counties, cities and other subdivisions of the State to incur indebtedness.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

CLARK, Chairman.

The above reported Senate constitutional amendments ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of the State of California, relative to the compensation of members of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

REQUEST FOR PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Mr. Byrnes:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by an Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its

collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens, arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises; to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Referred to Committee on Introduction of Bills.

RECESS.

At one o'clock and fifty-five minutes p.m., the Assembly was declared at recess until two o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At two o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Young in the chair.

LEAVE OF ABSENCE.

On motion of Mr. Bohnett, Mr. Sutherland was granted leave of absence for the day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 450—An Act making an appropriation of money to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California—have had the same under consideration, and respectfully report that Senate Bill No. 450 is identical with Assembly Bill No. 805.

MOORHOUSE, Chairman.

Senate Bill No. 450 read second time, and ordered on file for third reading.

Assembly Bill No. 805 ordered withdrawn, and stricken from the file.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for such amount as may be necessary to continue the work of the mailing department, postage, expressage, etc., said amount not to exceed the sum of three hundred dollars (\$300), and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Finnegan,

Ford, Gabbert, Gates, Gelder, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, Moorhouse, Mouser, Nelson, Roberts, Shartel, Smith, Strine, Stuckenbruck, Walsh, Weisel, White, Woodley, and Mr. Speaker—41.

NOES—None.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1554—An Act to add a new section to the Civil Code, to be numbered Section 617, relating to the disposition by cemetery corporations of the unclaimed ashes or bodies of deceased persons—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 695—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 695 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bowman, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Gates, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Roberts, Ryan, Scott, Shartel, Strine, Stuckenbruck, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 812—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Bill read third time.

The roll was called, and Senate Bill No. 812 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ford, Gabbert, Gates, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Roberts, Ryan, Scott, Shartel, Smith, Strine, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

During third reading of the bill, Mr. Bowman moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT NO. 1.

On page 1, line 4, strike out "November", and insert in lieu thereof "December".

AMENDMENT NO. 2.

On page 1, line 7, insert a semicolon after trout, and strike out everything following on lines 7, 8, 9, and 10 down to and including the semicolon after "waters", on line 10.

AMENDMENT NO. 3.

On page 1, line 12, after the word "line", and before the semicolon, insert "used in the manner commonly known as angling".

AMENDMENT No. 5.

On page 2, lines 3 and 4, strike out the words "caught, taken, or killed in the waters of the state", and insert in lieu thereof "or who buys, sells, offers or exposes for sale any steelhead trout less than twelve (12) inches in length;"

AMENDMENT No. 6.

On page 2, line 8, insert a period after "trout", and strike out "or other trout".

AMENDMENT No. 7.

On page 2, line 16, after the word "dollars", insert "nor more than five hundred dollars".

AMENDMENT No. 8.

On page 2, line 18, after the word "days", insert "nor more than one hundred days".

AMENDMENT No. 9.

On page 2, line 21, strike out the word "commission", and insert in lieu thereof "and game preservation".

AMENDMENT No. 10.

On page 2, lines 22 and 23, strike out the words, "the United States fish commission and".

Motion carried.

The Speaker appointed Mr. Bowman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 961, with instructions, do now report that the instructions of the Assembly have been carried out.

BOWMAN, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 166—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 166 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bowman, Bradford, Brown, Byrnes, Canepa, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ford, Gabbert, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Roberts, Ryan, Scott, Shartel, Smith, Sutherland, Wall, Walsh, Weisel, Woodley, and Wyllie—42.

NOES—Mr. Murray—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 563—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

During third reading of the bill, Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 9, strike out the period, and insert in lieu thereof the following: "provided, that in cases where the improvement made or work done is subject to acceptance by any municipal board or officer, the time for filing claims of lien shall not commence to run until after such acceptance shall have been made".

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 563, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1031—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 521, relating to the claim and delivery of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1031 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Weisel, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 952—An Act to amend Section 345 of the Civil Code of the State of California, relating to the extension of time of delinquent sale of stock in corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 952 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Wall, Weldon, White, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 956—An Act to amend Section 321b, of the Civil Code, relating to the meetings of stockholders who may vote thereat, and proxies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 956 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Clark, Wm. C., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shearer, Simpson, Smith, Stuckenbruck, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1093—An Act to amend Section 1537 of the Code of Civil Procedure of the State of California, relating to petition for the sale of real property belonging to a decedent's estate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1093 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Simpson, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1467—An Act to amend Section 850 of the Code of Civil Procedure of the State of California, relating to the requisites for notice of hearing in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1467 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Palmer, Peairs, Polsley, Richardson, Roberts, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 702—An Act to amend Section 640 of the Code of Civil Procedure of the State of California, relating to the ordering of a reference by a court or judge, the qualifications of the referees, and the residence qualification of the referees when a state, county, city and county, or any incorporated city or town or municipal water district is the plaintiff in an eminent domain proceeding.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 702 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 745—An Act to amend Section 3 of an Act entitled "An Act to select and adopt the Bear Flag as the state flag of California," approved February 3, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 745 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 705—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 705 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 708—An Act to amend Section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under Title VII, Part III of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 708 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Slater, Stuckenbruck, Tulloch, Walsh, White, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 711—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 711 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Kuck, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Slater, Tulloch, Walsh, White, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1287—An Act to repeal an Act entitled “An Act to create a reclamation district to be called ‘reclamation district number eight hundred and thirty-one’ and providing for the control and management thereof,” approved April 8, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1287 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, Morgenstern, Mouser, Murray, Nelson, Palmer, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Tulloch, Wall, Walsh, Weldon, White, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Murray asked for and was granted unanimous consent to withdraw Assembly Bill No. 1029.

Bill withdrawn, and ordered stricken from the file.

MOTION.

Mr. Bohnett moved that the Assembly return to special third-reading file and take up only county government and appropriation bills.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, Moorhouse, Mor-

genstern, Mouser, Nelson, Palmer, Roberts, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Tulloch, Walsh, Weldon, White, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 62—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 62 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bowman, Brown, Bush, Cary, Clark, Wm. C., Collins, Cram, Emmons, Farwell, Finnegan, Ford, Gabbert, Gates, Griffin, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, Morgenstern, Mouser, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Tulloch, Weisel, Weldon, White, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 186—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 186 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gates, Gelder, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Libby, Morgenstern, Murray, Palmer, Polsley, Roberts, Schmitt, Shannon, Simpson, Slater, Tulloch, Walsh, Weisel, White, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 226—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 226 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Libby, Morgenstern, Mouser, Murray, Palmer, Roberts, Ryan, Shannon, Shartel, Slater, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity state highway, in Trinity County, and to provide

for the construction of bridges along said highway, to be located at Mad River and the south fork of Trinity River along said highway, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1124 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Griffin, Guiberson, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Ryan, Scott, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 389 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Clark, Wm. C., Clarke, Geo. A., Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, Morgenstern, Mouser, Nelson, Palmer, Scott, Shartel, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1025—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies, corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disbursement from said fund; and making an appropriation to carry out the purposes of this Act.

On request of Mr. Scott, the above bill was re-referred to Committee on Ways and Means.

Assembly Bill No. 576—An Act to amend Section 4240 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 576 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson,

Roberts, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 756 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 318 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, White, Wyllie, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 496 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—54.

NOES—Mr. Johnston, T. D.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 391 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, Wall, Weisel, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 388—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 388 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Strine, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewage from the State Fair grounds, in the city of Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 393 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Scott, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 392 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Brown, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weldon, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Frederick Maskew.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1180 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Strine, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1131 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1517 passed by the following vote:

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Gelder, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Shannon, Shartel,

Shearer, Simpson, Strine, Stuckenbruck, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—50.

NOES—Messrs. Guiberson, Palmer, Slater, and Weldon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1461 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Gelder, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Nelson, Palmer, Roberts, Ryan, Scott, Shannon, Shearer, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 11, strike out the word "thirty", and insert in lieu thereof the word "ten".

Also:

On page 2, line 11, strike out the word "thirty".

Also:

On page 2, line 24, strike out the words "seventeen thousand five hundred", and insert in lieu thereof the words "five thousand".

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 313, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1111—An Act to amend Section 4285 of the Political Code, relating to the salaries and compensation of officers of counties of the fifty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1111 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Guill, Hayes, Johnston, T. D., Killingsworth, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, White, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1152 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guill, Hayes, Johnston, T. D., Killingsworth, Kingsley, Libby, Morgenstern, Mouser, Murray, Peairs, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 464 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Gabbert, Gates, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Morgenstern, Mouser, Murray, Nolan, Peairs, Richardson, Roberts, Ryan, Scott, Shartel, Simpson, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1482—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be known as Sections 3a and 3b, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality and crime in this State, the collection, compilation, and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor.

On request of Mr. Peairs, the above bill was re-referred to Committee on Ways and Means.

Assembly Bill No. 797—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 797 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Finnegan, Gates, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Mouser, Peairs, Richardson, Roberts, Ryan, Scott, Simpson, Strine, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 488 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Finnegan, Gates, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Scott, Strine, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—44.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Bloodgood:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

Referred to Committee on Introduction of Bills.

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 53—An Act appropriating money for the construction and equipment of new Ward No. 25, at Stockton State Hospital—which was re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital—which was re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 904—An Act to establish the Yolo and Lake highway; to define its course; to provide for its survey and construction, and to make an appropriation therefor.

Also: Senate Bill No. 160—An Act to prevent the introduction and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Also: Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices, and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this Act into effect.

Also: Senate Bill No. 621—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County, to McKinney's, in Placer County.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Also: Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Also: Senate Bill No. 114—An Act appropriating money for the construction and equipment of new ward number twenty-five, at Stockton State Hospital.

Also: Senate Bill No. 112—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Also: Senate Bill No. 110—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Also: Senate Bill No. 109—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Also: Senate Bill No. 1689—An Act appropriating money to provide a cash

revolving fund for the use of the Adjutant General, and defining its use and the liability therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1290—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State, and making an appropriation to pay the cost and expense of the same.

Also: Senate Bill No. 1755—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Assembly Bill No. 1806—An Act appropriating moneys to the use of the workmen's compensation insurance fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

KUCK, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 590—An Act to amend an Act to establish a uniform system of county and township government, approved April 1, 1897, by amending Section 228 thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1598—An Act to amend Section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1599—An Act to amend Section 4287 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1600—An Act to amend Section 4247 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER. Your Committee on County Government, to whom was referred Assembly Bill No. 1900—An Act to amend Section 4269 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fortieth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Building and Loan Associations, to whom was referred Senate Bill No. 870—An Act to amend Sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, relating to the powers and duties of the Building and Loan Commission—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HAYES, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Young in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class—and report that the same has been correctly re-engrossed.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1684—An Act to amend the title of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

Assembly Bill No. 1054—An Act to provide for the publication and issuing of an official register and directory of physicians, surgeons, and specialists, in medicine, surgery, or osteopathy, or other systems of medicine, in the State of California; providing for the printing thereof; making regulations in connection with the same; and providing for a penalty for violations thereof.

Assembly Bill No. 332—An Act to amend Sections 344, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission.

Assembly Bill No. 642—An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or upon the direction of the state water commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this Act; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared unconstitutional.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 29—Relative to salaries paid by the State to employees in various institutions—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

RECONSIDERATION POSTPONED.

On request of Mr. Ambrose, reconsideration of the vote on Senate Bills Nos. 513 and 514 was postponed until the next legislative day.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 623—An Act to amend that certain Act entitled “An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor,” approved May 1, 1911, by amending Sections 6, 8, 9, 11, 13, 14, and 18 thereof, and by repealing Section 12 thereof, and by adding a new section to said Act, which section shall be numbered 12, relating to the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 623 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Clark, Wm. C., Clarke, Geo., A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Hayes, Hinkle, Johnston, T. D., Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Peairs, Polsley, Ryan, Shartel, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 766 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Canepa, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Nelson, Peairs, Polsley, Ryan, Shartel, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1187—An Act to amend Section 472 of the Political Code of the State of California, relating to the duties and salaries of the assistants to the Attorney General, and providing for additional deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1187 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bradford, Bush, Canepa, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Grif-

fin, Hayes, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Schmitt, Shannon, Shartel, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

NOES—Messrs. Bowman, Green, Johnston, T. D., and Nelson—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 948 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bohnett, Bowman, Bush, Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Shartel, Simpson, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2098 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bowman, Bradford, Bush, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Shartel, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILL.

On motion of Mr. Inman, Senate Bill No. 1410 was recalled from the Committee on Drainage, Swamp and Overflowed Lands, and re-referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1790.

Assembly Bill No. 2094—An Act to amend Sections 2521, 2522 and 2552 of the Political Code of the State of California, relating to the Board of State Harbor Commissioners and employees, and their duties and salary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2094 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bowman, Bradford, Bush, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson,

Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Libby, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shearer, Simpson, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—45.

NOES—Messrs. Johnston, T. D., and Nelson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol building.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1323 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Simpson, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1263—An Act to provide for the payment of pensions to public school teachers of this State, creating a public school teachers' pension fund, and providing for the administration of such fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1263 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weldon, and Mr. Speaker—56.

NOES—Mr. Wyllie—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the state forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the state board of forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations or corporations; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain

inflammable débris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest"; appropriating money for the purpose of carrying out the provisions of this Act; repealing Chapter 264 of the laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 643 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Shannon, Shartel, Strine, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

NOES—Messrs. Bagby, Beck, Bowman, Dower, Gelder, Griffin, Guiberson, Killingsworth, Libby, McCarthy, Murray, Richardson, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, and Weldon—21.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County; appointing a commission therefor and providing an appropriation to carry this Act into effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 540 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Ryan, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 880—An Act to amend Sections 412, 413, and 414 of the Penal Code of the State of California, and to add two new sections to said code, to be designated as Sections 412a and 413a, relating to prize-fights, prohibiting the same, defining the duties of certain officers in connection therewith, and fixing the penalties for engaging in such fights, and for aiding or abetting the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 880 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Clark, Wm. C., Ellis, Emmons, Farwell, Gates, Guiberson, Hinkle, Kingsley, Kuck, Moorhouse, Peairs, Polsley, Roberts, Simpson, Tulloch, Weldon, Woodley, Wyllie, and Mr. Speaker—23.

NOES—Messrs. Beck, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ferguson, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Libby, McCarthy, McDonald, Nelson, Nolan, Richardson, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Wall, Walsh, and Weisel—39.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 880 was this day refused passage.

RECONSIDERATION POSTPONED.

On request of Mr. Killingsworth, consideration of motion to reconsider the vote whereby Assembly Bill No. 1120 was refused passage was postponed until the next legislative day.

On request of Mr. Johnston, consideration of motion to reconsider the vote whereby Assembly Bill No. 2105 was passed was postponed until the next legislative day.

On request of Mr. Shannon, consideration of motion to reconsider the vote whereby Assembly Bill No. 1937 was passed was postponed until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled, "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests and devises; to provide for the collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

An Act to amend Section 105 of the Civil Code, relating to wilful neglect.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Byrnes: Assembly Bill No. 2117—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed, and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens, arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises; to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Smith: Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Bloodgood: Assembly Bill No. 2119—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 2120—An Act to amend Section 105 of the Civil Code relating to wilful neglect.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 905—An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

MCDONALD, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ADJOURNMENT.

At ten o'clock and fifty minutes p.m., on motion of Mr. McDonald, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, May 2, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Ryan, Mr. Schmitt was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morgenstern, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Stuckenbruck:

STOCKTON, CAL., May 1, 1913.

DEAR SIR: At a special meeting of the board of trustees of the Stockton Chamber of Commerce held this day, the following resolution was adopted:

WHEREAS, There is now proposed in the California State Legislature legislation which forbids the leasing of lands to aliens; and

WHEREAS, A large area of fertile land in San Joaquin County and throughout the delta region is tilled by aliens, and by reason of the nature of the soil and the products grown it is impossible to secure other than alien tenants for such lands; and

WHEREAS, The products of the delta soils grown by aliens are a source of much wealth to our citizens; and

WHEREAS, Rentals of land leased by aliens have increased from \$5 to \$7 an acre in 1902, \$10 to \$12 an acre in 1905, to \$16 to \$25 an acre in 1912, and land values have increased to from \$50 to \$200 an acre; and

WHEREAS, Much foreign capital has been brought to the State, and is now being brought for the reclamation of land which is susceptible to cultivation by aliens, and not by our citizens; now, therefore, be it

Resolved, That the Stockton Chamber of Commerce protests against legislation forbidding the short term leasing of land to aliens, believing such legislation to be inimical to the best interests of our people; and be it

Resolved, That our representatives in the State Legislature be provided with copies of this resolution.

Very truly yours,

J. M. EDDY.

Secretary Stockton Chamber of Commerce.

Also:

STOCKTON, CAL., May 1, 1913.

Hon. Assembly, State Legislature, care Hon. W. C. Wall, Sacramento, Cal.:

WHEREAS, There is now proposed in the California State Legislature legislation which forbids the leasing of land to aliens; and

WHEREAS, A large area of fertile land in San Joaquin County and throughout the delta region is tilled by aliens, and by reason of the nature of the soil and the products grown it is impossible to secure other than alien tenants for such lands; and

WHEREAS, The products of the delta soils grown by aliens are a source of much wealth to our citizens; and

WHEREAS, Rentals of land leased by aliens have increased from \$5 to \$7 an acre in 1902, \$10 to \$12 an acre in 1905, to \$16 to \$25 an acre in 1912, and land values have increased to from \$50 to \$200 an acre; and

WHEREAS, Much foreign capital has been brought to the State, and is now being brought, for the reclamation of land which is susceptible to cultivation by aliens and not by our citizens; now, therefore, be it

Resolved, That the Stockton Chamber of Commerce protests against legislation forbidding the short-term leasing of land to aliens, believing such legislation to be inimical to the best interests of our people; and be it

Resolved, That our representatives in the State Legislature be provided with copies of this resolution.

Adopted May 1, 1913.

LOUIS S. WETMORE, President.

J. M. EDDY, Secretary.

COMMUNICATION.

The following communication, addressed to the Chief Clerk, was filed and ordered printed in the Journal:

HOUSE OF REPRESENTATIVES, UNITED STATES,
WASHINGTON, D. C., April 28, 1913.

Mr. L. B. Mallory, Chief Clerk, Assembly, Sacramento, Cal.

DEAR SIR: Your night letter of April 22d transmitting resolutions of the California Legislature concerning the reduction of the tariff and the approaching free

list for sugar was duly received and presented to the House for its consideration. I also had the honor of including it in a speech delivered to the House and published in the Congressional Record of April 26th, on page 411.

Yours very truly,

WM. D. STEPHENS.

SENATE MESSAGES.

The following messages from the Senate were taken up and read :

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 261—An Act to amend Section 1861 of the Civil Code, relating to the lien of hotel keepers on property of guests for charges.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues, at a state hospital, and to provide for the government and management thereof, and making an appropriation therefor.

Also: Senate Bill No. 167—An Act to make an additional appropriation for the completion of the road from Meyer's Station at the head of the Tahoe state wagon road along the west shore of Lake Tahoe, to McKinney's.

Also: Senate Bill No. 681—An Act to create a "state bureau of criminal identification and investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, directors, clerks and stenographers; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Also: Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 466—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or any other agent of any such employer to violate the provisions of this Act," approved March 22, 1911.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the present Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

Also: Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Also: Senate Bill No. 175—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California, and appropriating a sum of money therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1457—An Act appropriating moneys in the "accident prevention fund" for the purpose of enforcing and promoting safety in employment and places of employment.

Also: Senate Bill No. 821—An Act appropriating money to pay the claim of R. D. Barton against the State of California.

Also: Senate Bill No. 1084—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans of this State, to be held in the year 1915.

Also: Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

Also: Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Also: Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the Department of Agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura, or Santa Barbara, and making an appropriation therefor.

Also: Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, Cal., and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Also: Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1368—An Act reappropriating \$964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912.

Also: Assembly Bill No. 1281—An Act appropriating the sum of \$5,000 for the erection of a monument to commemorate the raising of the "Bear Flag" in the city of Sonoma.

Also: Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Also: Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Also: Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River provided an equal amount is appropriated by the United States.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Also: Assembly Bill No. 299—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Also: Assembly Bill No. 301—An Act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Also: Assembly Bill No. 1633—An Act appropriating money for the purchase of additional land for the San Diego State Normal School.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Committee Substitute for Senate Bill No. 628 read first time, and referred to Committee on Hospitals and Asylums.

Senate Bill No. 167 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 681 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 891 read first time, and referred to Committee on Insurance.

Senate Bill No. 466 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 1064 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1750 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 175 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 1457 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 821 read first time, and referred to Committee on Claims.

Senate Bill No. 1084 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 52 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 824 read first time, and referred to Committee on Education.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2119—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

Mr. Benedict moved that Assembly Bill No. 2119 be read the second time.

Motion carried.

Bill read second time, and ordered to engrossment and third reading.

RE-REFERENCE OF BILL.

On motion of Mr. Emmons, Assembly Bill No. 2102 was re-referred to Committee on Ways and Means.

AMENDMENT OF BILLS.

Senate Bill No. 155—An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

During third reading of the bill, Mr. Ryan moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, strike out from line 20 and including line 26 of the printed bill, and insert in lieu thereof the following: "*provided*, that all mechanics of the printing crafts employed in the State Printing Office shall be paid the highest scale of wages prevailing in the printing trade in the State of California; *and provided*, that no employee shall receive any compensation for any day he or she does not work, excepting the first day of January, 12th day of February, 22d day of February, 30th day of May, 4th day of July, first Monday in September, 9th day of September, 12th day of October, fourth Thursday in November, 25th day of December, and the fifteen days' vacation allowed by an Act entitled "An Act providing for vacations for certain employees of the State", approved March 15, 1909. He shall at no time employ more compositors, bookbinders, pressmen, or assistants than the absolute necessities of the state printing may demand, and he shall not permit any other than state work to be done in the State Printing Office."

Motion carried.

The Speaker appointed Mr. Ryan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 155, with instructions, do now report that the instructions of the Assembly have been carried out.

RYAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1727—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

During third reading of the bill, Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

In the title, before the word "completion", insert the word "partial", and after the word "completion" in the same line insert the words "and partial furnishing".

Also: In section 1, line 4, after the word "the" insert the word "partial", and after the word "completion" in the same line insert the words "and partial furnishing".

Also: In section 1, line 5, strike out the period, and insert in lieu thereof the following: ", and for sewer work in connection with the construction of said armory."

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1727, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Assembly Bill No. 1345—An Act to amend Section 1 of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, after the comma following the word "state", insert the following: "and of municipal corporations, or any department thereof."

Also: On page 1, line 8, after the comma following the word "institution", add the words "municipal corporation, or department thereof."

Also: On page 1, line 10, after the word "institution", add the words "or for such municipal corporation or department thereof".

Also: On page 1, line 10, after the word "his", insert the words "or its".

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1345, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out Section 5 of the bill, and insert in lieu thereof the following:

SEC. 5. Any person over the age of legal majority desiring to engage in the practice of optometry in this state may file an application duly verified by his oath for an examination before said board or for a certificate of registration without examination as hereinafter provided, such application to be filed with the secretary of said board at least two weeks prior to the date of any meeting at which an examination is to be held and shall set forth the following:

(a) The name, age, and address of the applicant.

(b) The name of the optometry school attended, if any, and for what period of time such school was attended by the applicant.

(c) The previous experience, if any, of the applicant in the practice or in assisting in the practice of optometry.

(d) A statement of the previous examinations, if any, taken before the board and the dates of such examinations.

Such application shall be accompanied by a fee of \$20.00. In case an applicant for a certificate of registration has attended a public school of optometry, accredited as provided in Section 4, Subdivision 6 of this Act and shall accompany his application with a certificate from such accredited school, acknowledged before an officer authorized to take acknowledgments, showing the applicant to have successfully completed one year's work in such school, the board shall issue to him a certificate entitling him to practice optometry in the State of California without examination. Public schools within the meaning of this Act are schools maintained as part of the public school system of the state by public funds and furnishing free instruction, and none other.

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 297, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Assembly Bill No. 232—An Act entitled "An Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the objects of this Act."

During third reading of the bill, Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 2, after the word "inspectors" and before the semicolon, insert the following: ", or by an inspector duly authorized to inspect boilers in any city or county by legislative board of said city or county."

Also: On page 2, line 2, after the word "within", strike out the dash, and insert in lieu thereof the word "thirty".

Also: On page 2, line 23, after the word "after", strike out the dash, and insert in lieu thereof the word "sixty".

Motion carried.

The Speaker appointed Mr. McDonald as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 332, with instructions, do now report that the instructions of the Assembly have been carried out.

McDONALD, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 332—An Act to amend Sections 344, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission.

During third reading of the bill, Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 11, after the period, insert the following: "provided that moneys payable from fish and game preservation fund as provided in this code may be paid from the general fund."

Also: On page 3, line 35, strike out the word "treasurer".

Motion carried.

The Speaker appointed Mr. Polsley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 332, with instructions, do now report that the instructions of the Assembly have been carried out.

POLSLEY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

WITHDRAWAL OF BILL.

Mr. Nelson asked for and was granted unanimous consent to withdraw Assembly Bill No. 832.

Bill withdrawn, and ordered stricken from the file.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Graham against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1644 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Guiberson, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Malibu county road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2097 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Nelson, Palmer, Peairs, Roberts, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 367—An Act to amend Section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 367 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Mouser, Murray, Palmer, Peairs, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1572—An Act to amend Section 4283 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1572 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Hayes, Inman, Johnston, T. D., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, White, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act.

Bill read third time.

PREVIOUS QUESTION.

Mr. Woodley moved the previous question.

Motion carried.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Ryan moved the call of the House.

Motion carried

Time, eleven o'clock a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifteen minutes a.m., further proceedings under the call of the House was dispensed with, on motion of Mr. Ellis.

The roll of absentees was called, and Assembly Bill No. 1515 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Brown, Byrnes, Canepa, Chandler, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Gates,

Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Mouser, Nelson, Peairs, Roberts, Ryan, Scott, Shartel, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, White, Woodley, and Mr. Speaker—42.

NOES—Messrs. Bagby, Bowman, Bradford, Cary, Clarke, Geo. A., Collins, Dower, Ferguson, Gelder, Green, Griffin, Guiberson, Hayes, Johnson, Geo. H., Libby, Morgenstern, Murray, Palmer, Polsley, Richardson, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Wall, Weldon, and Wyllie—28.

Title read and approved.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS.

Assembly Bill No. 642—An Act creating a state water commission, specifying and providing for the appointment of its members; fixing the terms of office and compensation of its members; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in said commission and the removal from office of members thereof; providing for the co-operation of the courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring for the guidance of said commission, what water is unappropriated; declaring what water may be appropriated; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which such appropriations may be made; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the Attorney General, for the quieting of title to water or water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; declaring the use or possession of water with certain exceptions except under the provisions of this Act to be a misdemeanor; regulating the appropriation of water; exempting cities, cities and counties, municipal water districts and lighting districts from certain provisions of this Act, but permitting them to come under its provisions; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Johnstone moved a call of the House.

Motion carried.

Time, eleven o'clock and twenty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—68.

At eleven o'clock and forty minutes a.m., Mr. Libby moved that further proceedings under the call of the House be dispensed with.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bradford, Brown, Byrnes, Clarke, Geo. A., Collins, Dower, Ford, Gelder, Griffin, Guill, Inman, Johnson, Geo. H., Killingsworth, Libby, Murray, Palmer, Polsley, Richardson, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Walsh, Weldon, and White—29.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bush, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Pairs, Roberts, Ryan, Scott, Shartel, Smith, Strine, Sutherland, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

At one o'clock p.m., Mr. Killingsworth moved that further proceedings under the call of the House be dispensed with.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Dower, Ford, Gelder, Griffin, Guiberson, Inman, Johnson, Geo. H., Killingsworth, Libby, Morgenstern, Murray, Palmer, Polsley, Richardson, Shannon, Shartel, Shearer, Simpson, Stuckenbruck, Wall, Weldon, and White—30.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Nelson, Roberts, Ryan, Scott, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—38.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Killingsworth.

The roll of absentees was called, and Assembly Bill No. 642 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bush, Cary, Chandler, Clark, Wm. C., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Pairs, Roberts, Ryan, Scott, Shartel, Strine, Sutherland, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—40.

NOES—Messrs. Alexander, Bagby, Beck, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Collins, Dower, Ford, Gelder, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Killingsworth, Libby, McCarthy, Murray, Palmer, Polsley, Richardson, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Weldon, and White—35.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Con-

stitution of the State of California, relative to the compensation of members of the Legislature.

Also: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations.

Also: Assembly Constitutional Amendment No. 56—A resolution proposing to the people of the State of California to amend Section 9 of Article I of the State Constitution, relative to curbing the one-sided power and unfair influences of special interests owning the press, newspapers, magazines or other periodicals of general circulation during political campaigns.

Also: Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California amending Sections 17 and 19 of Article V of the Constitution of the State of California, relating to the state executive officers, the salaries thereof and the formation of the Governor's cabinet.

Also: Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California the repeal of Section 19 of Article XX of the Constitution and the substitution in lieu thereof a new section, to be known as Section 19, Article XX, and relating to the use of state funds for the payment of legitimate campaign expenses by any political party of the State.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At two o'clock and fifteen minutes, p.m., on motion of Mr. Gelder, the Assembly was declared at recess until three o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At three o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF SENATE BILLS.

Senate Bill 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 679 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kueck, Libby, McDonald, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Wall, Walsh, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 935—An Act to amend Section 384 of the Penal Code, relating to forest fires, approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 935 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Mouser, Nelson, Palmer, Polsley, Ryan, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, and Mr. Speaker—53.

NOES—Messrs. Griffin and Weldon—2.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Bohnett:

In line 2 of the title, strike out the following: "approved May 1, 1911."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 72—An Act to amend Section 167 of the Penal Code of California, relating to false certificates and acknowledgments of notary publics and other officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 72 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Finnegan, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Judson, Killingsworth, Kingsley, Kuck, Mouser, Nelson, Peairs, Polsley, Shartel, Simpson, Slater, Smith, Sutherland, Weisel, Weldon, White, Woodley, and Wyllie—43.

NOES—Messrs. Ferguson, Gates, Johnson, Geo. H., Johnston, T. D., Libby, Moorhouse, Palmer, Richardson, Stuckenbruck, Wall, and Mr. Speaker—11.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Cary:

In line 2 of the title, strike out the words "notary publics", and insert in lieu thereof the words "notaries public".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1259—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1259 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Canepa, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, Moorhouse, Mouser, Polsley, Richardson, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Wall, Weldon, White, Woodley, Wyllie, and Mr. Speaker—45.

NOES—Mr. Dower—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

The question being upon the motion of Mr. Ford to appoint a select committee of one to amend the bill as follows:

On page 1, line 3, insert the following: "one of whom shall be a representative of labor."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 451 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Richardson, Ryan, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Walsh, Weisel, White, Wyllie, and Mr. Speaker—53.

NOES—Messrs. Alexander, Griffin, Palmer, Polsley, Simpson, Wall, and Weldon—7.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Killingsworth gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 451 was this day passed.

Senate Bill No. 563—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 563 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Scott, Shannon, Simpson, Slater, Smith, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER.

Mr. McCarthy gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 642 was this day refused passage.

Mr. Alexander gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1515 was this day passed.

Senate Bill No. 916—An Act to add a new section to the Code of Civil Procedure, to be numbered and known as Section 1871, relating to experts, their appointment by the court, or a judge thereof, and

providing for their compensation and manner of examination as witnesses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 916 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, Libby, McDonald, Mouser, Nelson, Palmer, Polsley, Roberts, Scott, Shannon, Slater, Smith, Stuckenbruck, Wall, Walsh, White, Woodley, Wyllie, and Mr. Speaker—48.

NOES—Mr. Murray—1.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Bohnett moved that the Assembly do now proceed to take up Senate second-reading file.

Motion carried.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1199—An Act to amend an Act entitled “An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners,” approved March 23, 1893.

The question being upon the following amendment submitted by Mr. Gelder:

On page 2, line 12, insert the following: “*provided, however, that the state board of prison directors shall make no rule or rules which will deny any prisoner, except those whose imprisonment may continue for life, the right to apply for or be eligible for a parole after serving one calendar year of imprisonment for the crime for which he was convicted. Every prisoner who, under the provisions of this law shall be eligible to apply for leave to go on parole, shall be accorded the right to appear in person before the board of prison directors within sixty days after filing of his application for parole and it shall be the duty of the board of prison directors to hear and determine such application within said period of sixty days, and no such application shall be denied or considered thereof postponed, except for good cause shown, which cause shall be fully set forth on the record of the meeting of the board of prison directors at which such action may be taken.*”

Amendment lost.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 396—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California in the city of Oakland, for the use of the National Guard of the State of California.

Bill read second time.

Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of the said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a state superintendent of weights and measures, and his deputy sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

Bill read second time.

Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the secretary thereof.

Bill read second time.

Senate Bill No. 160—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

During second reading of the bill, the following amendments were submitted by Mr. Ryan:

AMENDMENT No. 1.

On page 1, line 20, Section 1, after the period following the word "expended", add the following:

"Such portion of the sum provided by this section as may be deemed advisable by the state board of health and approved by the governor, may be used in accordance with the provisions of this section and section two; *provided*, that all expenditures connected therewith shall be audited by the board of control and paid by the state treasurer upon warrants drawn by the controller, in accordance with the provisions of this section."

Amendment adopted.

AMENDMENT No. 2.

Add the following section, to be known as Section 2, and to read as follows:

"SEC. 2. Whenever any land, place, building, structure, wharf, pier, dock, vessel or water craft is infested with rodents, insects or other vermin which are liable to convey or spread contagious or infectious disease from an existing focus declared by the state board of health, it shall be the duty of the said board to at once notify the person, firm, copartnership, company or corporation, owning said land, place, building, structure, wharf, pier, dock, vessel or water craft, of the existence of said rodents, insects, or other vermin, and said notice shall direct said owner to proceed immediately to exterminate and destroy said rodents, insects or other vermin, and to continue in good faith such measures as may be necessary to prevent their return. In the event that said owner fails, refuses or neglects to proceed as above provided, within ten days from date of receipt of said notice, the state board of health may at once proceed to exterminate and destroy said rodents, insects or other vermin, and take such measures as may be necessary to prevent their return, and the cost of the above measures shall be repaid to the state board of health by the board of supervisors or other governing body of the county, city and county, city or town wherein the work is done, at its next meeting after the bill is presented, and the appropriation provided in Section 1 of this Act shall be reimbursed by the amount so paid, and may be again expended in a similar manner."

Amendment adopted.

AMENDMENT No. 3.

Add the following section, to be known as Section 3, and to read as follows:

"SEC. 3. Whenever a board of supervisors or other governing body of any county, city and county, city or town, shall have repaid the state board of health any sum as provided in section two, the clerk of such board shall file in the office of the county recorder a notice of such payment, claiming a lien on such property for the amount of such payment. Any and all sums so paid by such county, city and county, city or town, shall be a lien on the property on which such rodents, insects or other vermin shall have been exterminated and destroyed, and may be recovered in an action against such property, which action to foreclose such lien shall be brought within ninety days after such payment, and be prosecuted by the district, city or town attorney, in the name of such county, city and county, city or town, and for its benefit. When the property is sold, enough of the proceeds shall be paid into the treasury of such county, city and county, city or town, to satisfy such lien and the costs, and overplus, if any there be, shall be paid to the owner of the property, if known, and if not known shall be paid into court for the use of such owner when ascertained. When it appears from the complaint in such action that the property on which such lien is to be foreclosed is likely to be removed from the jurisdiction of the court, the court may appoint a receiver to take possession of the property and hold the same while the action may be pending or until the defendant shall execute and file a bond, with sufficient sureties, conditioned for the payment of any judgment that may be received against him in the action and all costs."

Amendment adopted.

AMENDMENT No. 4.

Add the following section, to be known as Section 4, and to read as follows:

"SEC. 4. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately."

Amendment adopted.

Bill read second time.

Senate Bill No. 1053—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a new section, to be numbered 3½, relating to the manner of effecting certain local improvements.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 743—An Act to amend Sections 2, 3, 4, 16 and 30 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, and to add two new sections to said Act, to be numbered Sections 26a and 33a, relating to reassessments and the form of certain notices, resolutions, orders and determinations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1665—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248b, 1248c and 1248d, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of referees and exceptions thereto, to the hearing thereof, and to judgments in such proceedings.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 8, strike out the word "ten", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 14, strike out the word "one", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 29, after the word "that", insert the word "upon".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out the words "or any municipality" in line 11, also all of lines 12 and 13, and all of line 14 to and including the word "property", and insert in lieu thereof the following: "city and county, or incorporated city or town, taking or appropriating property within the limits thereof for public use for any proposed public improvement, may also take and appropriate, under the powers of eminent domain, additional adjoining or neighboring property within the limits thereof".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 6, strike out the word "The" at the end of said line, and insert in lieu thereof the following: "For the purpose of acquiring, constructing, enlarging or improving a public park, playground, boulevard, street, building or grounds therefor, any county, city and county, incorporated city or town may condemn lands outside of its boundaries and within the distance of ten miles therefrom; *provided*, that no lands within any other county, city and county, incorporated city or town shall be taken without its consent, to be given in any manner that may be provided by law. The".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 995—An Act making an appropriation for office equipment for the State Board of Health.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 508—An Act to amend Section 372 of the Code of Civil Procedure, providing for a compromise of suits by guardians.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII of Title II of Part IV of Division First of said Civil Code, relating to mortgage insurance companies.

During second reading of the bill, the following amendment was submitted by Mr. Benedict:

On page 5, line 23, after the word "upon", insert the word "unincumbered".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II of Title II of Part IV of Division First of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code forming part of said Chapter II, and to add to said Civil Code a new chapter, to be known as Chapter VII of Title II of Part IV of Division First of said Civil Code, relating to title insurance companies.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 30, after the word "upon", insert the word "unencumbered".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 7, after the word "life", insert a comma and the following: "health, accident".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 703—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 704—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 964—An Act to amend Section 538 of the Political Code.

Bill read second time, ordered on file for third reading, and referred to Committee on Judiciary.

Senate Bill No. 965—An Act to amend Section 535 of the Political Code.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 13—An Act to amend an Act entitled “An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records,” approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1917, but not thereafter.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 28—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 633—An Act to amend the Code of Civil Procedure by adding thereto Title Va, Part III, relating to the support of bastards, and proceedings therefor.

During second reading of the bill, the following amendments were submitted by Mr. Ryan:

AMENDMENT No. 1.

On page 2, strike out all of line 3.

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 4, strike out the figures and letter “1225d”, and insert in lieu thereof the following: “1225c”.

Amendment adopted.

AMENDMENT No. 3.

On page 4, strike out all of line 25 and all of the bill down to and including all of line 33.

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 34, strike out the figures and letter “1225d”, and insert in lieu thereof the following: “1225c”.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1460—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be numbered 604a, providing for the formation of religious corporations.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, lines 20 and 21, strike out the words “parsonages, of cemetery purposes”, and insert in lieu thereof “or parsonages”.

Amendment adopted.

AMENDMENT No. 2.

On page 2, lines 30 and 31, strike out the words “and without the order of any court”, and insert in lieu thereof the following: “subject, however, to the provisions of section five hundred and ninety-eight of this Code”.

Amendment adopted.

Bill read second time, and ordered to reprint, and on file for third reading.

Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the court.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 1, beginning with the word "A", in line 6, strike out the following: "A vacancy is created whenever a sole trustee, or any one of several co-trustees, of a trust, dies, resigns, or is discharged."

Amendment adopted.

AMENDMENT No. 2.

On page 1, Section 1, line 12, strike out everything after the word "court", and insert in lieu thereof a comma, and the following: "and unless such nominee or nominees are incompetent, upon one or more of the grounds of incompetency specified in Section 1350 of the Code of Civil Procedure of California, to discharge the duties of trustee, the court must appoint such nominee, or nominees, as trustee, or trustees as the case may be."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 1, strike out the word "or", after the word "age", and insert in lieu thereof the word "of".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 366—An Act to amend Section 976 of the Code of Civil Procedure of the State of California, relating to appeals to Superior Courts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 14, strike out the words "or for a failure", and also all of lines 15, 16 and 17.

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 18, strike out the words "order the appeal to be", and insert in lieu thereof the following: "enter judgment for the respondent".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 7, after the period following the word "court", add the following: "No appeal from the justices' court shall be deemed perfected for any purpose until the provisions of section nine hundred and seventy-four of the Code of Civil Procedure have been complied with, together with the payment of the filing fees as provided in section nine hundred and seventy-seven of the Code of Civil Procedure, within thirty days after the entry of judgment where judgment has been rendered by default, or at any time within thirty days after service of notice of the entry of judgment."

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 1, strike out the word "dismissed".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 324—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 325—An Act to amend Section 610 of the Civil Code of the State of California, relating to property of cemetery corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 326—An Act to amend Section 613 of the Civil Code of the State of California, relating to the title to cemetery lots.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 327—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 618, relating to membership in cemetery corporations and the rights of members to the assets thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 386—An Act conferring upon any city, or city and county, within this State the power, under certain circumstances, of removing dead bodies from any cemetery within the boundary lines of such city, or city and county, and providing for collection of expenses thereby incurred.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1201—An Act to add a new section to the Penal Code, to be numbered 1202a, relating to indeterminate sentences.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1420—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 5, after the word "delivery", insert the words "and acceptance".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1588—An Act making an appropriation of \$25,000 for purchasing machinery and equipment for the State Printing Office.

Bill read second time.

Senate Bill No. 1754—An Act appropriating money for the support and maintenance of the State Prison at Folsom.

Bill read second time.

Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico, and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 24, of printed bill, strike out the word "eighteen", and insert in lieu thereof the word "fifteen".

Amendment adopted.

Bill read second time.

Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 1, of the printed bill, strike out the word "fifty", and insert in lieu thereof the word "forty".

Amendment adopted.

Bill read second time.

Senate Bill No. 539—An Act to amend Section 1333 of the Penal Code of the State of California, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2 of the printed bill, strike out all of lines 6, 7, and that portion of line 8 preceding the comma, and insert in lieu thereof the following: "of not more than five hundred dollars for each and every violation, or in the discretion of the court, to imprisonment not more than six months."

Amendment adopted.

AMENDMENT No. 2.

At the end of Section 1, page 3, of the printed bill, add the following: "This section shall not apply to any contract of insurance upon or in connection with marine or transportation risks or hazards other than contracts for automobile insurance."

Amendment adopted.

AMENDMENT No. 3.

In line 1, page 4, Section 2, of the printed bill, following the word "agent", strike out the comma, and insert in lieu thereof the word "or"; also, in the same line, strike out the words "or broker".

Amendment adopted.

AMENDMENT No. 4.

At the end of line 2, page 4, of the printed bill, strike out the comma, and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT No. 5.

In line 3, page 4, of the printed bill, strike out the words "or broker".

Amendment adopted.

AMENDMENT No. 6.

On page 4 of the printed bill, strike out all of lines 8, 9, 10 and 11, and insert in lieu thereof the following: "to pay a fine of not more than five hundred dollars for each and every violation, or in the discretion of the court, to imprisonment not more than six months, or to both such fine and imprisonment."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 934—An Act to amend an Act entitled "An Act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a state board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violation of the provisions of this Act, and making an appropriation therefor," approved March 18, 1905.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines and prescribing a penalty for the violation thereof.

Bill read second time.

Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 532a, relating to secret societies, fraternal societies, orders, or organizations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1744—An Act to amend Section 3937, and repealing Section 3938 of the Political Code, relating to the county boundary between Tuolumne and Mariposa counties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1745—An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County between said county and Placer County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County, between said county and El Dorado County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581b, relating to the dismissal of actions for want of prosecution after change of place of trial.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignments of orders for wages or salaries.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 1 and 2, strike out the words "Political Code", and insert in lieu thereof the words "Civil Code of the State of California".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 15, strike out the period after the word "earned", and insert in lieu thereof a comma and the following: "except for the necessities of life and then only to the person or persons furnishing such necessities of life directly and then only for the amount needed to furnish such necessities".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 904—An Act to establish the Yolo and Lake Highway: to define its course: to provide for its survey and construction, and to make an appropriation therefor.

Bill read second time.

Senate Bill No. 621—An Act making an appropriation to pay the claim of Duane Bliss against the State of California.

Bill read second time.

Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Bill read second time.

Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Bill read second time.

Senate Bill No. 114—An Act appropriating money for the construction and equipment of a new ward, numbered twenty-five, at Stockton State Hospital.

Bill read second time.

Senate Bill No. 112—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Bill read second time.

Senate Bill No. 110—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Bill read second time.

Senate Bill No. 109—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Bill read second time.

Senate Bill No. 1689—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General and defining its use and the liability therefor.

Bill read second time.

Senate Bill No. 1755—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

Bill read second time.

Senate Bill No. 1290—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of the State and making an appropriation to pay the cost and expenses of the same.

Bill read second time.

Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to salaries, fees and expenses of officers of counties of the third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 590—An Act to amend Section 4307 of the Political Code, relating to county charges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 870—An Act to amend Sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read second time, and ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 396, 32, 727, 1588, 1754, 1608, 904, 621, 116, 115, 114, 112, 110, 109, 1689, 1755, and 1290.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 396, 32, 727, 1588, 1754, 1608, 904, 621, 116, 115, 114, 112, 110, 109, 1689, 1755, and 1290 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 396, 32, 727, 1588, 1754, 1608, 904, 621, 116, 115, 114, 112, 110, 109, 1689, 1755, and 1290, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 602, 341 and 160.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 602, 341 and 160 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 602, 341 and 160, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to reprint, and on file for third reading.

MOTION.

Mr. Simpson moved that the Assembly take up the special third-reading file.

Mr. Bohnett moved as a substitute that the Assembly take up second-reading file.

Substitute motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 53—An Act appropriating money for the construction and equipment of new ward No. 25, at the Stockton State Hospital.

Bill read second time.

Assembly Bill No. 1580—An Act to provide for printing and binding, digesting and indexing the opinions of the Attorney General of this State, and making an appropriation to pay the cost and expenses of the same.

Bill read second time.

Assembly Bill No. 1027—An Act to amend Section 4264 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8, strike out the words "three thousand", and insert in lieu thereof the words "three thousand six hundred".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 14, strike out the word "five", and insert in lieu thereof the word "four".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1584—An Act to amend Section 4014 of the Political Code of the State of California, relating to township officers.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 18, strike out the words "city charter empowers", and insert on page 2, line 1, after the word officer "is empowered".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1329—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 1990—An Act to add a new section to the Penal Code of the State of California, to be numbered 650*b*, and relating to remuneration for time lost to prisoners of the State who have been improperly or unjustly incarcerated.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out the words "proven, or the evidence so substantiated", and insert in lieu thereof the word "ascertained".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, strike out the word "remuneration", and insert in lieu thereof the word "remuneration".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as number two thousand nine hundred eighty-two *a*, providing for a sanitary engineer to the State Board of Health, and fixing his salary.

Bill read second time.

Assembly Bill No. 570—An Act to amend an Act entitled “An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto.” approved March 18, 1905, and relating to the State Hygienic Laboratory.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredge for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Bill read second time.

Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 5, of printed bill, strike out the words “amusement hall and gymnasium”, and insert in lieu thereof the words “assembly hall”.

Amendment adopted.

Bill read second time.

Assembly Bill No. 1805—An Act appropriating moneys in the “accident prevention fund” for the purpose of enforcing and promoting safety in employment and places of employment.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds, to be known as “state fair grounds bonds,” to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes, and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Bill read second time.

Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape, near every window more than twelve feet from the ground, in every building, edifice or structure in the State of California; providing for the enforcing of this Act; providing for an

appropriation for the same covering state buildings and institutions, and providing penalties for the violation thereof.

Bill read second time.

Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled "An Act creating a state commission on voting or balloting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting or ballot machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the result at such elections; and providing for the punishment of all violations of the provisions of this Act" (approved March 20, 1903, as subsequently amended).

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1598—An Act to amend Section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 20, strike out the word "five", and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 11, strike out the word "forty", and insert in lieu thereof the word "fifty"; also, on page 3, line 15, strike out the word "thirty-five", and insert in lieu thereof the word "forty-five"; also, on page 3, line 19, strike out the word "thirty", and insert in lieu thereof the word "forty"; also, on page 3, lines 23 and 24, strike out the word "twenty-five", and insert in lieu thereof the word "thirty-five"; also, on page 3, line 27, strike out the word "twenty-five", and insert in lieu thereof the word "thirty-five".

Amendment adopted.

AMENDMENT No. 3.

On page 3, strike out all of lines 29 and 30, and all down to the semicolon in line 31, and insert in lieu thereof the following: "The salaries above specified shall be in full compensation of justices of the peace for all services of every kind and description rendered by them whether in criminal or in civil cases, but the salaries of constables as above specified shall be in full compensation for all services in criminal cases only rendered by said constables and they may retain for their own use and benefit the fees allowed by law in civil cases."

Amendment adopted.

AMENDMENT No. 4.

On page 4, line 4, strike out the word "two", and insert in lieu thereof the word "three"; also, strike out the figure "2", and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT No. 5.

On page 4, strike out all of line 4, after the parenthesis, and insert a period after the parenthesis; also, strike out all of lines 5 and 6.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1599—An Act to amend Section 4287 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 13, strike out the word "three", and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1600—An Act to amend Section 4274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 32, add the letter "s" to the word "commission".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 36, strike out the word "four", and insert in lieu thereof the word "three"; also, in the same line, strike out the word "seven", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 37, immediately after the word "annum," strike out the period and insert the following: "and such fees as are now or may hereafter be allowed by law".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 37, strike out everything following the period after the word "annum".

Amendment adopted.

AMENDMENT No. 5.

On page 3, strike out all of lines 1 and 2.

Amendment adopted.

AMENDMENT No. 6.

Strike out all of Section 13, commencing on line 15, page 3, and ending in line 23, page 4, and insert in lieu thereof the following:

"13. Justices of the peace who have their offices at the county seat shall receive a salary of thirty dollars per month, justices of the peace whose offices are not at the county seat shall receive a salary of fifteen dollars per month; which said salaries shall be in full compensation for all services of every kind and description rendered by them, whether civil or criminal; such salaries shall be payable in like manner and out of the same funds and at like times as".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1900—An Act to amend Section 4269 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fortieth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 3, strike out everything commencing with the word "sixty" in line 3 down to and including the word "cases" in line 32 of said page, and insert in lieu thereof the following: "seventy-five (75) dollars per month and constables a monthly salary of sixty (60) dollars per month. In townships having a population of more

than twenty-seven (27) hundred, and not exceeding four (4) thousand, justices of the peace shall receive a salary of forty (40) dollars per month and constables a monthly salary of forty (40) dollars per month. In townships having a population of more than two (2) thousand and less than twenty-seven (27) hundred, justices of the peace shall receive a monthly salary of thirty-five (35) dollars per month and constables a monthly salary of thirty-five (35) dollars per month. In townships having a population of less than two (2) thousand, justices of the peace shall receive a monthly salary of thirty (30) dollars per month and constables a monthly salary of twenty-five (25) dollars per month." Immediately following this insert the following: "The salaries above specified shall be in full compensation of justices of the peace for all services of every kind and description rendered by them whether in criminal or civil cases, but the salaries of constables as above specified shall be in full compensation for all services in criminal cases only rendered by said constables and they may retain for their own use and benefit the fees allowed by law in civil cases."

Amendment adopted.

AMENDMENT No. 2.

On page 4, line 6, strike out the word "five", and insert in lieu thereof the words "three and one half".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1469—An Act to standardize and regulate the branding and sale of commercial feeding stuffs.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1773—An Act to provide for the exemption of honorably discharged soldiers, sailors and marines of the United States, from payment in any state, county, city and county or city license fees in certain cases.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1913—An Act to amend Sections 1401 and 1402 of the Civil Code of the State of California, relating to the disposition of community property upon the death of the wife or husband.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the words "An Act", and insert in lieu thereof the following: "To amend section fourteen hundred and one of the Civil Code of the State of California, relating to the distribution of community property.

The people of the State of California do enact as follows:

SECTION 1. Section fourteen hundred and one of the Civil Code is hereby amended to read as follows:

Section 1401. Upon the death of the wife, the entire community property, without administration, belongs to the surviving husband, except such portion thereof as may have been set apart to her by judicial decree, for her support and maintenance, which portion is subject to her testamentary disposition, and in the absence of such disposition, goes to her descendants, or heirs, exclusive of her husband; *provided, however*, that upon the death of the wife the entire community property may be distributed to the husband in a proceeding in the matter of the estate of the deceased wife under the provisions of Part III, Title XI, of the Code of Civil Procedure of the State of California."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1274—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners, in the matter of said regulation," approved March 14, 1907, as amended by a certain Act, approved March 19, 1909; as amended

by a certain Act, approved May 1, 1911, by amending Section 9 of said Act, relating to the recording of certificates authorized under said Act, in the office of the county clerk of the county in which the holder of said certificate is a resident.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out all of the title after the words "An Act", and insert in lieu thereof the following: "to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act."

Amendment adopted.

AMENDMENT No. 2.

On pages 1 and 2 of the printed bill, strike out all of the bill after the words "Section 1", on page 1, and insert in lieu thereof the following:

SECTION 1. A board of medical examiners to consist of nine members, and to be known as the "board of medical examiners of the State of California," is hereby created and established. The governor shall appoint the members of the board, each of whom shall have been a citizen of this state for at least five years next preceding his appointment. Each of the members shall be appointed from among persons who hold licenses under any of the medical practice Acts of this State.

The governor shall fill by appointment all vacancies on the board. The term of office of each member shall be four years; *provided*, that of the first board appointed, three members shall be appointed for one year, two for two years, two for three years and two for four years, and that thereafter all appointments shall be for four years, except that appointments to fill vacancies shall be for the unexpired term only. No person in any manner owning any interest in any college or institution engaged in medical instruction shall be appointed on the board, nor shall more than one member of the board be appointed from the faculty of any one university, college, or other educational institution. The governor shall have power to remove from office any member of the board for neglect of duty required by this Act, for incompetency, or for unprofessional conduct.

Each member of the board shall, before entering upon the duties of his office, take the constitutional oath of office.

SEC. 2. The board shall be organized on or before the first Tuesday of September, 1913, by electing from its number a president, vice-president, secretary, and treasurer, who shall hold their respective positions during the pleasure of the board. The board shall hold one meeting annually beginning on the second Tuesday in January in the city of Sacramento and at least two additional meetings annually, one of which shall be held in the city of Los Angeles and the other in the city of San Francisco, with power of adjournment from time to time until its business is concluded; *provided, however*, that examinations of applicants for certificates may, in the discretion of the board, be conducted in any part of the state designated by the board. Special meetings of the board may be held at such time and place as the board may designate. Notice of each regular or special meeting shall be given twice a week for two weeks next preceding each meeting in one daily paper published in the city of San Francisco, one published in the city of Sacramento, and one published in the city of Los Angeles, which notice shall also specify the time and place of holding the examination of applicants. The board shall receive through its secretary applications for certificates provided to be issued under this Act and shall, on or before the first day of January of each year, transmit to the governor a full report of all its proceedings together with a report of its receipts and disbursements. The board shall, on or before the first day of January of each year, compile a complete directory giving the addresses of all persons within the State of California who hold unrevoked licenses to practice under any medical practice Act of the State of California, which license shall in any manner authorize the treatment of human beings for diseases, injuries, deformities, or any other physical or mental conditions. The board is hereby authorized to require said persons to furnish such information as it may deem necessary to enable it to compile the directory. The directory shall contain, in addition to the names and addresses of said persons, the names and symbols indicating the title, name or names, school or schools, which such person has attended and from which graduated, the date of issuance of the license, the

present residence of said person and a statement of the class of certificate held. The directory shall be prima facie evidence of the right of the person or persons named therein to practice as permitted in said form of license. It shall be the duty of every person holding a license to practice under any medical Act of this State, or who may hereafter be so licensed to practice, to report immediately each and every change of residence, giving both the old and new address.

SEC. 3. The office of the board shall be in the city of Sacramento and in all legal proceedings against the board said city shall be deemed to be the residence of the members thereof.

SEC. 4. The board may from time to time adopt such rules as may be necessary to enable it to carry into effect the provisions of this Act. Any member of the board may administer oaths in all matters pertaining to the duties of the board, and the board shall have authority to take evidence in any matter cognizable by it. The board shall keep an official record of all its proceedings, a part of which record shall consist of a register of all applicants for certificates under this Act, together with the action of the board upon each application.

SEC. 5. The board is authorized to prosecute all persons guilty of violation of the provisions of this Act. It shall have the power to employ legal counsel for such purpose, and may also employ such clerical assistance as it may deem necessary to carry into effect the provisions of this Act. The board may fix the compensation to be paid for such service and may incur such other expenses as it may deem necessary. It shall also fix the salary of the secretary, not to exceed the sum of eighteen hundred dollars (\$1800) per annum, and the sum to be paid to other members of the board not to exceed ten dollars (\$10) per diem each, for each and every day of actual service in the discharge of official duties; and the board may, in its discretion, add to said sum necessary traveling expenses.

SEC. 6. All fees collected on behalf of the board of medical examiners and all receipts of every kind and nature, shall be reported at the beginning of each month, for the month preceding, to the state controller, and at the same time the entire amount of such collections shall be paid into the state treasury, and shall be credited to a fund to be known as the board of medical examiners' contingent fund, which fund is hereby created. Such contingent fund shall be for the uses of the board of medical examiners and out of it shall be paid all salaries and all other expenses necessarily incurred in carrying into effect the provisions of this Act. An amount not to exceed one thousand dollars (\$1000) may be drawn from the contingent fund herein created, to be used as a revolving fund where cash advances are necessary; but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control.

SEC. 7. Every applicant for a certificate shall pay to the secretary of the board a fee of twenty-five dollars (\$25), which shall be paid to the treasurer of the board by said secretary. In case the applicant's credentials are insufficient or in case he does not desire to take the examination, the sum of ten dollars (\$10) shall be retained, the remainder of the fee being returnable on application.

SEC. 8. Every applicant must file with the board, at least two weeks prior to a regular meeting thereof, satisfactory testimonials of good moral character, and a diploma issued by some legally chartered school, approved by the board. In addition thereto applicants for the "Physician and Surgeon Certificate" must show that the applicant has attended four courses of study in four calendar years, each annual course to have been of not less than thirty-two weeks' duration, and at least ten months shall intervene between the beginning of any course and the beginning of the preceding course; the requirements of which shall have been at the time of granting such diploma in no degree less than those required under this Act as hereinafter set forth, or satisfactory evidence of having possessed such diploma, and must also file an affidavit stating that he is the person named in said diploma and that he is the lawful holder thereof, and that the same was procured in the regular course of instruction and examination without fraud or misrepresentation; *provided*, that where the applicant has been unable to complete a thirty-two weeks' course in any one year, but can show to the satisfaction of the board of medical examiners:

First, that he has taken courses totaling not less than one hundred twenty-eight weeks in some school or schools approved by the board, receiving passing grades in all such courses; *second*, that not more than thirty-two weeks of such courses have been taken in any one calendar year; and, *third*, that he has fulfilled the requirements of section ten of this Act, he shall be granted such special examination as the board may deem necessary, and if found proficient, shall receive a license to practice medicine and surgery as provided in this Act. The said application shall be made upon a blank furnished by said board and it shall contain such information concerning the medical instruction and the preliminary education of applicant as the board may by rule prescribe. In addition to the requirements hereinabove provided for, applicants for either form of certificate hereunder shall present to said board at the time of making such application a diploma from an accredited high school, accredited normal school, or an accredited academy, together with satisfactory proof that he is the lawful holder of such diploma and that the same was procured in the regular course of instruction. In lieu of such diploma, the applicant may present: (1) a certificate from the college entrance examination board, or the

college examining board of any state or territory showing that such applicant has successfully passed the examination of said board; or (2) if such applicant be thirty years or more of age he may show to the satisfaction of the board of medical examiners proof of preliminary education equivalent in training power to the foregoing requirements. The term "accredited," as herein used, means institutions of that type that have been investigated and are accredited by the state universities of their respective states. After January 1, 1918, every applicant for a "Physician and Surgeon Certificate" shall, in addition to the foregoing requirements, present to the board satisfactory evidence that before beginning the study of medicine he has completed an additional course of at least one year's duration, which included physics, chemistry, and biology, of college grade, of each not less than six semester hours.

SEC. 9. Two forms of certificates shall be issued by said board under the seal thereof and signed by the president and secretary: *First*, a certificate authorizing the holder thereof to use drugs or what are known as medicinal preparations in or upon human beings and to sever or penetrate the tissues of human beings and to use any and all other methods in the treatment of diseases, injuries, deformities, or other physical or mental conditions, which certificate shall be designated "Physician and Surgeon Certificate"; *second*, a certificate authorizing the holder thereof to treat diseases, injuries, deformities, or other physical or mental conditions without the use of drugs or what are known as medicinal preparations and without in any manner severing or penetrating any of the tissues of human beings, except the severing of the umbilical cord, which certificate shall be designated "Drugless Practitioner Certificate." A "Reciprocity Certificate" shall also be issued under the provisions hereinafter specified. Any of these certificates upon being received in the office of the county clerk, as hereinafter provided, shall constitute the holder thereof a duly licensed practitioner in accordance with the provisions of his certificate. Unless otherwise provided. The words "practice of medicine and surgery" shall be deemed to be the practice authorized by the "Physician and Surgeon Certificate" herein mentioned.

SEC. 10. Applicants for either form of certificate shall file satisfactory evidence of having pursued in such legally chartered school or schools, approved by the board, a course of instruction covering and including the following minimum requirements; *provided*, that no applicant shall be credited with more than twelve hundred hours of work in any one year.

FOR A "PHYSICIAN AND SURGEON CERTIFICATE."

<i>Group 1. 720 hours.</i>	
Anatomy -----	510 hours
Embryology -----	75 hours
Histology -----	135 hours
<i>Group 2. 620 hours.</i>	
Elementary chemistry and toxicology -----	140 hours
Advanced chemistry -----	180 hours
Physiology -----	300 hours
<i>Group 3. 450 hours.</i>	
Elementary bacteriology -----	60 hours
Advanced bacteriology -----	75 hours
Hygiene -----	45 hours
Pathology -----	270 hours
<i>Group 4. 240 hours.</i>	
Materia medica -----	80 hours
Pharmacology -----	105 hours
Therapeutics -----	55 hours
<i>Group 5. 985 hours.</i>	
Dermatology and syphilis -----	45 hours
General medicine and general diagnosis -----	640 hours
Genito-urinary diseases -----	45 hours
Nervous and mental diseases -----	105 hours
Pediatrics -----	150 hours
<i>Group 6. 965 hours.</i>	
Laryngology, otology, rhinology -----	60 hours
Ophthalmology -----	60 hours
Surgery and surgical diagnosis -----	500 hours
Orthopedic surgery -----	45 hours
Physical therapy, including electrotherapy, X-ray, radio-therapy, hydrotherapy -----	300 hours
<i>Group 7. 300 hours.</i>	
Gynecology -----	105 hours
Obstetrics -----	195 hours
<i>Miscellaneous. 30 hours.</i>	
Ethics, jurisprudence, etc. -----	30 hours
Total -----	4310 hours

FOR A "DRUGLESS PRACTITIONER CERTIFICATE."

<i>Group 1. 645 hours.</i>	
Anatomy -----	510 hours
Histology -----	135 hours
<i>Group 2. 420 hours.</i>	
Elementary chemistry and toxicology-----	120 hours
Physiology -----	300 hours
<i>Group 3. 375 hours.</i>	
Elementary bacteriology-----	60 hours
Hygiene -----	45 hours
Pathology -----	270 hours
<i>Group 4. 420 hours.</i>	
Diagnosis -----	420 hours
<i>Group 5. 240 hours.</i>	
Manipulative and mechanical therapy-----	240 hours
<i>Group 6. 300 hours.</i>	
Gynecology -----	105 hours
Obstetrics -----	195 hours
Total -----	2400 hours

In the course of study herein outlined the hours required shall be actual work in the class room, laboratory, clinic or hospital, and at least eighty (80) per cent of actual attendance shall be required; *provided*, that the hours herein required in any one subject need not exceed seventy-five (75) per cent of the number specified, but that the total number of hours in all the subjects of each group shall not be less than the total number specified for such group.

SEC. 11. In addition to above requirements, all applicants for "Physician and Surgeon Certificates" must pass an examination to be given by the board in the following subjects:

1. Anatomy and histology.
2. Physiology.
3. Bacteriology and pathology.
4. Chemistry and toxicology.
5. Obstetrics and gynecology.
6. Materia medica and therapeutics, pharmacology, including prescription writing.
7. General medicine, including clinical microscopy.
8. Surgery.
9. Hygiene and sanitation.

All applicants for "Drugless Practitioner Certificates" must pass an examination in the following subjects:

1. Anatomy and histology.
2. Physiology.
3. General diagnosis.
4. Bacteriology and pathology.
5. Obstetrics and gynecology.
6. Chemistry and toxicology.
7. Hygiene and sanitation.

Provided, that a person who holds a "Drugless Practitioner Certificate," or one equivalent thereto, and who presents evidence of having successfully completed the additional courses required for the "Physician and Surgeon Certificate" as hereinbefore provided, shall be permitted to take his examination in subjects required for a "Physician and Surgeon Certificate" without being re-examined in "Drugless Practitioner" subjects.

All examinations shall be practical in character and designed to ascertain the applicant's fitness to practice his profession, and shall be conducted in the English language, and at least a portion of the examination in each of the subjects shall be in writing. There shall be at least ten questions on each subject, the answers to which shall be marked on a scale of zero to one hundred. Each applicant must obtain no less than a general average of seventy-five per cent and not less than sixty per cent in any two subjects; *provided*, that any applicant shall be granted a credit of one per cent upon the general average for each year of actual practice since graduation; *provided, further*, that any applicant for "Physician and Surgeon Certificate" obtaining seventy-five (75) per cent each in seven subjects, and any applicant for "Drugless Practitioner Certificate" obtaining seventy-five per cent each in five subjects shall be subsequently re-examined in those subjects only in which he failed, and without additional fee.

The examination papers shall form a part of the records of the board, and shall be kept on file by the secretary for a period of one year after each examination. In said examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application. The secretary of the board shall in no instance partici-

pate as an examiner in any examination held by the board. All questions on any subject in which examination is required under this Act shall be provided by the board of medical examiners upon the morning of the day upon which examination is given in such subject, and when it shall be shown that the secretary or any member of the board has in any manner given information in advance of or during examination to any applicant it shall be the duty of the governor to remove such person from the board of medical examiners, or from the office of secretary.

All certificates issued hereunder must state the extent and character of practice which is permitted thereunder and shall be in such form as shall be prescribed by the board.

Sec. 12. Any medical director, medical inspector, past assistant surgeon, or assistant surgeon of the United States navy, honorably discharged, or temporarily detached, or placed upon the retired list without being discharged, from the medical department of the United States navy, or who by resignation has honorably severed all connection with the service, and any surgeon of the United States army, honorably discharged or temporarily detached or placed upon the retired list without being discharged from the medical department of the United States army, or who by resignation has honorably severed all connection with the service, is hereby authorized to practice medicine and surgery within the State of California, by filing a sworn copy of his discharge, if he be discharged, or of the order temporarily detaching him or the order placing him upon the retired list, with the state board of medical examiners, or by proving to the satisfaction of the board that by resignation he has honorably left the services of either the army or navy, and paying said board a fee of fifty dollars (\$50); *provided, however*, that this provision shall not apply to any contract surgeon in the United States army or navy, and shall not apply to any officer of the medical reserve corps of either said army or navy.

Sec. 13. Said board must also issue a "Physician and Surgeon Certificate" to any applicant, without any examination, authorizing the holder thereof to practice medicine and surgery in the State of California, upon payment of a registration fee of fifty dollars (\$50.00), upon the following terms and conditions, and upon satisfactory proof thereof, viz:

The applicant shall produce a certificate entitling him to practice medicine and surgery, as provided for in said "Physician and Surgeon Certificate," issued either by the medical examining board, or by any other board or officer authorized by the law to issue a certificate entitling such applicant to practice medicine and surgery, either in the District of Columbia, or in any state or territory of the United States, or if such certificate shall have been lost, then a copy thereof, with proof satisfactory to the board of medical examiners of the State of California that the copy is a correct copy. Said certificate must not have been issued to such applicant prior to the first day of August, 1901, and the requirements from the medical college from which such applicant may have graduated, and the requirements of the board which was legally authorized to issue such certificate permitting such applicant to practice medicine and surgery shall not have been, at the time such certificate was issued, in any degree or particular less than those which were required for the issuance of a certificate to practice medicine and surgery in the State of California at the date of the issuance of such certificate, or which may hereafter be required by law and which may be in force at the time of the issuance of any such certificate; *and provided, further*, that said applicant shall also furnish from the board which issued said certificate, evidence satisfactory to the board of medical examiners of the State of California, showing what the requirements were of the college, or board, issuing said certificate, at the date of such issuance.

If, after an examination of such certificate, and the production on the part of the applicant of such further reasonable evidence of said requirements as may be deemed necessary by the board of medical examiners of the State of California, and any other or further examination or investigation which said board may see fit to make, on its own part, it shall be found that the requirements of the board issuing such certificate were, when said certificate was issued, in any degree or particular less than the requirements provided by the laws of the State of California, at the date of the issuance of such certificate, he will not be entitled to practice within the State of California without an examination.

This section shall not authorize the admission to practice, without examination, of any holder of any certificate, unless the existing power of the state or territory granting the certificate grants the same privilege to persons holding certificates to practice within the State of California, upon the same conditions.

Any person may file an application with the said board to practice medicine and surgery within the State of California, in the event that such applicant has been duly licensed prior to August 1, 1901, and has practiced medicine and surgery in another state or territory, or the District of Columbia, for a period of time commencing prior to the first day of August, 1901.

Such application shall be verified and shall contain a statement showing: (a) the full name of the applicant; (b) all institutions at which he has studied and the period of such study, and all institutions from which he has graduated; (c) a statement of whatever certificate or certificates to practice medicine and surgery may have been issued to him, together with the date of such certificate and a description of

the same, and, if required by the board, the certificates themselves, or satisfactory proof of their issuance; (d) a statement of all places in which said applicant has practiced medicine and surgery; (e) such other general information as to his past practice as may be required by the said board.

The said board shall make such independent investigations of the character, ability and standing of the applicant as it may deem proper and necessary, and if it shall find after such investigation that said applicant has been a practicing physician and surgeon in any other state or territory or the District of Columbia, prior to August 1, 1901, and prior to said last named date has been duly licensed so to practice, and that his reputation as such physician and surgeon is good in the community in which he has so practiced medicine and surgery, they shall afford him an examination on a day suiting the convenience of the board not more than six (6) months subsequent to the presentation of said application.

Said examination shall be oral, practical, and clinical in nature, and full consideration shall be given to the duration and character of the applicant's practice.

If after such last mentioned examination it is determined by a majority vote of the said medical examiners conducting said examination, that such applicant is so qualified to practice medicine and surgery within the State of California, and that his reputation and standing in the community in which he has previously practiced is good, the said applicant shall be entitled to receive a "Physician and Surgeon Certificate."

Each applicant on making such application shall pay to the secretary of the board, a fee of fifty dollars (\$50), which shall be paid to the treasurer of the board, of which sum forty dollars (\$40.00) shall be returned to him should he not receive a certificate hereunder. All certificates issued pursuant to this section shall be marked across the face thereof "Reciprocity Certificate."

SEC. 14. Said board must refuse a certificate to any applicant guilty of unprofessional conduct. On the filing with the secretary of a sworn complaint, charging the applicant with having been guilty of unprofessional conduct, the secretary must forthwith issue a citation, under the seal of the board, and make the same returnable at the next regular session of said board, occurring at least thirty days next after filing the complaint. Such citation shall notify the applicant when and where the charges of said unprofessional conduct will be heard, and that the applicant shall file his written answer, under oath, within twenty days next after the service on him of said citation, or that default will be taken against him and his application for a certificate refused. The attendance of witnesses at such hearing may be compelled by subpoenas issued by the secretary of the board under its seal. Said citation and said subpoenas shall be served in accordance with the statutes of this state then in force as to the service of citations and subpoenas generally, and all the provisions of the statutes of this state then in force relating to subpoenas and to citations are hereby made applicable to the subpoenas and citations provided for herein. Upon the secretary's certifying to the fact of refusal of any person to obey a subpoena or citation to the superior court of the county in which the service was had, said court shall thereupon proceed to hear said matter in accordance with the statutes of this state then in force as to contempts for disobedience of process of the court, and should said court find that the subpoena or citation has been legally served, and that the party so served has wilfully disobeyed the same, it shall proceed to impose such penalty as provided in cases of contempt of court. In all cases of alleged unprofessional conduct arising under this Act, depositions of witnesses may be taken, the same as in civil cases, and all the provisions of the statutes of this state then in force as to the taking of depositions are hereby made applicable to the taking of depositions under this Act. If the applicant shall fail to file with the secretary of said board his answer, under oath, within twenty days after service on him of said citation, or within such further time as the board may allow, and the charges on their face shall be deemed sufficient by the board, default shall be entered against him, and his application refused. If the charges on their face be deemed sufficient by the board, and issue be joined thereon by answer, the board shall proceed to determine the matter, and to that end shall hear such proper evidence as may be adduced before it; and if it appear to the satisfaction of the board that the applicant is guilty as charged, no certificate shall be issued to him. No certificate shall be refused on the ground of unprofessional conduct unless the applicant has been guilty of such conduct within two years next preceding his application.

Whenever any holder of a certificate herein provided for is guilty of unprofessional conduct, as the same is defined in this Act, and the said unprofessional conduct has been brought to the attention of the board granting said certificate, in the manner hereinafter provided, or whenever a certificate has been procured by fraud or misrepresentation, or issued by mistake, or the person holding such certificate is found to be practicing contrary to the provisions thereof and of this Act, it shall be the duty of said board either to suspend the right of the holder of said certificate to practice for a period not exceeding one year, or in its discretion to revoke his certificate. In the event of such suspension, the holder of such certificate shall not be entitled to practice thereunder during the term of suspension; but, upon the expiration of the term of said suspension, he shall be reinstated by the board and shall be entitled to resume his practice, unless it shall be established to the satisfac-

tion of the board that said person so suspended from practice has, during the term of such suspension, practiced in the State of California, in which event the board shall revoke the certificate of such person. No such suspension or revocation shall be made unless such holder is cited to appear and the same proceedings are had as is hereinbefore provided in this section in case of refusal to issue certificates. Said secretary in all cases of suspension or revocation shall enter on his register the fact of such suspension or revocation, as the case may be, and shall certify the fact of such suspension or revocation under the seal of the board, to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person, the following: "The holder of this certificate was on the _____ day of _____ suspended for _____," or, "This certificate was revoked on the _____ day of _____," as the case may be, giving the day, month, and year of such revocation, or length of suspension, as the case may be, in accordance with said certification to him by said secretary. The record of such suspension or revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of said board in the matter of said suspension or revocation.

The words "unprofessional conduct," as used in this Act, are hereby declared to mean:

First—The procuring or aiding or abetting in procuring a criminal abortion.

Second—The willfully betraying of a professional secret.

Third—All advertising of medical business which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, and so be harmful or injurious to public morals or safety.

Fourth—All advertising of any medicine or of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed.

Fifth—Conviction of any offense involving moral turpitude, in which case the record of such conviction shall be conclusive evidence.

Sixth—Habitual intemperance.

Seventh—The personation of another licensed practitioner.

Eighth—The use, by the holder of any certificate, in any sign or advertisement in connection with his said practice, or in any advertisement or announcement of his practice, of any fictitious name, or any name other than his own.

Ninth—The use, by the holder of a "Drugless Practitioner Certificate" of drugs or what are known as medicinal preparations, in or upon any human being, or the severing or penetrating by the holder of said "Drugless Practitioner Certificate" of the tissues of any human being in the treatment of any disease, injury, deformity, or other physical or mental condition of such human being, excepting the severing of the umbilical cord.

Tenth—Advertising, announcing, or stating, directly, indirectly, or in substance, by any sign, card, newspaper advertisement or other written or printed sign or advertisement, that the holder of such certificate or any other person, company, or association by which he is employed or in whose service he is, will cure or attempt to cure, or will treat, any venereal disease, or will cure or attempt to cure or treat any person or persons for any sexual disease, for lost manhood, sexual weakness, or sexual disorder; or being employed by, or being in the service of, any person, firm, association, or corporation so advertising, announcing, or stating.

Eleventh—The use by the holder of a "Drugless Practitioner Certificate" of the letters "M.D.", or the words "Doctor of Medicine" or the term "Physician and Surgeon", or the term "Physician", or the term "Surgeon", in connection with his name or in connection with his practice, or otherwise, upon any sign, card, advertisement, or announcement, or otherwise.

SEC. 15. Every person holding a certificate under the laws of this state authorizing him to practice any system or mode of treating the sick or afflicted in this state must have it recorded in the office of the county clerk of the county or counties in which the holder of said certificate is practicing his profession, and the fact of such recordation shall be endorsed on the certificate by the county clerk recording the same. Any person holding a certificate as aforesaid, who shall practice or attempt to practice any other system or mode of treating the sick or afflicted in this state, without having first filed his certificate with the county clerk, as herein provided, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), or by imprisonment for a period of not less than thirty days nor more than sixty days, or by both such fine and imprisonment.

SEC. 16. The county clerk shall keep in a book provided for the purpose a complete list of the certificates recorded by him, with the date of the record; and said book shall be open to public inspection during his office hours.

SEC. 17. Any person who shall practice or attempt to practice, or who advertises or holds himself out as practicing any system or mode of treating the sick or afflicted in this state, or who shall diagnose, treat, operate for, or prescribe for, any disease, injury, deformity, or other mental or physical condition of any person, without having at the time of so doing a valid unrevoked certificate as provided in this Act, or who shall in any sign or in any advertisement use the word "Doctor", the letters or prefix "Dr.", the letters "M.D.", or any other term or letters indicating or implying that he is a doctor under the terms of this or any other Act, or that he is

entitled to practice hereunder, or under any other law, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than six hundred dollars (\$600.00), or by imprisonment for a term of not less than sixty (60) days nor more than one hundred and eighty (180) days, or by both such fine and imprisonment. Upon each such conviction the fine shall be paid, when collected, to the state treasurer, and a report thereof shall be made to the state controller.

SEC. 18. Any person, or any member of any firm, official or any company, association, organization or corporation shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by imprisonment in the county jail for not less than ten (10) days nor more than one (1) year, or by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), or by both such fine and imprisonment who, individually or in his official capacity shall himself sell or barter, or offer to sell or barter, any certificate authorized to be granted hereunder, or any diploma, affidavit, transcript, certificate or any other evidence required in this Act for use in connection with the granting of certificates or diplomas, or who shall purchase or procure the same either directly or indirectly with intent that the same shall be fraudulently used, or who shall with fraudulent intent alter any diploma, certificate, transcript, affidavit, or any other evidence to be used in obtaining a diploma or certificate required hereunder, or who shall use or attempt to use fraudulently any certificate, transcript, affidavit, or diploma, whether the same be genuine or false, or who shall practice or attempt to practice any system of treatment of the sick or afflicted, under a false or assumed name, or any name other than that prescribed by the board of medical examiners of the State of California on its certificate issued to such person authorizing him to administer such treatment, or who shall assume any degree or title not conferred upon him in the manner and by the authority recognized in this Act, with intent to represent falsely that he has received such degree or title, or who shall wilfully make any false statement on any application for examination, license or registration under this Act, or who shall engage in the treatment of the sick or afflicted without causing to be displayed in a conspicuous manner and in a conspicuous place in his office the name of each and every person who is associated with or employed by him in the practice of medicine and surgery or other treatment of the sick or afflicted, or who shall, within ten days after demand made by the secretary of the board, fail to furnish to said board the name and address of all such persons associated with or employed by him or by any company or association with which he is or has been connected at any time within sixty (60) days prior to said notice, together with a sworn statement showing under and by what license or authority said person or persons, or said employee or employees, is or are, or has or have been practicing medicine or surgery or any other system of treatment of the sick or afflicted (provided that such affidavit shall not be used as evidence against said person or employee in any proceeding under this section).

SEC. 19. Every person filing for record, or attempting to file for record, the certificate issued to another, falsely claiming himself to be the person named in or entitled to, such certificate, shall be guilty of a felony, and, upon conviction thereof, shall be subject to such penalties as are provided by the laws of this state for the crime of forgery.

SEC. 20. Any person not a member of the state board of medical examiners who shall sign, or issue, or cause to be signed or issued, any certificate authorized by this Act, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than six hundred dollars (\$600.00), or by imprisonment for a term not less than sixty (60) nor more than one hundred and eighty (180) days, or by both such fine and imprisonment.

SEC. 21. Nothing in this Act shall be construed to prohibit the practice by any person heretofore legally granted a certificate under the laws of this state, whose certificate is now in force, to the extent to which the provisions of the law when existing, and said certificate, permitted such person to practice at the time of its issuance.

SEC. 22. Nothing in this Act shall be construed to prohibit service in the case of emergency, or the domestic administration of family remedies; nor shall this Act apply to any commissioned medical officer in the United States army, navy or marine hospital, or public health service, in the discharge of his official duties; nor to any licensed dentist when engaged exclusively in the practice of dentistry. Nor shall this Act apply to any practitioner from another state or territory, when in actual consultation with a licensed practitioner in this state, if such practitioner is at the time of such consultation, a licensed practitioner in the state or territory in which he resides; *provided*, that such practitioner shall not open an office or appoint a place to meet patients or receive calls within the limits of this state. Nor shall this Act be construed so as to discriminate against any particular school of medicine or surgery, or any other treatment, nor to regulate, prohibit or apply to, any kind of treatment by prayer, nor to interfere in any way with the practice of religion.

SEC. 23. An Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain

Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, is hereby repealed, and also all other Acts and parts of Acts in conflict with this Act are hereby repealed.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 2107—An Act to amend Section 629^p of the Penal Code of the State of California, relating to the protection of wild geese and brant.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2111—An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserves for commercial purposes."

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2062—An Act to regulate the visiting of prisoners or inmates in state institutions, to regulate the delivery of mail to such prisoners or inmates, and to provide for the subscribing to newspapers and periodicals by such prisoners or inmates.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1804—An Act creating an "Industrial Accident Fund" and appropriating money therein.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 3, of the printed bill, strike out the word "board", and in lieu thereof insert the word "commission".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, of the printed bill, strike out the word "board", and in lieu thereof insert the word "commission".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 12, of the printed bill, strike out the word "board", and in lieu thereof insert the word "commission".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; or reports of Supreme Court.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1582—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1419—An Act to amend Sections 858 and 861 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1418—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 621—An Act to amend Section 190 of the Penal Code of the State of California, relating to capital punishment.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, strike out everything after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Section 190 of the Penal Code of the State of California is hereby amended to read as follows:

190. Every person guilty of murder in the first degree shall suffer confinement in the state prison for the remainder of his natural life; *provided, however*, that if the jury trying the accused shall recommend the infliction of the death penalty, the punishment shall be death, and every person guilty of murder in the second degree is punishable by imprisonment in the state prison not less than ten years. All Acts or parts of Acts in conflict with this section are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1554—An Act to add a new section to the Civil Code, to be numbered Section 617, relating to the disposition by cemetery corporations of the unclaimed ashes or bodies of deceased persons.

Bill read second time, and ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 53, 1580, 592 and 2116.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills No. 53, 1580, 592 and 2116 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 53, 1580, 592 and 2116, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1329, 471, 1770 and 470.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 1329, 471, 1770 and 470 considered.

Mr. Bohnett moved that the committee do now rise and report the bills back without recommendation.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 1329, 471, 1770, and 470, and do now report the same back, without recommendation.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 227.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 227 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 227, and do now report the same back, and recommend that it do pass as amended.

YOUNG, Chairman.

Bill ordered to engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White in the prosecution of criminals in the county of Trinity, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1294 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Griffin, Guiberson, Hinkle, Johnstone,

W. A. Kingsley, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1064—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the state of Nevada, at Crystal Bay, in Placer County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1064 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guiberson, Hinkle, Inman, Johnstone, W. A., Kingsley, Kuck, Libby, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1542—An Act making an appropriation for the location, survey, construction and improvement of a state highway from Beoa to the Nevada state line along the Truckee River in Nevada County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1542 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guiberson, Hinkle, Inman, Johnstone, W. A., Kingsley, Libby, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1911 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Byrnes, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Griffin, Guiberson, Hinkle, Inman, Johnstone, W. A., Kingsley, McDonald, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 789—An Act to make an appropriation of money for the general improvement of the Lake Tahoe wagon road, a state highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 789 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Byrnes, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Griffin, Guiberson, Hinkle, Inman, Johnstone, W. A., Kingsley, Libby, McDonald, Mouser, Murray, Palmer, Richardson, Roberts, Ryan, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the Alpine state highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 13 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Hinkle, Inman, Johnstone, W. A., Kingsley, Libby, McDonald, Mouser, Murray, Palmer, Richardson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants, and the salaries of the deputy and assistants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1379 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guiberson, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, Libby, McDonald, Mouser, Murray, Palmer, Richardson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California, to be known and designated as Section 459a, relating to the giving of bonds by the deputy state treasurer, cashier, and bond officer of the Treasurer and providing for the payment of premiums thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1798 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, Libby, McDonald, Mouser, Murray, Palmer, Richardson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 175—An Act to amend Section 759 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and prescribing his duties and compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 175 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Kingsley, Libby, McDonald, Mouser, Murray, Palmer, Richardson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 646 and 65.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 646 and 65 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 646 and 65, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 1541.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1541 considered.

Mr. Bohnett moved that the committee do now rise and report the bill back without recommendation.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1541, and do now report the same back, without recommendation.

YOUNG, Chairman.

Assembly Bill No. 646—An Act appropriating money to be used in establishing and maintaining an exhibit of the citrus industry and citrus products of this State at the fourth and fifth national orange shows, to be held in the city of San Bernardino during the month of February, in the years 1914 and 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 646 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gates, Guiberson, Guill, Hinkle, Johnstone, W. A., Kingsley, Libby, McDonald, Mouser, Murray, Palmer, Richardson, Roberts, Scott, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2108—An Act appropriating money to pay the claim of John Ewart for the expenses incurred in improving American street, between Park and Poplar streets, fronting the property belonging to the Stockton State Hospital, in the city of Stockton.

Bill referred to Committee on Ways and Means.

Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improvement of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City, in Nevada County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1541 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Guill, Hinkle, Johnstone, W. A., Judson, Kingsley, Libby, McDonald,

Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 65 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hayes, Hinkle, Johnstone, W. A. Kingsley, Libby, Mouser, Murray, Nelson, Richardson, Roberts, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1947—An Act appropriating money for constructing a hospital building on site near the Ferry Building in the city and county of San Francisco; arranging for its upkeep by said city and county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1947 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Kingsley, Libby, Mouser, Murray, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 567—An Act to create a "state bureau of criminal identification and investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, term and office, duties and powers; providing for the appointment of a director, six clerks and one stenographer; fixing the compensation of said managers, director, clerks, and stenographer; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 567 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hayes, Hinkle, Johnstone, W. A., Kingsley, Libby, Mouser, Murray, Nelson, Richardson, Roberts, Scott, Shearer,

Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1477—An Act to amend Sections 655, 678, 683 and 686 of the Political Code, relating to the State Board of Control and Department of Accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1477 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hinkle, Johnstone, W. A., Kingsley, Libby, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 29—Relative to the salaries of state employees.

Resolution read, and on motion adopted.

ASSEMBLY CONCURRENT RESOLUTION No. 29.

Relative to salaries paid by the State to the employees in various institutions.

WHEREAS, The salaries paid by the State to its employees are unequal and in many instances the same class of work in one department is paid a much less wage than similar work in other departments, thereby necessitating the introduction of numerous bills at each session of the Legislature for the purpose of endeavoring to correct this inequality; therefore, be it

Resolved by the Assembly, the Senate concurring. That a joint committee, consisting of three members from each House, be appointed, three by the Speaker of the Assembly and three by the President of the Senate, for the purpose of recommending a scale of wages to be paid by the State to its various employees; said committee to report to the next regular session of the Legislature.

Assembly Bill No. 1360—An Act to amend Section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1360 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Shearer, Simpson, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2038 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hinkle, Johnstone, Judson, Libby, McDonald, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Scott, Shannon, Shearer, Simpson, Slater, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 111—An Act appropriating \$2,000 for the completing of the restoration and rebuilding of the Mission San Francisco de Solano, of the city of Sonoma, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 111 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hinkle, Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 652 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hinkle, Johnstone, W. A., Judson, Libby, McDonald, Mouser, Murray, Nelson, Roberts, Ryan, Scott, Shannon, Shearer, Simpson, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as the Kings River Canyon road.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2026 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hinkle, Johnstone, W. A., Judson, Libby, Mc-

Donald, Mouser, Murray, Nelson, Roberts, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—44.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 346—An Act to amend Section 4255 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 346 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Kingsley, Libby, Mouser, Murray, Palmer, Richardson, Roberts, Scott, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 554 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Guill, Hinkle, Johnstone, W. A., Judson, Libby, McDonald, Mouser, Murray, Nelson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the 8th day of November in the year 1910, which is provided in Section 14 of Article XIII of the Constitution of this State, and as provided in an Act of the thirty-ninth session of the Legislature, entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1008 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Fer-

guson, Finnegan, Fish, Gates, Guill, Hinkle, Judson, Libby, McDonald, Mouser, Murray, Nelson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—43.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1498—An Act to appropriate the sum of \$8,841.79 out of the general fund in the state treasury, to pay the assessments levied by the city and county of San Francisco against property belonging to the State of California for local improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1498 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hinkle, Judson, Libby, McDonald, Mouser, Murray, Nelson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid to such employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1279 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Guill, Hinkle, Libby, McDonald, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Walsh:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the 'California State Board of Pharmacy,' approved March 20, 1905, and amended March 21, 1907, and April 21, 1909."

Read, and referred to Committee on Introduction of Bills.

By Mr. Nelson:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money to pay the claim of Frank P. Cody against the State of California.

Read, and referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Constitutional Amendment No. 88—A resolution to propose to the people of the State of California an amendment to Section 2 of Article XVIII of the Constitution of the State of California, relating to convention for revising the Constitution of the State of California—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 2119—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Also: Assembly Concurrent Resolution No. 18—Relative to memorializing the life, deeds and character of Homer Lea and providing a method of popular subscription for the erection of a suitable monument to his memory.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

INTRODUCTION OF JOINT RESOLUTION.

The following Assembly joint resolution was introduced, and referred as indicated:

By Mr. Ryan: Assembly Joint Resolution No. 32—Relative to the use of Yerba Buena Island as a railway terminal.

Read, and referred to Committee on Federal Relations.

RECESS.

At six o'clock and thirty minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until eight o'clock and thirty minutes p.m., of this day.

REASSEMBLED.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 717—An Act to add a new section to the Penal Code to be known as Section 402f, regulating the packing, preparing and shipping for sale within the State of California of any fruit or vegetables infected with insect pests or disease injurious to trees, shrubs, plants, fruits or vegetables; and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 717 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bush, Canepa, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Green, Guill, Hayes, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Woodley—43.

NOES—Messrs. Johnson, Geo. H., Johnstone, W. A., and Moorhouse—3.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. W. A. SUTHERLAND IN THE CHAIR.

At eight o'clock and forty minutes p.m., Hon. W. A. Sutherland, of the Fifty-first District, in the chair.

RULES SUSPENDED.

Mr. Inman moved that the rules be suspended and Assembly Bill No. 1605 be taken up for final passage.

Roll call regularly demanded.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Inman, Johnson, T. D., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Woodley—53.

NOES—Messrs. Griffin, Johnson, Geo. H., Killingsworth, Libby, Palmer, Simpson, and Weldon—7.

Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1605 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Nolan, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Weisel—54.

NOES—Messrs. Griffin, Johnson, Geo. H., Killingsworth, Palmer, and Weldon—5.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Schmitt moved that Senate Bill No. 1339 be recalled from the Senate for the purpose of reconsideration.

Motion carried.

Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 609 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Pears, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, and Woodley—53.

NOES—Messrs. Bowman, Cary, Dower, Griffin, Johnson, Geo. H., Johnston, T. D., Killingsworth, Shearer, Simpson, Weldon, and Wyllie—11.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At nine o'clock and fifty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 813—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

During third reading of the bill, Mr. Stuckenbruck moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, strike out all of lines 10, 11 and 12.

Mr. Polsley moved, as a substitute, that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, strike out the enacting clause.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Ambrose, Brown, Emmons, Fish, Gelder, Johnson, Geo. H., Polsley, Schmitt, Stuckenbruck, Weldon, and Wyllie—11.

NOES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, and Mr. Speaker—48.

Mr. Nelson moved, as a substitute, that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, lines 13 and 14, strike out all of paragraph, beginning with the word "second".

Also: On page 2, line 11, strike out the word "fifteen", and insert in lieu thereof the word "eighteen".

Also: On page 2, line 15, strike out the word "third", and insert in lieu thereof the word "second".

Also: On page 2, line 16, strike out the word "fifteen", and insert in lieu thereof the word "eighteen".

Also: On page 2, line 18, strike out the word "fourth", and insert in lieu thereof the word "third".

Also: On page 2, line 19, strike out the word "fifteen", and insert in lieu thereof the word "eighteen".

Also: On page 2, line 19, strike out the word "ten", and insert in lieu thereof the word "three".

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 813, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Mr. Fish moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 18, strike out the words "tuna, yellow-tail, jew-fish or black". Also: On page 3, strike out all of lines 19, 20 and 22.

Also: On page 3, strike out all of line 21 except the words "salmon, steelhead and other trout".

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Concurrent Resolution No. 34—Approving a certain amendment to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the 14th day of April, 1913.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 34 adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Murray, Peairs, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Slater, Strine, Walsh, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Assembly Concurrent Resolution No. 34 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 34.

Approving a certain amendment to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the fourteenth day of April, one thousand nine hundred and thirteen.

WHEREAS, The city of Alameda, in the county of Alameda, State of California, contains a population of over ten thousand inhabitants, and has been ever since the year one thousand nine hundred and seven and is now, organized and acting under a freeholders' charter, adopted under and by virtue of section eight of article eleven of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose in manner, form and substance as required by law, and approved by the Legislature of the State of California, and said charter has not been amended at any time less than two years; and

WHEREAS, The legislative body and authority of the city of Alameda, in Alameda county, California, that is to say, the council of the city of Alameda, did, by resolution passed and adopted by said council on the eighteenth (18th) day of February, one thousand nine hundred and thirteen, and approved by the mayor of said city subsequent thereto, and on the eighteenth (18th) day of February, one thousand nine hundred and thirteen, and pursuant to section eight of article eleven of the Constitution of the State of California, duly propose to the qualified electors of said city of Alameda a certain amendment to the charter of the said city of Alameda, to be submitted to the said qualified electors at a general municipal election to be held in said city on the fourteenth (14th) day of April, one thousand nine hundred and thirteen, which said amendment was and is in the words and figures following, to wit:

SECTION 1. There shall be a health department under the management of a board of health. Said board of health shall consist of five members who shall be appointed by the council, and of whom at least one shall be a physician, duly

licensed under the laws of the State of California. One may be appointed from among the councilmen. The members of the board as such shall serve without compensation. They shall hold office for the term of five years and until their successors are appointed and qualified; *provided*, that the members of the board first appointed shall at their first meeting so classify themselves that they shall go out of office at the expiration of one, two, three, four and five years respectively; and

WHEREAS, Said proposed amendment was published in a daily newspaper of general circulation, printed, published and circulated in said city, to wit: *The Evening Times-Star and Alameda Daily Argus* for ten (10) times; and

WHEREAS, Thereafter the said council of the city of Alameda, did, by resolution and proclamation, which was duly passed and adopted by said council on the eighteenth (18th) day of March, one thousand nine hundred and thirteen, order the holding of a general municipal election in said city of Alameda, in the county of Alameda, California, on the fourteenth (14th) day of April, one thousand nine hundred and thirteen (which last named day was not less than twenty (20) days, nor more than forty (40) days after the completion of the publication of said proposed amendment for ten (10) times in said daily newspaper of general circulation, printed, published and circulated in said city, to wit: *The Evening Times-Star and Alameda Daily Argus*, and did provide in said resolution and proclamation for the submission of said proposed amendment to the said charter to the qualified electors of said city, for their ratification at said general municipal election, which said resolution and proclamation was approved by the mayor of said city on the nineteenth (19th) day of March, one thousand nine hundred and thirteen, and was published in the manner and for the time required by law; and

WHEREAS, Said amendment was submitted as aforesaid to the qualified electors of said city, at said general municipal election, previously duly called and thereafter held therein (not less than twenty (20) days, nor more than forty (40) days after the completion of the publication of said proposed amendment for ten (10) times in a daily newspaper of general circulation, printed, published and circulated in said city, to wit: *The Evening Times-Star and Alameda Daily Argus*, on the fourteenth (14th) day of April, one thousand nine hundred and thirteen.

WHEREAS, At such general municipal election more than a majority of the qualified electors voting thereon at such general municipal election, did vote in favor of and in favor of the ratification of and did ratify said proposed amendment to said charter; and

WHEREAS, The said city council of the city of Alameda, in county of Alameda, California, at a meeting thereof held on Monday, the twenty-first (21st) day of April, one thousand nine hundred and thirteen, duly canvassed the returns of said election, and duly found, determined and declared that more than a majority of such qualified electors voting thereon at said election, had voted for and ratified said proposed amendment to said charter.

STATE OF CALIFORNIA, }
COUNTY OF ALAMEDA, } SS.
CITY OF ALAMEDA, }

This is to certify that we, Frank Otis, mayor of the city of Alameda, and T. C. Coughlin, clerk of the city of Alameda, have compared the foregoing proposed and ratified amendment to the charter of the city of Alameda with the original resolution and proclamation proposing such amendment and submitting the same to the qualified electors of said city of Alameda, at a general municipal election called for that purpose, on Monday, the fourteenth (14th) day of April, one thousand nine hundred and thirteen, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendment to said charter and the matters set forth herein, are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the corporate seal of the city of Alameda to be attached, this 26th day of April, one thousand nine hundred and thirteen.

[SEAL]

FRANK OTIS,
Mayor of the City of Alameda.
T. C. COUGHLIN,
City Clerk of the City of Alameda.

RECONSIDERATIONS POSTPONED.

On request of Mr. Ambrose, reconsideration of the vote of Senate Bills Nos. 513 and 514 was postponed until the next legislative day.

On request of Mr. Killingsworth, consideration of motion to reconsider the vote whereby Assembly Bill No. 1120 was refused passage was postponed until the next legislative day.

On request of Mr. Shannon, consideration of motion to reconsider the vote whereby Assembly Bill No. 1937 passed was postponed until the next legislative day.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Brown moved that the vote whereby Assembly Bill No. 880 was refused passage be reconsidered.

On request of Mr. Brown, consideration of above motion was postponed until next legislative day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 532—An Act to amend Section 3804 of the Political Code, relating to taxes erroneously collected.

Also: Senate Bill No. 533—An Act to amend Section 3819 of the Political Code, relating to payment of taxes under protest.

Also: Senate Bill No. 540—An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code to be numbered 3612.

Also: Senate Bill No. 191—An Act providing that the State Board of Equalization shall determine the net loss in county revenue sustained by any county of the State by the withdrawal of railroad property from county taxation, in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, and providing for the payment of such loss by the State, when no objection is made to the amount thereof, and making an appropriation for the payment of such loss and to authorize any county in the State which claims to have sustained any such net loss in county revenue, and which said county has objected to the amount of such net loss as determined by the State Board of Equalization, to commence suit against the State of California for the recovery of such loss, prosecute such suit to final judgment, regulating the procedure to be followed in such suits, the time within which such suits must be commenced, and providing for the payment of any judgment recovered in such suits, and repealing an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SUTHERLAND, Chairman.

The above reported bills ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California amending Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 23 and 23a of Article IV and Sections 2 and 4 of Article V of the Constitution of the State of California, relating to a merging of the two houses of the Legislature into one house of representatives which shall be called the Senate of the State of California; the eligibility to office; the terms of office; the senatorial districts; the duties, powers, privileges and compensation of the members thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for consideration.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 466—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile estab-

lishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman, or any other agent of any such employer to violate the provisions of this Act," approved March 22, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Senate Bill No. 1309—An Act to amend Section 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1410—An Act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees, and to appropriate money to carry this Act into effect—have had the same under consideration, and respectfully report that Senate Bill No. 410 is identical with Assembly Bill No. 1790.

MOORHOUSE, Chairman.

Senate Bill No. 1410 ordered on file for second reading.

Assembly Bill No. 1790 ordered withdrawn, and stricken from the file.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 215—An Act to amend Section 1 of, and to add new Sections 4, 5 and 6 to, an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases—report that we have met the Senate Committee, consisting of Senators Mott, Flint and Curtin, and we report that the Committee on Conference have been unable to agree, and respectfully request that a Committee on Free Conference be appointed.

MOTT.
FLINT.
CURTIN.

For the Senate.

MORGENSTERN.
RYAN.
GRIFFIN.

For the Assembly.

ADJOURNMENT.

At eleven o'clock and ten minutes p.m., on motion of Mr. Schmitt, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, May 3, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Bowman, Bush, Byrnes, Cary, Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gelder, Green, Guill, Hayes, Inman, Johnstone, W. A., Judson, Kingsley, Moorhouse, Murray, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Simpson, Smith, Strine, Weisel, White, Woodley, Wyllie, and Mr. Speaker—35.

POINT OF ORDER.

Mr. Schmitt rose to the following point of order: "That there was no quorum present."

CALL OF THE HOUSE.

Pending the announcement of the roll call, Mr. Guill moved a call of the House.

Motion carried.

Time, nine o'clock and fifty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Bowman, Byrnes, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Smith, Strine, Tulloch, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—43.

Quorum present.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At nine o'clock and fifty-three minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Schmitt.

LEAVE OF ABSENCE.

On motion of Mr. Gelder, Mr. Morgenstern was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hayes, the further reading was dispensed with.

MEMBERS RECORDED AS PRESENT.

The following members appeared, and were recorded as being present :

Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Chandler, Clark, Wm. C., Collins, Dower, Farwell, Fish, Ford, Gabbert, Gates, Gelder, Griffin, Hinkle, Johnston, T. D., Killingsworth, McDonald, Mouser, Nolan, Ryan, Shearer, Slater, Stuckenbruck, Sutherland, Wall, and Walsh.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

OCEAN PARK, CAL., April 28, 1913.

The Speaker of the Assembly, of the Legislature of the State of California, Sacramento, Cal.:

A mass meeting of the citizens of Santa Monica Bay unanimously requests that your honorable body desist from any and all alien land law legislation at this session.

JOHN A. STANWOOD, Chairman.
A. M. MONTGOMERY, Secretary.

Also:

STOCKTON, CAL., May 2, 1913.

Hon. C. C. Young, Capital, Sacramento, Cal.:

Immediate action on alien land bill is asked by Barbers' Union of Stockton.

Also:

OAKLAND, CAL., May 1, 1913.

Speaker of the Assembly, C. C. Young, Sacramento, Cal.:

Oakland Barbers' Union demands passage of anti-Asiatic land law.

Also:

NEW YORK, N. Y., April 27, 1913.

Speaker and Members of the House of Representatives, Sacramento:

Tell Secretary Bryan have the Japanese Mongolians pay back the six hundred millions dollars the Jews, by prejudicing Aryan Germany, France, England and America, got for these Mongolians to injure Aryan Russia, because Aryan Russians feeding six million Jews. Three hundred millions of this money came from our Aryan people and savings banks. Our earnings should be used and this money should be here to aid our people and help our Aryan farmers produce beet and cane sugar, wheat, corn meal and other foodstuffs, and clothing fibres, wool, cotton, silk, flax, on our own lands, and not be given the low rates who threaten to come six thousand miles across ocean in boats our money paid for, to whip us because we prefer not to let them in our houses to produce grandchildren for us and outrage us as the Mongolians and use marauded and outraged Russia for over two hundred years and mongrelized some Aryan Russian families, as they are to-day mongrelizing and weakening some of our Aryan families. Taft's gentleman's agreement with these Japanese and his veto of the immigration bill for the Jews brings this on us now. So, Aryan statemen, you must purify your race.

ARYAN PURE RACE SOCIETY OF AMERICA.

Also:

OAKLAND, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Gas Workers of Alameda County demand passage of bill preventing ineligible aliens from acquiring title to land.

W. B. BLAKELY, Secretary.

Also:

OAKLAND, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento:

We, the Cooks' and Waiters' Union No. 31 of Oakland, Alameda County, California, representing a part of the toiling masses of the State, do urgently request that the Assembly in session assembled do all in their power as legislators to enact a law which will be for the prevention of persons not eligible to citizenship from acquiring or leasing title of land.

COOKS' AND WAITERS' UNION NO. 31.

THOS. H. WRIGHT, President.

WILLIAM A. SPOONER, Secretary.

Also:

OAKLAND, CAL., May 1, 1913.

Speaker of the Assembly, C. C. Young, Sacramento:

Oakland Machinists' Union demands passage anti-alien land ownership bill.

P. W. BUCKLEY, Secretary.

Also:

OAKLAND, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Carpenters of Fruitvale demand passage of bill preventing ineligible aliens from acquiring title to land.

DAVE L. WILSON, Secretary.

Also:

STOCKTON, CAL., May 2, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Teamsters' Union No. 22 demands passage alien land bill immediately.

STANLEY BRYAN, President.

Also:

STOCKTON, CAL., May 2, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento:

Mill and Warehousemen Union No. 14245 demands passage alien land bill immediately.

E. S. McCLUNG.

Also:

LOS ANGELES, CAL., May 2, 1913.

Hon. C. C. Young, Sacramento:

Labor demands legislation prohibiting people ineligible to citizenship acquiring land.

H. A. SHURLIFF,

Secretary Local No. 18, Elevator Construction.

Also:

LOS ANGELES, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

The organized teamsters of Los Angeles respectfully urges the immediate passage of legislation that will prohibit persons not eligible to citizenship from leasing or acquiring title to land.

E. H. WILMOTH, Secretary Local No. 208.

Also:

OAKLAND, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Labor Council, Oakland, representing eighteen thousand male taxpayers and their female relatives, request immediate enactment of legislation which will effectively prevent persons not eligible to United States citizenship from acquiring title to or leasing land in this State.

A. W. SEFTON, Secretary.

Also:

OAKLAND, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Bartenders of Alameda County demand passage of bill preventing ineligible aliens from acquiring title to land.

M. L. SULLIVAN, Secretary.

Also:

OAKLAND, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Teamsters' Union of Oakland and Berkeley, comprising 1,800 members, demand passage of anti-alien land bill.

E. H. HART, Secretary.

Also:

OAKLAND, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Butchers of Alameda County, 600 members, demand passage of bill preventing ineligible aliens from acquiring title to land.

W. E. CASTRO, President.

Also:

STOCKTON, CAL., May 2, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Butchers' Union No. 127 demands passage of alien land bill immediately.

G. C. WICHMAN, Secretary.

Also:

LOS ANGELES, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Engineers' Union Local No. 72 of Los Angeles urge you to do all in your power for the immediate enactment of effective legislation which will prohibit persons not eligible to citizenship from leasing or acquiring title to land.

W. J. ESHNAUR, Secretary.

Also:

FRESNO, CAL., May 2, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Mass meeting of Fresno County citizens adopted the following resolution last evening:

WHEREAS, There is now pending before our State Legislature a bill known as the Webb anti-alien land bill; and

WHEREAS, Said bill does not meet the necessities of our social economic conditions and is apparently a subterfuge; therefore, be it

Resolved, That we, the citizens of Fresno County in mass meeting assembled, most respectfully protest against the passage of said Webb bill in its present form—*First*, because in our judgment it will place a cloud upon every title hereafter conveyed in our State; *second*, because it is a direct invitation to our Federal Government to naturalize Japanese and Chinese; *third*, because it is in our judgment in direct conflict with our treaty relation with Japan and will, if enacted into law, be declared void by our courts.

Resolved, That we do here and now request our Legislature—*First*, to enact a law which will apply to all aliens alike; *second*, which will not disturb settled land titles; *third*, which shall make citizenship the basis of land ownership; *fourth*, which shall apply to agricultural lands only; *fifth*, which shall not drive capital from our State.

A. M. DREW.

Also:

STOCKTON, CAL., May 2, 1913.

Hon. C. C. Young, Speaker, Sacramento, Cal.:

Bartenders' Union No. 403 demands immediate passage of the alien land bill before Legislature.

E. H. MURPHY, Secretary.

Also:

LOS ANGELES, CAL., May 1, 1913.

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

Central Labor Council of Los Angeles, representing the organized wage earners of the city, urges the immediate enactment of effective legislation which prohibits persons not eligible to citizenship from leasing or acquiring title to lands in the State of California.

L. W. BUTLER, Secretary.

Also:

Hon. C. C. Young, Speaker of the Assembly, Sacramento, Cal.:

We, the undersigned voters in the State of California, county of Alameda, desire that legislation prohibiting aliens ineligible to citizenship in the United States of America owning, leasing or renting land in the State of California for agricultural purposes be enacted at the present session of the State Legislature and that you use your influence to aid in the enacting of such legislation.

(Signed:)

Kenneth R. Clifford, Welmot Millham, Roy R. Holean, Ralph S. Raven, J. H. Hassheider, H. C. Witherow, C. B. Merrick, H. J. Sams, John A. Cooper, Roy W. Merrick, Mary P. Baker, R. S. Adams, Joseph Keyes, Victor Anderson, J. W. Mastin, Harry Shepherd, Ralph W. Brown, R. R. Mack, Harry M. Butterfield, Wilber F. Lupton.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1407—An Act to regulate the building and

occupancy of hotels and lodging-houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof.

Also: Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

Also: Senate Bill No. 1034—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended.

Also: Senate Bill No. 907—An Act to amend Section 1668 of the Political Code of the State of California, relating to the care of schoolrooms, health of pupils and to proper exercise of pupils in the public schools.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

Also: Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

Also: Senate Bill No. 1008—An Act to regulate repayment of employers' advances; and providing penalties for the violation of its provisions.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 180—An Act appropriating money to pay the claim of Thomas Nightingale against the State of California.

Also: Senate Bill No. 666—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Also: Senate Bill No. 1713—An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings, into portions of the State not infected; to control the spread of such diseases after introduction; and authorizing the State Board of Health to make rules and regulations therefor.

Also: Senate Bill No. 245—An Act to amend Section 1185 of the Civil Code of the State of California, relating to the requisites for the acknowledgment of instruments, and providing for the effect of misnomer in such instrument or acknowledgment.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1407 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1519 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1034 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 907 read first time, and referred to Committee on Education.

Senate Bill No. 1025 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 787 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1008 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 180 read first time, and referred to Committee on Claims.

Senate Bill No. 666 read first time, and referred to Committee on County Government.

Senate Bill No. 1713 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 245 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

Also: Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James B. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1232—An Act to add a new section to the Penal Code of the State of California, to be numbered 159c, relating to sending by mail, or otherwise, threats or statements that judgments rendered against any person will be printed or published.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Joint Resolution No. 19—Relative to establishing game refuges in the National Forest Reserve in the State of California—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 19?"

On page 2, strike out all of line 4, and insert a period after the word "Congress", at the end of line 3.

The roll was called, and Senate amendment to Assembly Concurrent Resolution No. 19 was concurred in by the following vote:

AYES—Messrs. Alexander, Bohnett, Bowman, Brown, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnstone, W. A., Kingsley, Moorhouse, Murray, Nelson, Polsley, Roberts, Schmitt, Shartel, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 402f, providing that certain buildings shall be provided with fire escapes—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 1397?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—None.

NOES—Messrs. Alexander, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Murray, Nelson, Polsley, Roberts, Schmitt, Shartel, Smith, Strine, Sutherland, Tulloch, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

Bill ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 5—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 5 read first time.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett.

Resolved, That Senate Bill No. 5 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Bohnett moved the adoption of the resolution.

POINT OF ORDER.

Mr. Schmitt rose to the following point of order: "That the bill should be referred to a committee."

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

SPECIAL ORDER SET.

Mr. Bohnett moved that the consideration of the resolution be made a special order for this day at one o'clock and thirty minutes p.m.

Mr. Simpson moved as a substitute that, at the above stated time, the Assembly proceed with the regular order of business.

Motion lost.

Mr. Polsley moved as an amendment that the time be eleven o'clock a.m. of Monday, May 5, 1913.

Motion lost.

Mr. Schmitt moved as an amendment that the time be two o'clock p.m.

Motion lost.

Motion of Mr. Bohnett put and carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following request for permission to introduce bills was presented:

By Mr. Shartel:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to add a new section to the Code of Civil Procedure, to be numbered 103½, relating to what persons are eligible to the office of justice of the peace.

Referred to Committee on Introduction of Bills.

Also:

An Act appropriating money to pay the claim of Joseph Nelligan against the State of California.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT, ETC.

By Mr. Polsley: Assembly Constitutional Amendment No. 94—Relative to origin and passage of bills.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bohnett: Assembly Concurrent Resolution No. 36—Granting to the Governor, Lieutenant Governor, and members of the Legislature the privilege to absent themselves from the State for a period more than sixty days.

Read, and referred to Committee on Rules.

By Mr. White: Assembly Joint Resolution No. 33—Relative to acquisition of title under homestead law.

Read, and referred to Committee on Federal Relations.

By Mr. Shearer: Assembly Joint Resolution No. 34—Relative to alien land bill.

Read, and ordered on file without reference.

AMENDMENT OF BILLS.

Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

During third reading of the bill, Mr. Killingsworth moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 21, after the word "month", insert the following:

"17. The salaries herein allowed are in full compensation for all duties performed by either principal or his deputies, and all fees of every kind collected by each officer or his deputies, shall be paid into the county treasury as provided by law, except that the county clerk and the county assessor shall each be allowed the fees and commissions as provided for in Subdivisions 1 and 7, respectively, of this Act.

18. Sections 1, 3, 4, 5, 7, 8, 11, and the provisions of Section 14, relating to townships having a population of one thousand eight hundred and more shall go into effect ninety days after final adjournment of the legislature."

Motion carried

The Speaker appointed Mr. Killingsworth as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1390, with instructions, do now report that the instructions of the Assembly have been carried out.

KILLINGSWORTH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1330—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

During third reading of the bill, Mr. Walsh moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, strike out "known as Section 426a", and insert in lieu thereof the following: "numbered four hundred and twenty-six a, and".

Motion carried.

The Speaker appointed Mr. Walsh as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1330, with instructions, do now report that the instructions of the Assembly have been carried out.

WALSH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations.

During the consideration of the constitutional amendment, Mr. Clark moved that the Speaker appoint a select committee of one to amend the amendment as follows:

On page 4, lines 6, 7 and 8, strike out all of lines 6, 7 and that part of line 8 to and including the period, and insert in lieu thereof the following: "forty and not more than sixty days after the completion of the advertising in the official paper."

Also: Insert on page 1, line 10, after the words "authority of", the word "the".

Motion carried.

The Speaker appointed Mr. Clark as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee on one, to whom was referred Assembly Constitutional Amendment No. 25, with instructions, do now report that the instructions of the Assembly have been carried out.

CLARK, Select Committee.

Report of select committee and amendments adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California the repeal of Section 19 of Article XX of the Constitution and the substitution in lieu thereof a new section, to be known as Section 19, Article XX, and relating to the use of state funds for the payment of legitimate campaign expenses by any political party of the State.

During the reading of the constitutional amendment, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the amendment as follows:

Strike out on page 1, line 9, all after the words "Section 19", and insert in lieu thereof the following:

"Each political party in this state casting five per centum of all the votes cast at the last preceding general election for the different heads of the different political party tickets and so voted at said last general election shall be allowed the sum of thirty-three and one third cents for each vote cast for said head of said political party ticket at any subsequent primary, special or general election. Said sums of money are to be appropriated out of the general funds of the state and paid by the state treasurer, upon warrants issued by state controller, to the state central committee of each of the said political parties of the state casting the required per centum of total votes so cast at said election, and within ten days immediately following the official announcement of the election returns for any primary, special or general election. The state central committee of each of said parties shall then so distribute said funds to each of the county central committees of each of said parties as will best serve the party interests in said counties, but in no event shall any county central committee receive less than twenty cents per vote cast at said primary, special or general election, and any funds not so used by said county or state central committee shall be returned to the state treasury."

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 61, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendments adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation

along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examination for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911; also creating a drainage district to be known as Sacramento Drainage District, providing for the management and control of said district and the making of assessments and issuing of bonds therein, also defining the powers of certain reclamation, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer; also making said bonds receivable as investments of or security for public money and trust funds and by banks.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 35, end of line 33, insert the following: "The State of California shall not be liable, directly or indirectly, for any obligation, claim, or liability of any kind or character, arising under, or by reason of this Act, or any of the provisions thereof, in excess of the one hundred thousand dollars in and by this Act appropriated."

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1218, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

RE-REFERENCE OF BILLS.

On motion of Mr. Finnegan, Assembly Bill No. 1321 and Senate Bill No. 621 were re-referred to Committee on Engrossment and Enrollment for comparison.

MOTION.

Mr. Brown moved that the Assembly take up special third-reading file. Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2091—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2091 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Moorhouse, Murray, Nelson, Nolan, Palmer,

Peairs, Polsley, Roberts, Ryan, Schmitt, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1183—An Act to amend Section 1160 of the Political Code, relating to the time of opening and closing the polls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1183 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Moorhouse, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Smith, Tulloch, Weldon, Woodley, and Mr. Speaker—43.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also creating a board whose duty it shall be to determine the order and manner of placing all questions, propositions and constitutional amendments on the ballot; and to designate the same on the ballot by a statement of the purpose and effect thereof to be prepared by said board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 459 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Kingsley, McDonald, Moorhouse, Mouser, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shartel, Smith, Strine, Walsh, Woodley, and Mr. Speaker—44.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code of the State of California, by striking out 1194 and putting in place thereof 1210.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1752 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Gelder, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shartel, Simpson, Strine, Sutherland, White, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 89—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending subsection (f) of Section 14 of Article XIII, relating to county revenue.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 89 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polesley, Richardson, Roberts, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Assembly Constitutional Amendment No. 89 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 89.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending subsection (f) of Section 14 of Article XIII (13), relating to county revenue.

The legislature of the State of California at its regular session commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California so that Subsection f of Section 14 of Article XIII of said Constitution shall read as follows:

(f) All the provisions of this section shall be self-executing, and the legislature shall pass all laws necessary to carry this section into effect, and shall provide for a valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the state board of equalization and any other officers in connection with the administration thereof. The rates of taxation fixed in this section shall remain in force until changed by the legislature, two thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts and gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section; and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the legislature. Until the year 1918 the state shall reimburse any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation. The state shall reimburse any and all counties for the net loss sustained in county revenue by reason of the withdrawal of any property from county taxation through any constitutional or other Act of the state. The legislature shall provide for reimbursement from the general funds of any county to districts therein where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for state purposes only.

Assembly Constitutional Amendment No. 88—Relative to a resolution to propose to the people of the State of California an amendment to Section 2 of Article XVIII of the Constitution of the State of California, relating to convention for revising the Constitution of the State of California.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 88 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson,

Killingsworth, Kueck, McDonald, Moorhouse, Monser, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Sutherland, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—57.
 NOES—None.

Assembly Constitutional Amendment No. 88 transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 88.

A resolution to propose to the people of the State of California an amendment to Section 2 of Article XVIII of the Constitution of the State of California, relating to convention for revising the Constitution of the State of California.

The legislature of the State of California, at its regular session commencing on the sixth day of January, 1913, two thirds of the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes that Section 2 of Article XVIII of the Constitution of the State of California be amended to read as follows:

Section 2. Whenever two thirds of the members elected to each branch of the legislature shall deem it necessary to revise this constitution, they shall recommend to the electors to vote at the next general election for or against a convention for that purpose, and if a majority of the electors voting at such election on the proposition for a convention shall vote in favor thereof, the legislature shall, at its next session, provide by law for calling the same. In so providing for calling such convention, the legislature shall make provision for the election of delegates not to exceed in number that of both branches of the legislature who shall, except as herein provided, be chosen in the same manner and have the same qualifications as members of the legislature. Each of the delegates shall be considered as elected to a separate office. All delegates shall be nominated at a non-partisan primary election and not otherwise and may also be finally elected at such non-partisan primary election as hereinafter provided. Said non-partisan primary election shall be held as the legislature may direct, either at the time of holding any other primary election or at any general or special election or at an election to be called for that purpose. The legislature shall provide the manner in which all candidates shall obtain a place on the ballot at said non-partisan primary election. A candidate for any such office, receiving majority of the votes cast at said non-partisan primary election for all the candidates for that office shall be declared elected. If at said non-partisan primary election there be any office to which no person was so elected, then as to such office that election shall be considered to have been merely a primary election for the nomination of candidates, and a further election shall be held to fill said office, and the two candidates, or less if so there be, who received the highest number of votes for such office at said non-partisan primary election, shall be the only candidates at such further election; *provided*, that if there be any person who, under the foregoing provisions, would have been entitled to become a candidate for such office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise become candidates for that office. The candidates for any such office who shall receive the highest number of votes at such further election shall be declared elected to such office. Without the constitution being amended the legislature may, by resolution submitted to the electors of the state in the same manner that a proposed amendment to the constitution is submitted by the legislature, provide for any other plan for nominating and electing any delegates to any such convention.

The delegates so elected shall meet within nine months after their election at such place as the legislature may direct. At a special election to be provided for by law, any amendments, alterations, revisions or new constitution, in any form that may be directed by such convention, either as alternative articles or propositions or otherwise, shall be submitted to the people for their ratification or rejection, in such manner as the convention may determine. The returns of such election shall, in such manner as the convention shall direct, be certified to the executive of the state, who shall call to his assistance the controller, treasurer, and secretary of state, and compare the returns so certified to him; and it shall be the duty of the executive to declare, by his proclamation, such revised constitution, as may have been ratified by a majority of all the votes cast at such special election, to be the Constitution of the State of California.

HON. H. S. BENEDICT IN THE CHAIR.

At eleven o'clock and twenty-five minutes a.m., Hon. H. S. Benedict, Assemblyman of the Sixty-third District, in the chair.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the

Constitution of the State of California, by amending Section 13 of Article XX, relating to elections.

Bill read third time.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 19 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Assembly Constitutional Amendment No. 19 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 19.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

The legislature of the State of California, at its fortieth regular session, commencing the sixth day of January, nineteen hundred and thirteen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes that section thirteen of article twenty of the Constitution of the State of California be amended to read as follows:

Section 13. Where not otherwise directed in this constitution, a plurality of the votes given at any primary or other election shall constitute a choice, including nomination for and election to office; *provided*, that it may also be otherwise directed in charters framed under the authority of this constitution for cities, counties or cities and counties and by the legislature for other counties and municipalities. Provision may be made in such charters, and by the legislature in the case of other counties and municipalities for either or both nomination for and election to office at a primary election of all or any portion of the candidates voted for at each primary election and for a preferential system of voting at any county, city and county, or municipal primary or other election. The legislature may also provide for a preferential system of voting at any other primary election.

SPEAKER IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California, relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1814 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bowman, Brown, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Green, Guiberson, Hayes, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Strine, Sutherland, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1750—An Act to amend Section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1750 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bohnett, Bowman, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Polsley, Roberts, Schmitt, Scott, Shartel, Smith, Strine, Sutherland, Walsh, White, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1697—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1083a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1697 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Pears, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Smith, Strine, Sutherland, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1890—An Act to amend Section 1204 of the Political Code of the State of California, relating to the manner of voting.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1890 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Shearer, Simpson, Strine, Sutherland, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

During third reading of the bill, Mr. Finnegan moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 2, of the printed bill, as amended April 23d, strike out the period and insert in lieu thereof a semicolon and add the following: "*and further provided*, that for the purposes of this Act the candidate's personal traveling expenses shall not be counted as a part of the sums allowed to candidates as enumerated in sub-

divisions one and two of section one of this Act, but all such personal traveling expenses shall be fully set forth in the candidate's statement, as provided hereafter".

Also: On page 5, line 3, after the word "senator", insert the word "or".

Also: On page 8, line 22, strike out the entire line and insert in lieu thereof the following: "forthwith notify the district attorney of the county where".

On page 19, line 6, after the comma following the word "if", insert the word "in".

Motion carried.

The Speaker appointed Mr. Finnegan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2000, with instructions, do now report that the instructions of the Assembly have been carried out.

FINNEGAN, Select Committee.

Report of select committee and amendments adopted.

Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 13, line 3, strike out "shall", and to and including "personation" in line 4.

Also: On page 13, line 8, after the word "name", add the words "shall be deemed guilty of a felony".

Also: On page 14, line 37, strike out the words "political criminal".

Also: On page 15, line 1, strike out "improvement", and all thereafter down to and including "years" in line 3, and insert in lieu thereof the following: "fine not exceeding five thousand dollars or imprisonment in the county jail not exceeding one year".

Motion carried.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2000, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Mr. Slater moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 14, line 14, strike out all of Section 25 following the word "signature", to and including the word "payment" in line 18.

Motion carried.

The Speaker appointed Mr. Slater as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2000, with instructions, do now report that the instructions of the Assembly have been carried out.

SLATER, Select Committee.

Report of select committee and amendment adopted.

Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 12, strike out all of Section 20.

Motion lost.

Mr. Scott moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 10, line 16, strike out the whole of Section 17.

Motion lost.

Bill ordered to reprint, re-engrossment, and on file for passage.

RECONSIDERATION.

In accordance with Mr. McCarthy's notice given on a previous day, Mr. Bohnett moved that the vote whereby Assembly Bill No. 642 was refused passage be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Bohnett moved a call of the House.

Motion carried.

Time, twelve o'clock m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, White, Wyllie, and Mr. Speaker—66.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Killingsworth.

The roll of absentees was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Ambrose, Benedict, Bohnett, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Nelson, Nolan, Peairs, Richardson, Roberts, Ryan, Scott, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

NOES—Messrs. Alexander, Bagby, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Collins, Cram, Dower, Ford, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Killingsworth, Libby, Murray, Palmer, Polsley, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Wall, Weldon, and White—30.

The question being on the passage of the bill.

HOURLY RECESS EXTENDED.

Mr. Bohnett moved that the hour of recess be extended until the business before the House be disposed of.

Mr. Palmer moved as a substitute, that the Assembly be at recess.

Roll call regularly demanded.

The roll was called, and substitute motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Collins, Cram, Dower, Ford, Griffin, Guiberson, Hayes, Johnson, Geo. H.,

Killingsworth, Libby, Murray, Palmer, Polsley, Schmitt, Shannon, Shearer, Simpson, Stuckenbruck, Wall, Walsh, Weldon, and White—29.

NOES—Messrs. Ambrose, Benedict, Bohnett, Bush, Canepa, Chandler, Clark, Wm. C. Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Nelson, Nolan, Pears, Roberts, Ryan, Scott, Slater, Smith, Strine, Sutherland, Weisel, Woodley, Wyllie, and Mr. Speaker—41.

Motion of Mr. Bohnett put and carried.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 21, line 33, strike out of Section 23 the words "at the time of receiving a license to appropriate", and insert in lieu thereof the following: "appropriating or using".

Also: On page 22, line 4, strike out the words "receiving a license to appropriate", and insert in lieu thereof the following: "appropriating or using".

PREVIOUS QUESTION.

Mr. Bohnett moved the previous question.

Motion carried.

Motion to appoint select committee to amend bill lost.

PREVIOUS QUESTION.

Mr. Johnston moved the previous question on the passage of the bill.

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Ambrose, Benedict, Bohnett, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C. Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Nelson, Nolan, Pears, Roberts, Ryan, Scott, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—45.

NOES—Messrs. Alexander, Bagby, Bowman, Collins, Dower, Ford, Griffin, Killingsworth, Palmer, Polsley, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Weldon, and White—18.

Mr. Killingsworth moved that the Assembly adjourn.

RULED OUT OF ORDER.

The Speaker ruled the motion not in order.

POINT OF ORDER.

Mr. Johnson rose to the following point of order: "That a two-thirds vote is required to order the previous question."

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

The roll was called, and Assembly Bill No. 642 passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bush, Canepa, Cary, Chandler, Clark, Wm. C. Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Nelson, Nolan, Pears, Roberts, Ryan, Scott, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—44.

NOES—Messrs. Alexander, Bagby, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A. Collins, Cram, Dower, Ford, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Killingsworth, Murray, Palmer, Polsley, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Wall, Weldon, and White—30.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy—have had the same under consideration, and respectfully report the same back, with recommendation that it be re-referred to Committee on Ways and Means.

KUCK, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 379—An Act to amend Sections 858 and 861 of an Act to provide for the organization, incorporation and government of municipal corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1806—An Act appropriating moneys to the use of the workman's compensation insurance fund—which was re-referred to us from the Committee on Insurance, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Also: Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Also: Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Which were re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association—which was re-referred to us from the Committee on Education, have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California.

Also: Senate Bill No. 681—An Act to create a "State Bureau of Criminal Identification and Investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, term of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, directors, clerks and stenographers; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Also: Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Also: Senate Bill No. 1536—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Also: Senate Bill No. 739—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1084—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in the year 1915.

Also: Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "For printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from Section 4 of this Act) ten thousand dollars," available for the distribution of said Blue Book.

Also: Senate Bill No. 905—An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 1261—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Also: Senate Bill No. 163—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1315—An Act to amend Section 1313 of the Civil Code of the State of California, relating to devise or bequests by will.

Also: Assembly Bill No. 962—An Act to amend Section 1494 of the Code of Civil Procedure of the State of California, relating to claims against the estates of decedent and interests thereon.

Also: Assembly Bill No. 1608—An Act to amend Section 1991 of the Code of Civil Procedure of the State of California, relating to contempt of court, committed by witnesses.

Also: Assembly Bill No. 1609—An Act providing for the payment of the actual expenses of the justices *pro tempore* of the District Courts of Appeal of the State of California.

Also: Assembly Bill No. 1610—An Act to amend Section 2031 of the Code of Civil Procedure of the State of California, relating to depositions of witnesses in civil actions and proceedings.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 538—An Act to amend Sections 204, 205, 206, 209 and 211 of the Code of Civil Procedure of the State of California, relating to the qualifications, competency and exemptions and of the selecting and referring of jurors for courts of record.

Also: Senate Bill No. 1732—An Act to amend Section 752 of the Political Code, relating to the fees to be collected by the Clerk of the Supreme Court.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1497—An Act to amend Section 1095 of the Code of Civil Procedure of the State of California, relating to the recovery of damages and awarding of costs in mandate proceedings, and said section as hereby amended providing for the recovery of damages and the awarding of costs against the State, counties and municipal corporations in certain cases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3897 and 3898 of the Political Code of the State of California, and to add to said Political Code two new sections to be designated as Sections 3773 and 3785b, all relating to property sold to the State for delinquent taxes and providing for its disposal by sale and redemption.

Also: Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehouse men in the sale of unclaimed property.

Also: Senate Bill No. 365—An Act to amend Section 974 of the Code of Civil Procedure of the State of California, and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Also: Senate Bill No. 368—An Act to repeal Section 980 of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Also: Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

Also: Senate Bill No. 1465—An Act to amend Section 1380 of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

Also: Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

Also: Senate Bill No. 541—An Act to amend Section 4187 of the Political Code of the State of California.

Also: Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 2072—An Act to provide for the construction of a free wagon road from and to connect the city of Chico, Butte County, and the town of Susanville, Lassen County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof, for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1713—An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings into portions of the State not infected; to control the spread of such diseases after introduction; and authorizing the State Board of Health to make rules and regulations therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 93—A resolution to propose to the people of the State of California eight amendments to the Constitution of the State of California: Amendment No. 1 amending Sections 5 and 6 of Article IV, relating to the number of members of the Senate and of the Assembly and the number of Senatorial and Assembly districts; Amendment No. 2 amending Section 23 and repealing Section 23½ of Article IV, relating to compensation and expenses of the Legislature and its members; Amendment No. 3 amending Section 2 of Article IV and Section 11 of Article V, relating to sittings and adjournments of the Legislature; Amendment No. 4 amending Section 16 of Article IV, relating to approval of bills by Governor and veto power; Amendment No. 5 amending Section 1 of Article IV, relating to the legislative power of the State; Amendment No. 6 amending Section 4 of Article IV, relating to election and terms of Senators and qualifications of members of the Legislature; Amendment No. 7 amending Section 3 of Article IV, relating to election and terms of members of the Assembly; Amendment No. 8 amending Section 11 of Article IV, relating to privileges of members of the Legislature from arrest and civil process—have had the same under consideration, and respectfully report the same back, with the recommendation that it be not adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for second consideration.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 2117—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens, arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises; to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SUTHERLAND, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 2074—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section, to be numbered 14½ to Article XI thereof, relating to the creation, organization, duties and powers of a commission, to be known as the fruit commission of the State of California—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 53—An Act appropriating money for the construction and equipment of new Ward No. 25, Stockton State Hospital.

Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredger for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants: making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the State Hygienic Laboratory.

Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as number 2982a, providing for a sanitary engineer to the State Board of Health, and fixing his salary.

Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled, "An Act creating a state commission on voting or balloting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting or ballot machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the result at such elections; and providing for the punishment of all violations of the provisions of this Act," approved March 20, 1903, as subsequently amended.

Assembly Bill No. 1329—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Assembly Bill No. 1418—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Assembly Bill No. 1419—An Act to amend Sections 858 and 861 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 1469—An Act to standardize and regulate the branding and sale of commercial feeding stuffs.

Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court.

Assembly Bill No. 1534—An Act to add a new section to the Civil Code, to be numbered Section 617, relating to the disposition by cemetery corporations of the unclaimed ashes or bodies of deceased persons.

Assembly Bill No. 1580—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Assembly Bill No. 1582—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911.

Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape, near every window more than twelve feet from the ground, in every building, edifice or structure in the State of California; providing for the enforcing of this Act; providing for an appropriation for the same covering state buildings and institutions, and providing penalties for the violation thereof.

Assembly Bill No. 1773—An Act to provide for the exemption of honorably discharged soldiers, sailors and marines of the United States, from payment of any state, county, city and county or city license fees in certain cases.

Assembly Bill No. 1805—An Act appropriating moneys in the "accident prevention fund" for the purpose of enforcing and promoting safety in employment and places of employment.

Assembly Bill No. 2062—An Act to regulate the visiting of prisoners or inmates in state institutions, to regulate the delivery of mail to such prisoners or inmates, and to provide for the subscribing to newspapers and periodicals by such prisoners or inmates.

Assembly Bill No. 2107—An Act to amend Section 626p of the Penal Code of the State of California, relating to the protection of wild geese and brant.

Assembly Bill No. 2111—An Act to amend an Act entitled "An Act to create a

preserve for shellfish and invertebrate animals within a portion of the bay of Monterey, and to prohibit taking the same from such preserve for commercial purposes."

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 621—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station in El Dorado County to McKinney's in Placer County—have had the same under consideration, and respectfully report that Senate Bill No. 621 is identical with Assembly Bill No. 1312.

MOORHOUSE, Chairman.

Assembly Bill No. 1312 ordered withdrawn, and stricken from the file.

SPECIAL ORDER RESET.

On motion of Mr. Bohnett, the special order heretofore set for one o'clock and thirty minutes p.m. of this day, was continued until two o'clock p.m. of this day.

RECESS.

At one o'clock p.m., the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, at your request, recalled from enrollment Senate Bill No. 1339—An Act to add a new section to the Penal Code, to be numbered Section 527, making it a misdemeanor to sell or permit to be sold, tickets in excess to the seating capacity of the theater or other place of indoor amusement and fixing penalty thereof—and herewith transmits the same to your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 46—An Act to establish a state training school for girls, to provide for the maintenance and management of the same and to make an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 46 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the President pro tem. on this day announced the appointment of Senators Lyon, Jones and Hewitt as a Committee on Free Conference to meet with a similar committee from the Assembly to consider amendments to Senate Bill No. 215—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Clark, Inman, and Slater a Committee on Free Conference to meet with a like committee from the Senate to consider Senate Bill No. 215.

RULE SUSPENDED.

Mr. Shannon moved that Rule 69 be suspended.
Motion carried.

UNFINISHED BUSINESS.

Assembly Concurrent Resolution No. 31—Relative to the appointment of an advisory committee to confer with the State Board of Control regarding state roads.

During the consideration of the concurrent resolution, Mr. Kuck moved that the Speaker appoint a select committee of one to amend the resolution as follows:

On page 1, line 12, strike out all of lines 12 to 15, inclusive, and insert in lieu thereof the following:

“Resolved, That the sum of fifteen hundred dollars is hereby made available for the purpose of defraying the expenses of such committee; one half of the amount to be paid from the Contingent Fund of the Assembly, and one half to be paid from the Contingent Fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the chairman of said joint committee for such expenditures as the same may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.”

Motion carried.

The Speaker appointed Mr. Kuck as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Concurrent Resolution No 31, with instructions, do now report that the instructions of the Assembly have been carried out.

KUCK, Select Committee.

Report of select committee and amendment adopted.

Assembly Concurrent Resolution No. 31 ordered to reprint, re-engrossment, and on file for adoption.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Alexander moved that the vote whereby Assembly Bill No. 1515 was passed, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bradford, McDonald, and Shannon—3.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Ellis, Ferguson, Gabbert, Gates, Green, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shearer, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, White, and Mr. Speaker—47.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Bohnett moved that when the Assembly adjourn this day it do so until Sunday, May 4, 1913, at ten o'clock a.m.

Motion lost.

SPECIAL ORDER.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

The question being on the adoption of the following resolution:

Resolved, That Senate Bill No. 5 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dover, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Nelson, Palmer, Peairs, Richardson, Roberts, Ryan, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—57.

NOES—Messrs. Alexander, Beck, Bowman, Schmitt, and Shannon—5.

SECOND READING OF SENATE BILL.

Senate Bill No. 5—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

Bill read second time, and ordered to third reading.

On motion of Mr. Bohnett, further action on Senate Bill No. 5 was temporarily postponed.

On motion of Mr. Bohnett, the following joint resolution was taken up for consideration:

Assembly Joint Resolution No. 34—Relative to alien land bill.

Resolution read.

HON. L. D. BOHNETT IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Hon. L. D. Bohnett, Assemblyman of the Forty-fourth District, in the chair.

TIME FOR DEBATE EXTENDED.

Mr. Sutherland moved that Mr. Weldon be given further time in which to conclude his debate.

Motion carried.

SPECIAL RULE SUSPENDED.

Mr. Johnston moved that Special Rule No. 1 be suspended.

Motion carried.

RECESS.

At three o'clock and fifteen minutes p.m., on motion of Mr. Sutherland, the Assembly was declared at recess until after the reception of Mr. William Jennings Bryan, Secretary of State of the United States.

REASSEMBLED.

At four o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

HON. W. A. SUTHERLAND IN THE CHAIR.

At four o'clock and five minutes p.m., Hon. W. A. Sutherland, Assemblyman of the Fifty-first District, in the chair.
Assembly joint resolution under consideration.

SPEAKER IN THE CHAIR.

At five o'clock, Hon. C. C. Young, Speaker of the Assembly, in the chair.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 34 refused adoption by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Dower, Finnegan, Gates, Griffin, Guiberson, Guill, Hinkle, Killingsworth, Libby, Murray, Palmer, Shannon, Shearer, Simpson, Slater, Weldon, Woodley, and Wylie—21.

NOES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gelder, Green, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Nelson, Nolan, Polsley, Roberts, Ryan, Scott, Shartel, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, White, and Mr. Speaker—49.

THIRD READING OF SENATE BILLS.

Senate Bill No. 5—An Act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all Acts or parts of Acts inconsistent or in conflict herewith.

During third reading of the bill, Mr. Chandler moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out everything after "An Act", and insert in lieu thereof the following:

Defining and limiting the right of aliens to acquire title to and own or lease real property in the State of California, and providing a method for divesting title to lands held by such aliens.

The people of the State of California do enact as follows:

SECTION 1. No alien shall acquire title to or own real property within this state, or take the same by descent, device or purchase, except as provided in this Act.

SEC. 2. An alien may acquire title to real property by devise, descent or purchase and hold the same for one year from the date of so acquiring such title; and if any alien at the date of so acquiring title be a minor, he may hold such title for one year after attaining his majority. At the expiration of said period real property so held by an alien shall escheat to the State of California as hereinafter provided, unless during the period of one year after acquiring such title, or, in the case of a minor, during the period of one year after attaining his majority, such alien shall become a citizen of the United States or shall declare his intention according to law to become such citizen. Upon the death of an alien who is now the owner of real property, or of an alien who shall hereafter acquire title to real property and shall be entitled to hold the same by reason of his declaration of intention to become a citizen of the United States, any alien heir or devisee of such owner may inherit or succeed to the title to his real property upon such heir or devisee being admitted to citizenship or filing for record in the office of the county recorder of the county wherein such real property is situated, a copy of his declaration to become a citizen, duly certified by the officer having custody of the original declaration of intention of such person; *provided*, such heir or devisee shall become such citizen or shall file such copy within one year after such death, or, in the case of a minor, within one year after attaining his majority.

SEC. 3. It shall be the duty of the district attorney of the county wherein the

real property, or some part thereof, is situate, or the attorney general of the state should the district attorney fail or neglect to act, when he shall be informed or have reason to believe that any real property in the state is being held contrary to the provisions of this Act, to institute suit in behalf of the State of California in the superior court of the county in which said real property is situated praying for the escheat of the same in behalf of the state, and he shall proceed therein as in cases provided by law for escheats of lands or property where such property has no known owner; *provided*, that due service of process shall be made and service upon the holder of the title be had as provided by law. In any action, or proceeding brought under and by reason of this Act, the burden of proof of alienage or non-alienage shall be on the person informed against or the owner of the lands alleged to be held contrary to the provisions of this Act. Said court shall tax as costs such fees as shall be reasonable, not exceeding twenty per centum of the amount which shall be bid for such real property at any such sale thereof, and shall allow to the officer making such sale the same fees as are allowed for the sale of real property under decree of foreclosure of mortgages, and all fees and costs shall be paid out of the proceeds by sale of such real property. If any district attorney shall neglect or refuse to proceed by information as herein provided within thirty days after it shall be brought to his notice that an alien is holding title to real property in this state contrary to the provisions of this Act, then any citizen may proceed by information in the name of the people of the state in the same manner as such district attorney might have proceeded under the provisions of this section, and he and his attorney may be allowed such reasonable fees for their services, to be taxed as costs, as the court may direct, not exceeding in the aggregate twenty per centum of the amount which shall be paid for such real property at the sale thereof. Any such proceeding shall be suspended upon proof that the alien owner of the real property involved has become a citizen of the United States, or has filed the certified copy of his declaration of intention to become such citizen provided for in section two of this Act, or that the title to such real property has been conveyed by such alien in good faith absolutely to a citizen of the United States, or if such alien has died prior to the commencement of such proceeding, that his heirs or devisees, or the person or persons claiming by, through or under him or them, are minors, or have become citizens of the United States, or have filed certified copies of their intention to become such citizens as provided in section two of this Act.

SEC. 4. In case the real property at the time escheat proceedings are commenced is owned in whole or in part by a person or persons of unsound mind the process herein provided shall be served as provided by law upon the guardian of such person or persons, and if there is no such guardian the district attorney or the attorney general of the state shall make application in the name of the people of the state to the court having jurisdiction and procure the appointment of a guardian *ad litem* to represent such person or persons in such proceedings and such guardian or guardians *ad litem* shall appear and defend the action.

SEC. 5. If it shall be determined upon the trial of any such proceedings that real property is held contrary to the provisions of this Act, the court trying such cause shall render judgment condemning such real property and ordering the same to be sold under an order of court as in cases of sale under foreclosure of mortgage; the proceeds of such sale after deducting the costs of the proceeding shall be paid to the clerk of the court rendering the judgment, where the same shall remain for one year from the date of such payment, subject to the order of the alien owner of such real property, his heirs and legal representatives, and if not claimed within the period of one year such clerk shall pay the same into the treasury of the state for the benefit of the available school funds of the state; *provided*, that when any money shall have been paid to the state treasury as herein provided the alien or his heirs may procure the same to be returned by applying for and procuring an order from the court condemning the property showing that such judgment escheating such property was procured by fraud or mistake, or that there was material irregularity in the proceedings; but such application must be made within two years from the date when such moneys were paid into the state treasury, and in no event shall the state be liable or called upon to refund any further sum than the actual cash transmitted and delivered to such treasury.

SEC. 6. This Act shall not apply to real property now owned by aliens so long as the same shall be held by the present owners, their wives or children, and the right, title or interest in or to any real property hereafter acquired by any person entitled to hold the same shall not be questioned or impeached by reason of the alienage of any person through whom such title may have been derived.

SEC. 7. No contract, agreement or lease of real estate for agricultural purposes for a longer period than five years shall be made to any such alien, and no contract, agreement or lease of any town or city lot for a longer period than five years shall be made to any such alien, and any lease, agreement or devise of real estate made to any such alien, contrary to the provisions of this section shall be null and void; *provided*, that after the expiration of five years from the date upon which this Act shall take effect, no contract, agreement or lease of real estate for agricultural purposes to an alien shall be valid.

SEC. 8. Every corporation, the majority of the issued capital stock of which is owned by aliens shall be considered an alien within the meaning of this Act.

POINT OF ORDER.

Mr. McDonald rose to the following point of order: "That the same amendment had been defeated by this house on a previous day."

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

MOTION.

Mr. Johnston moved that further consideration of the above amendment be postponed until eight o'clock p.m. of this day, and that, when miscellaneous matters be disposed of, the Assembly take a recess to that time.

Mr. Byrnes moved as a substitute that the Assembly adjourn.

Substitute motion lost.

Motion of Mr. Johnston carried.

RECONSIDERATIONS POSTPONED.

On request of Mr. Ambrose, reconsideration of the vote on Senate Bills Nos. 513 and 514 was postponed until the next legislative day.

On request of Mr. Brown, consideration of motion to reconsider the vote whereby Assembly Bill No. 880 was refused passage was postponed until the next legislative day.

On request of Mr. Schmitt, consideration of motion to reconsider the vote whereby Senate Bill No. 1339 was passed was postponed until the next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Polsley:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 4966 of the Political Code, relating to salaries and fees of counties of the thirty-seventh class.

Referred to Committee on Introduction of Bills.

By Mr. Bohnett:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making an appropriation for the legislative printing fund.

Referred to Committee on Introduction of Bills.

By Mr. Canepa:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to set aside certain tide lands in the city and county of San Francisco, for the purpose of boating, swimming, yachting and aquatic sports for the public generally.

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. Farwell:

WHEREAS, It is necessary to continue certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the present session of

the Legislature on and after April 30, 1913, to properly accommodate said latter body, and also to do certain necessary repair and general clean-up work of the legislative chamber and committee rooms after adjournment; now, therefore, be it

Resolved, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Senate in favor of Geo. G. Radeliff, and the State Treasurer is hereby directed to pay the same, for the sum of five hundred dollars (\$500), said amount being in payment of said services.

Read, and referred to Committee on Contingent Expenses.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 689—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 690—An Act to amend Section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 612—An Act to amend Section 4278 of the Political Code of the State of California, relating to compensation of officers of counties of the forty-ninth class—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1008—An Act to regulate repayment of employers' advances; and providing penalties for the violation of its provisions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1034—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, at a state hospital, and to provide for the government and management thereof, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

CRAM, Chairman.

The above reported bill ordered on file for second reading, and referred to Committee on Ways and Means.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 15—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans, and half orphans, and for the education of such persons and other worthy persons, under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor; authorizing and empowering the maintenance of funds therefor in the county and state treasuries, to be derived from private benefaction to be known as a "children's relief fund" and as a "scholarship fund;" making appropriations for a campaign to secure private benefactions, authorizing gifts, bequests and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the Superior Court and board of supervisors in relation to such persons and such funds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Senate Bill No. 1308—An Act to amend Sections 1, 3, 8, 20 and 21 of an Act approved March 23, 1901, and entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California,' approved March 12, 1885;" to repeal Sections 13 and 24 of said Act; also to amend Sections 10, 12, 14 and 19 of said Act as amended by an Act approved March 20, 1903; also to amend Section 21½ of said Act as added thereto by said Act approved March 20, 1903; and also to amend Section 15 of said Act of March 23, 1901, as amended by an Act approved March 6, 1907; all relating to the Board of Dental Examiners of California and the regulation of the practice of dentistry in the State of California, approved April 6, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 478—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds.

Also: Senate Bill No. 22—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Also: Senate Bill No. 209—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Also: Senate Bill No. 638—An Act making an appropriation to pay the claim of the directors of the State Board of Agriculture against the State of California.

Also: Senate Bill No. 1249—An Act to make an appropriation for maintenance of the state road from Meyer's Station to McKinney's.

Also: Senate Bill No. 1331—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

Also: Senate Bill No. 1515—An Act to appropriate the sum of three hundred and fifty-eight dollars and fifty cents to pay the claims of the State Board of Health.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor—which was re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park—which was re-referred to us from the Committee on State Grounds and Parks, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1465—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to the Stockton State Hospital, in the city of Stockton—which was re-referred to us from the Committee on Hospitals and Asylums, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At five o'clock and fifty minutes p.m., the Assembly was declared at recess until eight p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Young in the chair.

The question being upon the motion to amend Senate Bill No. 5, as proposed by Mr. Chandler.

HON. H. S. BENEDICT IN THE CHAIR.

At eight o'clock and forty minutes p.m., Hon. H. S. Benedict, Assemblyman of the Sixty-third District, in the chair.

Senate Bill No. 5 considered.

SPEAKER PRO TEM. IN THE CHAIR.

At eight o'clock and forty-five minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.
Senate Bill No. 5 considered.

SPEAKER IN THE CHAIR.

At nine o'clock and fifty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Mr. Inman moved, as a substitute, that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 2, strike out the period following the word "years", and insert in lieu thereof the following: "but any such lease shall not in any case be made, extended, or be in effect, after five years from and after the taking effect of this Act."

Also: Strike out the period following the word "years" in line 15, page 2, of bill, and insert the following: "but any such lease shall not in any case be made, extended, or be in effect, after five years from and after the taking effect of this Act".

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Dower, Ford, Inman, Johnson, Geo. H., Killingsworth, Libby, Palmer, Shannon, Shearer, Simpson, Tulloch, Walsh, and White—14.

NOES—Messrs. Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—54.

The question being on the motion of Mr. Chandler.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Brown, Cary, Chandler, Dower, Finnegan, Ford, Griffin, Guiberson, Guill, Inman, Killingsworth, Kingsley, Libby, Palmer, Polsley, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, Walsh, Weldon, and Wyllie—26.

NOES—Messrs. Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, McDonald, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Roberts, Ryan, Scott, Smith, Strine, Sutherland, Wall, Weisel, White, and Mr. Speaker—43.

Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 13, strike out all of section 2 after the word "otherwise", and insert in lieu thereof a period.

Also: On page 2, line 13, strike out all of section 3 after the word "otherwise", and insert in lieu thereof a period.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Byrnes, Cary, Dower, Finnegan, Ford, Griffin, Guill, Killingsworth, Libby, McDonald, Palmer, Polsley, Shannon, Shearer, Simpson, Slater, Tulloch, Walsh, Weldon, White, and Wyllie—24.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Smith, Strine, Sutherland, Wall, Weisel, and Mr. Speaker—47.

PREVIOUS QUESTION.

Mr. Bohnett moved the previous question.

Motion carried.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Knuck, Libby, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—72.

NOES—Messrs. Gates, Guiberson, and Woodley—3.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATIONS OF VOTE.

The following explanations of vote were presented, and ordered printed in the Journal.

By Mr. Brown:

I voted for Senate Bill No. 5, known as the anti-alien land bill, because I recognize that there is a strong popular demand in California for the passage of a law of this character. At the same time, I recognize the futility of a state passing a law of this kind that can have any beneficial effect, owing to the fact that existing treaties with Japan, and the laws of Congress, supersede all state laws, and are paramount thereto.

I am satisfied that the people of this State must look to the Federal Government for the solution of this question, and to obtain the relief desired; that the relief can be attained only through treaties with Japan, or through appropriate legislation by Congress. But as an expression of this Legislature, which will largely reflect the opinion of the people of the State, and as a demand by this Legislature upon the National Government that it shall take action as soon as possible, to relieve the people of this State from the evil which exists, I think it good policy to pass this anti-alien land law.

HENRY WARD BROWN.

By Mr. Mouser:

I desire to state my reasons for voting for Senate Bill No. 5. I am thoroughly in favor of an anti-alien land law. I do not think that Senate Bill No. 5 will accomplish all the results desired because it does not provide a clause that would prevent Japanese from leasing land at the expiration of five years. I am voting for this bill because it is a step in the right direction and will show the Federal Government the desire of the people of California that aliens ineligible to citizenship should not own land in California.

FRANK H. MOUSER.

By Mr. Finnegan:

I am voting for this bill because I wish to get an anti-alien land policy inaugurated in the State of California. I should prefer a bill which omits the clause "eligibility to citizenship," and in place instead the words "declaring their intention to become citizens of the United States," and the following amendments proposed by me, but for which I could not get recognition, being foreclosed by a motion calling for the previous question.

G. B. FINNEGAN.

AMENDMENTS PREPARED BY MR. FINNEGAN.

AMENDMENT No. 1.

On page 1, line 1, Section 1, strike out the words, "eligible to citizenship," and in lieu thereof insert the words "declaring their intention to become citizens of the United States".

AMENDMENT No. 2.

Strike out all of Section 2.

AMENDMENT No. 3.

On page 2, line 5, Section 3, strike out from and including the word "other", to and including the word "act", in line 4, and in lieu thereof insert the words "who have declared in good faith their intention to become citizens of the United States as provided in Section 1".

AMENDMENT No. 4.

On page 2, line 9, Section 3, strike out all of said section after the word "state".

AMENDMENT No. 5.

Strike out all of Section 7, and insert in lieu thereof as follows: "Nothing in this Act shall be construed as limiting or contravening in any way the terms of any treaty now existing or hereafter entered into between the government of the United States pursuant to the provisions of the Constitution of the United States and any other nation or country with reference to the right or privilege of the citizens of such nation or country to acquire, possess, enjoy and transfer real property or any interest therein.

AMENDMENT No. 6.

Add a new section as follows: "Section 9. This Act unless earlier repealed shall remain the law of this state for a period of two years from and after the date of its passage".

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 332—An Act to amend Sections 344, 642 and 643 of the Political Code of the State of California, all relating to the Fish and Game Commission.

Assembly Bill No. 813—An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration.

Assembly Bill No. 1345—An Act to amend Section 1, of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions.

And report that the same have been correctly re-engrossed.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1599—An Act to amend Section 4287 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class—and report that the same has been correctly engrossed.

AMBROSE, Acting Chairman.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act appropriating money to pay the claim of Joseph Nelligan against the State of California.

An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 103½, relating to what persons are eligible to the office of justice of the peace.

An Act appropriating money to pay the claim of Frank P. Cady against the State of California.

An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class.

An Act making an appropriation for the legislative printing fund.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—68.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Polsley: Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to the salaries and fees and miles of jurors in counties of the thirty-seventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bohnett: Assembly Bill No. 2122—An Act making an appropriation for the legislative printing fund.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Shartel: Assembly Bill No. 2123—An Act appropriating money to pay the claim of Joseph Nelligan against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 2124—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 103 $\frac{1}{4}$, relating to what persons are eligible to the office of justice of the peace.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nelson: Assembly Bill No. 2125—An Act appropriating money to pay the claim of Frank P. Cady against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Walsh: Assembly Bill No. 2126—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Bill read first time, and referred to Committee on Public Health and Quarantine.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners, and repealing an Act to amend an Act entitled, "An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners," approved March 23, 1893.

Also: Senate Bill No. 380—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Also: Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled, "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Also: Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public work.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 455—An Act to amend Section 1532 of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Also: Senate Bill No. 458—An Act to amend Section 1858 of the Political Code, relating to the apportioning of school moneys by the county superintendent of schools.

Also: Senate Bill No. 342—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 113—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Also: Senate Bill No. 885—An Act to add a new section to the Code of Civil Procedure, to be numbered 1170a, relating to actions for unlawful detainer caused by default in payment of rent, where the landlord furnishes light, heat and other service or services to the tenant.

Also: Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Also: Senate Bill No. 664—An Act to provide indemnity to persons erroneously convicted of felonies in the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 752—An Act to make an appropriation of money for the general improvement and extension of the Lake Tahoe wagon road, a state highway.

Also: Senate Bill No. 266—An Act appropriating twenty-five hundred dollars for the restoration and rebuilding of the old Greek chapel and Russian fort, known as Fort Ross, at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

Also: Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin and Feather rivers, and other river channels of the State, and improving the navigability of such streams and for acquiring land for necessary rights of way.

Also: Senate Bill No. 1772—An Act appropriating money for the purchase of land for the Fresno State Normal School.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1263—An Act to amend Section 1886 of the Political Code of the State of California, relating to the minimum rate of interest, and sale of schools bonds.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

Also: Committee Substitute for Senate Bill No. 1666—An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory.

Also: Committee Substitute for Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities in the first and one half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all Acts amendatory of said Act or supplementary thereto.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1365—An Act to amend Sections 655, 678, and 683 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Also: Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

Also: Senate Bill No. 1715—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Also: Senate Bill No. 295—An Act to amend Section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Also: Committee Substitute for Senate Bill No. 1082—An Act making an appropriation to continue investigations under the provisions of an Act entitled "An Act to provide for the investigation of the practicability of the construction of canals and the canalization of rivers, their tributaries, and other water ways in California in aid of commerce: to define the duties of the Department of Engineering and of the Governor, in relation thereto, and to make an appropriation to defray the cost of such investigation," approved May 1, 1911.

Also: Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Also: Senate Bill No. 256—An Act to amend Section 751½ of the Political Code of the State of California relating to the salary of the stenographer of the Supreme Court.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways; for the charge, supervision and control thereof by the Department of Engineering of the State of California and the State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating, connecting or other railroad lines, or trains and rolling stock, on equal terms as to charges and equal rights as to privileges.

Also: Senate Bill No. 1188—An Act for the relief of purchasers of state lands.

Also: Committee Substitute for Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

Also: Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 530—An Act conferring upon certain boards, commissions and tribunals created by charter of incorporated cities and cities and counties power to issue subpoenas requiring the attendance of witnesses and the production of books, papers and documents; conferring upon the Superior Court or a judge thereof the power to punish for contempt of such board, commission or tribunal, making contempt of such board, commission or tribunal a misdemeanor and prescribing a penalty therefor.

Also: Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor.

Also: Senate Bill No. 1737—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1469—An Act to amend Section 1366 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 139 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 380 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1735 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 145 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 455 read first time, and referred to Committee on Education.

Senate Bill No. 458 read first time, and referred to Committee on Education.

Senate Bill No. 342 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 113 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 885 read first time, and referred to Committee on Judiciary.

Senate Bill No. 586 read first time, and referred to Committee on Education.

Senate Bill No. 664 read first time, and referred to Committee on Judiciary.

Senate Bill No. 752 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 266 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1289 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1772 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1469 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1263 read first time, and referred to Committee on Education.

Senate Bill No. 1753 read first time, and referred to Committee on Judiciary.

Committee Substitute for Senate Bill No. 1666 read first time, and referred to Committee on Municipal Corporations.

Committee Substitute for Senate Bill No. 440 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1365 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 579 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 1715 read first time, and referred to Committee on Military Affairs.

Senate Bill No. 295 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 1416 read first time, and referred to Committee on Labor and Capital.

Committee Substitute for Senate Bill No. 1082 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 257 read first time, and referred to Committee on Judiciary.

Senate Bill No. 256 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1694 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 1188 read first time, and referred to Committee on Drainage, Swamp, and Overflowed Lands.

Committee Substitute for Senate Bill No. 1758 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 1075 read first time, and referred to Committee on Judiciary.

Senate Bill No. 530 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1119 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1737 read first time, and referred to Committee on Engrossment and Enrollment.

SECOND READING OF ASSEMBLY BILL—(OUT OF ORDER.)

Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On line 4, page 1, of printed bill, after the word "select", strike out the words "such land", and insert in lieu thereof the following: "not to exceed one thousand acres".

Amendment adopted.

AMENDMENT No. 2.

On line 15, page 1, of the printed bill, strike out the words "two hundred and fifty", and insert in lieu thereof the words "seventy-five".

Amendment adopted.

AMENDMENT No. 3.

On line 16, page 1, of printed bill, strike out the numerals "\$250,000.00", and insert in lieu thereof the numerals "\$75,000".

Amendment adopted.

AMENDMENT No. 4.

On page 2, of the printed bill, strike out everything after and inclusive of the word "two", in line 3, down to and inclusive of the numerals "(\$100,000.00)", in line 9, and insert in lieu thereof the following: "seventy-five thousand dollars shall be available only as follows: The sum of twenty-five thousand dollars thereof on the first day of January, nineteen hundred and fourteen; the sum of twenty-five thousand dollars thereof on the first day of January, nineteen hundred and fifteen; and the sum of twenty-five thousand dollars".

Amendment adopted.

AMENDMENT No. 5.

On line 12, page 2, of printed bill, after the word "thereof", insert the following: at an average rate not to exceed seventy-five dollars per acre."

Amendment adopted.

AMENDMENT No. 6.

On lines 24 and 25, page 2, of the printed bill, strike out the words "two hundred and fifty", and insert in lieu thereof "seventy-five".

Amendment adopted.

AMENDMENT No. 7.

On line 26, page 2, of printed bill, after the word "furnished", insert the following: "without cost to the state,".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

ADJOURNMENT.

At eleven o'clock and forty minutes p.m., on motion of Mr. Schmitt, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, May 5, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Hinkle, Mr. Judson was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV (4), relating to irrigation districts.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly constitutional amendment ordered to enrollment.
Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line and improvements in drainage, water, heating and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bill ordered to enrollment.
Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau

to draw up regulations and to issue certificates for testing milk or cream in creameries, cheese factories, condenseries, milk depots and other factories of dairy products of the State.

Also: Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Also: Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add a new section to be numbered Section 322a, relating to reassessments.

Also: Assembly Bill No. 1548—An Act to amend Sections 2 and 3 of an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, the following: Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California relating to powers of railroad corporations.

Also: Assembly Bill No. 963—An Act to amend Sections 11 and 18 of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Also: Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section to be numbered 272a, relating to the selling, giving away, relinquishing or disposing of children.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 990?"

AMENDMENT NO. 1.

On page 1, line 7, of printed bill, strike out the words "and every resolution".

AMENDMENT NO. 2.

On page 1, lines 11 and 12, strike out the words "and every resolution".

The roll was called, and Senate amendment to Assembly Bill No. 990 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Brown, Bush, Clark, Wm. C. Ellis, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 103?"

On page 3, strike out all of Subdivision 12, commencing with the word "to" in line 37, and ending with the word "it" in line 12 of page 4, and in lieu thereof

insert the following: "to purchase, lease or acquire the franchises, rights and property, or any part thereof, of any railroad corporation, leasing or owning any railroad outside of the State of California, and to operate the same, and to use the franchises of any such road, and to build and operate extensions thereof; to purchase, acquire or hold the stocks, bonds or other securities of any railroad corporation organized under the laws of this state or of any other state or territory, with full power to sell the same; *provided*, that nothing herein shall authorize any corporation to purchase the franchises, rights and property of any railroad operated in competition with it; and *provided*, that nothing herein will authorize any corporation to purchase the stock of any railroad corporation operated in competition with it".

The roll was called, and Senate amendment to Assembly Bill No. 103 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Cary, Clark, Wm. C., Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Ryan, Schmitt, Scott, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 513?"

AMENDMENT No. 1.

On page 1 of the printed bill, strike out from line 3 of the title the words "giving away".

AMENDMENT No. 2.

On page 1 of the printed bill, strike out all after the word "sells," in line 6, to and including the word "therefor," at the end of line 9.

Also: After the comma at the end of line 9 insert the following words: "except in cases of adoption".

Also: In lines 3 and 4 of title, strike out the words "relinquishing or disposing".

Also: Strike out of line 10, Section 1, the words "except in cases of adoption".

The roll was called, and Senate amendments to Assembly Bill No. 513 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 963?"

On page 3, line 23, strike out the word "two" and insert in lieu thereof the following: "five".

The roll was called, and Senate amendment to Assembly Bill No. 963 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McDonald, Moorhouse, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Also: Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

Also: Assembly Bill No. 1364—An Act to amend Section 4251 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

And respectfully requests your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate Amendment to Assembly Bill No. 1235?"

On page 1, line 1, strike out the word "thirty-seven" and insert in lieu thereof the following: "forty-three".

The roll was called, and Senate amendment to Assembly Bill No. 1235 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Cary, Clark, Wm. C.; Clarke, Geo. A.; Cram, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Shartel, Shearer, Strine, Sutherland, Wall, Weisel, Weldon, White, Woodley and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1635?"

AMENDMENT No. 1.

On page 2, line 25, strike out the word "two" after the word "within" and before the word "days", and insert in lieu thereof the word "ten".

AMENDMENT No. 2.

On page 3, line 27, strike out the words "and, provided, that", and strike out all the words in line 28 of said page and all the words in line 29 of said page to the word "and".

AMENDMENT No. 3.

On page 3, lines 35, 36 and 37, after the word "signed", strike out the words "by a majority of property owners in said district, which said property in the aggregate amounts", and insert in lieu thereof the following: "by the owners of property situate within said district amounting in the aggregate".

AMENDMENT No. 4.

On page 4, lines 15, 16, 17 and 18, strike out all the words after the word "day" in line 15, down to the word "for", in line 18.

The roll was called, and Senate amendments to Assembly Bill No. 1635 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Strine, Sutherland, Walsh, Weisel, Woodley, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1364?"

On page 3, line 12, strike out the words "three thousand six hundred" and insert in lieu thereof the words "four thousand".

The roll was called, and Senate amendment to Assembly Bill No. 1364 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gates, Guill, Hayes, Hinkle, Kingsley, Libby, McDonald, Moorhouse, Mouser, Nelson, Polsey, Roberts, Shearer, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto to be known as Section 27.

Also: Assembly Bill No. 2022—An Act appropriating money to pay the claims of Vincent Bona against the State of California.

Also: Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2022?"

On page 1, lines 2 and 3, strike out the words "said amount to be drawn from the San Francisco Harbor Improvement Fund."

The roll was called, and Senate amendment to Assembly Bill No. 2022 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bohnett, Bowman, Clark, Wm. C., Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsey, Roberts, Ryan, Shartel, Simpson, Smith, Strine, Stuckenbruck, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—42.

NOES—Mr. Schmitt—1.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 8?"

Strike out all of Sections 2 and 3, and insert in lieu thereof the following:

"SEC. 2. All expenditures hereunder for labor, material, machinery, or any payment in whole or in part of any contract shall before being paid be audited by the state board of control as provided by law.

SEC. 3. None of the moneys hereby appropriated shall be available until the city of San Rafael shall have appropriated and deposited with the state treasurer the sum of forty thousand dollars, to be used for the purpose of and in the manner mentioned in this Act, which moneys the state treasurer is authorized to receive and place to the credit of the fund for the money hereby appropriated and all of said moneys shall then be available for the purposes mentioned in this Act.

SEC. 4. The state controller is hereby directed to draw his warrant on the state treasurer from time to time on the total of the moneys mentioned in this Act and the state treasurer is directed to pay the same."

The roll was called, and Senate amendment to Assembly Bill No. 8 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1318?"

On page 2, line 3, of the printed bill, strike out the semicolon after the word "permitted", and insert in lieu thereof a comma and strike out the rest of line 3 and all of lines 4, 5 and 6, and insert in lieu thereof the following: "and such tolerances, and exemptions as to small packages, shall also be permitted as may be established by rules and regulations made from time to time by the secretary of the United States department of agriculture."

The roll was called, and Senate amendment to Assembly Bill No. 1318 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Nolan, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Stuckenbruck, Walsh, Weldon, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1737—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done—have had the same under consideration, and respectfully report that Senate Bill No. 1737 is identical with Assembly Bill No. 2073.

MOORHOUSE, Chairman.

Senate Bill No. 1737 ordered on file for second reading.

Assembly Bill No. 2073 ordered withdrawn, and stricken from file.

AMENDMENT OF BILLS.

Assembly Bill No. 1053—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment

relating to requirements of colleges and applicants to practice medicine and surgery.

During third reading of the bill, Mr. Gelder moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 5, strike out the quotation marks.

Also: On page 5, line 8, strike out the possessive mark after the word "weeks."

Also: On page 6, line 34, before the word "is" insert the following: "As amended by a certain Act approved May 1, 1911,".

Also: On page 6, line 35, after the word "examiners," insert the word "shall."

Also: On page 1, line 7, after "1909," insert the following: "as amended by a certain Act approved May 1, 1911,".

Also: On page 3, line 20, after the semicolon following the word "applicant", in lines 19 and 20, strike out the balance of line 20, all of line 21 and (applicant;) in lines 21 and 22.

Also: On page 4, line 26, after the word "examiners", insert the following: "for a certificate to practice medicine and surgery".

Also: On page 4, line 27, after the word "the", insert the word "following" and strike out the quotation marks.

Also: On page 1, line 10, of the title, strike out the period, and insert in lieu thereof a comma; also, "and adding a new section thereto, to be numbered 6a".

Motion carried.

The Speaker appointed Mr. Gelder as such select committee..

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1053, with instructions, do now report that the instructions of the Assembly have been carried out.

GELDER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape, near every window more than twelve feet from the ground, in every building, edifice or structure in the State of California; providing for the enforcing of this Act; providing for an appropriation for the same covering state buildings and institutions, and providing penalties for the violation thereof.

During third reading of the bill, Mr. Bloodgood moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 1, line 4, after the comma following the word "description," insert the following: "in which persons lodge, work or assemble."

AMENDMENT No. 2.

On page 1, line 10, strike out the period after the word "be", and insert in lieu thereof a semicolon and add the following: "provided, that such windows as are herein mentioned are so situated as to be easily accessible for escape in case of fire."

AMENDMENT No. 3.

On page 2, line 18, strike out the word "trustees", and insert in lieu thereof the following: "board of trustees and board of education."

AMENDMENT No. 4.

On page 2, line 36, strike out all the words in Section 10 after the word "structure", and insert in lieu thereof the following: "as herein provided, who violates any of the provisions of this Act is guilty of a misdemeanor."

AMENDMENT No. 5.

On page 3, after line 6, add the following:

"SEC. 11. The provisions of this Act shall not apply to any building having a frame of steel or reinforced concrete, in which all of the structural parts are of

incombustible material and the walls are of brick, stone, or reinforced concrete, nor to residences of less than three stories in height, nor to jails, state prisons or insane asylums."

Motion carried.

The Speaker appointed Mr. Bloodgood as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1770, with instructions, do now report that the instructions of the Assembly have been carried out.

BLOODGOOD, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 2113—An Act to provide for one day's rest in seven for the employees of the State of California.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 9, after the comma following the word "dairies," insert the following: "or to persons governed by the Federal Act of March 4, 1907, entitled 'An Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.'"

Also: On page 1, line 11, strike out the word "fifty-four", and insert in lieu thereof the word "sixty".

Also: On page 1, line 18, strike out all of Section 3 down to and including the period in line 6, page 2.

Also: On page 2, line 7, strike out the figure "4" after the word "Sec.", and insert in lieu thereof the figure "3."

Also: On page 2, line 14, strike out the figure "5" after the word "Sec.", and insert in lieu thereof the figure "4."

Motion carried.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2113, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Constitutional Amendment No. 92—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 20 of Article V thereof, relating to the election of United States Senators.

During third reading of the constitutional amendment, the following amendment was submitted by the committee:

Strike out the last sentence, appearing in lines 10 to 14, both inclusive, to wit: "When a vacancy happens in the representation of the state in the United States senate, the governor shall make temporary appointment until the people fill the vacancy by election as the legislature may direct."

Amendment adopted.

Constitutional amendment ordered to reprint, re-engrossment and third reading.

Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines and prescribing a penalty for the violation thereof.

During third reading of the bill, Mr. Dower moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, strike out the figure "3", and insert in lieu thereof the figure "5".

Also: On page 1, line 5, insert after the word "each", the word "working".

Motion carried.

The Speaker appointed Mr. Dower as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1608, with instructions, do now report that the instructions of the Assembly have been carried out.

DOWER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

During third reading of the bill, Mr. Libby moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2 of the printed bill, after the period in line 14, add the following: "The court may confirm, change, modify, or set aside the report in whole or in part, and if necessary appoint new referees. When, after the final confirmation of the report of such survey and appraisal, it appears by evidence to the satisfaction of the court that an equitable partition of the whole property is impracticable, and a sale of the site of such city or town, or any portion thereof, will be for the best interests of the owners of the whole property, it must order a sale thereof; *provided*, that within sixty days thereafter any tenant in common, or tenants in common, having improvements erected on any town or city lot or subdivision included in such order of sale, shall have the prior right to purchase the same at such appraised valuation, and may pay into court the amount so appraised as the value thereof, and upon such payment the title shall vest in such purchaser or purchasers, and the court shall cause to be executed by such referees a deed for such lot or subdivision in fee and in severalty to such purchaser or purchasers; such further proceedings shall then be had as to the remainder of the property, and the money so paid to the court, as by this chapter provided. If, during the pendency of the action, any of the parties die, or become insane, or otherwise incompetent, the proceedings shall not for that cause be delayed or suspended, but the attorney who has appeared for such party may continue to represent such interest; and in case any such party has not appeared by an attorney, the court must appoint an attorney to represent the interest which was held by such party, until his heirs or legal representatives, or successors in interest, shall have appeared in the action; and an attorney so appointed must be allowed by the court a reasonable compensation for his services, which may be taxed as costs against the share or interest represented by such attorney, and may be adjudged a lien thereon in the discretion of the court."

Motion carried.

The Speaker appointed Mr. Libby as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1630, with instructions, do now report that the instructions of the Assembly have been carried out.

LIBBY, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

RE-REFERENCE OF BILLS.

On motion of Mr. McDonald, Senate Bill No. 466 and Assembly Bill No. 858 were re-referred to Committee on Engrossment and Enrollment for comparison.

On motion of Mr. Clark, Senate Bill No. 1290 and Assembly Bill No. 1580 were re-referred to committee on Engrossment and Enrollment for comparison.

On motion of Mr. Schmitt, Senate Bill No. 579 was recalled from the Committee on Public Health and Quarantine and re-referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 221.

On motion of Mr. Schmitt, Senate Bill No. 295 was recalled from the Committee on Public Health and Quarantine and re-referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 572.

RECONSIDERATION.

The question being upon the motion of Mr. Ambrose given on a previous day, that the vote whereby Senate Bill No. 513 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gates, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Palmer, Polsley, Roberts, Ryan, Scott, Shartel, Smith, Strine, Walsh, Weisel, White, Woodley, and Mr. Speaker—44.

NOES—Messrs. Murray, Schmitt, Shearer, Simpson, and Stuckenbruck—5.

Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

During consideration of the bill, Mr. Ambrose moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 5, strike out the period and insert in lieu thereof the following: “; *provided*, that the provisions of this section shall not apply to crates, coops, or cages in which are confined birds or fowls known as poultry while being transported from one place to another during a period not exceeding ten hours.”

Motion carried.

The Speaker appointed Mr. Ambrose as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 513, with instructions, do now report that the instructions of the Assembly have been carried out.

AMBROSE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

RECONSIDERATION.

The question being upon the motion of Mr. Ambrose given on a previous day, that the vote whereby Senate Bill No. 514 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Smith, Strine, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—51.

NOES—Messrs. McDonald and Polsley—2.

Senate Bill No. 514—An Act to amend Section 599e, of the Penal Code of the State of California, relating to old, diseased or disabled animals.

During consideration of the bill, Mr. Ambrose moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 3, strike out the comma after the word "unfit", and insert in lieu thereof the following: "and when there is no reasonable probability of such animal ever becoming fit."

Motion carried.

The Speaker appointed Mr. Ambrose as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 514, with instructions, do now report that the instructions of the Assembly have been carried out.

AMBROSE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 1, strike out the word "Section".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 9 of the printed bill, strike out the word "as" and insert in lieu thereof the word "when".

Amendment adopted.

AMENDMENT No. 2.

On page 1 of the printed bill, strike out everything from and inclusive of the word "in" in line 9, down to and inclusive of the word "session" in line 10.

Amendment adopted.

AMENDMENT No. 3.

On page 1 of the printed bill, strike out everything from and inclusive of the word "It" in line 14, down to and inclusive of the word "thereto", in line 17, and insert the following: "The responsibility of the State of California in the construction and maintenance of the bridge herein designated shall cease with the expenditure of the appropriation herein provided."

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 6, strike out all of lines 6, 7, 8, 9, and 10, and in lieu thereof insert the following: "rado river, at or near Needles, in the State of California, to the State of Arizona, to be expended under the direction of the secretary of the interior of the United States in the construction of a bridge when and as recommended by said secretary of the interior;"

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 15, strike out the word "in", and insert in lieu thereof the word "for".

Amendment adopted.

AMENDMENT No. 6.

On page 1, lines 19 and 20, strike out the words "pay the appropriation as herein provided", and insert in lieu thereof the following: "draw his warrant or warrants upon the state treasurer for the amount as hereinbefore provided, and the state treasurer is hereby directed to pay the same."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1465—An Act appropriating money to pay for the expense of improving American Street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Bill read second time.

Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Bill read second time.

Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Bill read second time.

Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Bill read second time.

Assembly Bill No. 1806—An Act appropriating moneys to the use of the Workman's Compensation Insurance Fund.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 1 of the title, strike out the word "workman's", and in lieu thereof insert the word "state".

Amendment adopted.

AMENDMENT No. 2.

On page 1, strike out all of lines 5 to 9, inclusive, and in lieu thereof insert the following: "accident commission in the manner authorized by law for the use of said fund.

SEC. 2. The state controller and the state treasurer are hereby authorized and directed to transfer said sum of one hundred thousand dollars from the general fund of the state to the 'state compensation insurance fund'."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The governor of California is hereby authorized and requested to appoint a commission consisting of five persons, citizens of this state, one of whom shall be a member of the state board of control, to investigate and consider the various systems of old-age insurance, old-age pensions or annuities, also mothers' pensions or mothers' compensations now in use in different counties of this or other states, and as may be proposed or as are now in operation in other states of this country or elsewhere abroad, and to make a full and complete report of its findings with all data so obtained, properly tabulated, to the legislature at its next regular session. Said commission shall report also statistics showing the probable expense to the state of various systems, or of any system that it may recommend for adoption, together with any bills of its own relating to this subject that may be deemed expedient.

"SEC. 2. There is hereby appropriated out of the general fund not otherwise appropriated, and the controller is herewith authorized and directed to issue his warrants for same from time to time, and the treasurer is likewise authorized and directed to pay the same on presentation of said warrants, the sum of three thousand dollars or any portion thereof as may, in the judgment of the commission, be required to complete its work under the provisions of this Act."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1609—An Act providing for the payment of actual expenses of the justice *pro tempore* of the District Courts of Appeal of the State of California.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2117—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims or liens arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims for lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises; to provide for the collection, and to direct the disposition of its proceeds." approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,'

approved March 20, 1905, and all amendments thereto and all Acts in conflict with this Act," approved April 7, 1911.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 689—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-fifth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, commencing in line 14, strike out all of Section 13 and insert in lieu thereof the following: justices of the peace in counties of this class shall receive the following monthly salaries, to be paid each month in the same manner, at the same time and out of the same funds as the county officers are paid, which shall be in full for all services rendered by them: In townships having a population of more than one thousand, fifty dollars per month; in townships having a population of more than five hundred and less than one thousand, twenty-five dollars per month; in townships having a population of less than five hundred, ten dollars per month. The board of supervisors of such counties shall furnish and supply to the justices of the peace of the various townships in such counties the codes of the state and amendments thereto, and all necessary stationery, legal blanks and forms for the proper conduct of business."

Amendment adopted.

AMENDMENT No. 2.

On page 2, commencing after the word "month," in line 23, strike out the remainder of the section and insert in lieu thereof the following: "in addition to that allowed by law, to be paid out of the same funds as the county officers are paid in addition to the compensation allowed by law."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 690—An Act to amend Section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 16, strike out the first word "are" after the word "fees", and insert in lieu thereof the word "as".

Amendment adopted.

AMENDMENT No. 2.

On page 2, strike out all of paragraph 13, and insert in lieu thereof the following: "Justices of the peace in counties of this class shall receive the following monthly salaries to be paid each month in the same manner, at the same time, and out of the same funds as the county officers are paid, which shall be in full for all services rendered by them: In townships having a population of more than one thousand, fifty dollars per month; in townships having a population of more than five hundred and less than one thousand, twenty-five dollars per month; in townships having a population of less than five hundred, ten dollars per month; *provided, however*, that the justice of the peace residing at the county seat shall in any event receive the amount of fifty dollars per month. The board of supervisors of such county shall furnish and supply to the justices of the peace of the various townships in such counties the codes of the state and amendments thereto and all necessary stationery, legal blanks and forms for the proper conduct of business."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 612—An Act to amend Section 4278 of the Political Code of the State of California, relating to the compensation of officers of counties of the forty-ninth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 13, strike out the word "registration" and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 13, strike out the words "in the several precincts."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 16, strike out the word "registration", and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 34, strike out the period following the word "county", and insert the words "and the sum of five dollars per day for each day's services on the board of education; said sum, together with the traveling expenses, to be allowed and paid the same as other county charges are allowed and paid."

Amendment adopted.

AMENDMENT No. 5.

On page 3, lines 1 and 2, strike out the words "justices of the peace, such fees as are now or may hereafter be allowed by law", and insert in lieu thereof the following: "justices of the peace in counties of this class shall receive the following monthly salaries to be paid each month in the same manner, at the same time and out of the same funds as the county officers are paid, which shall be in full for all services rendered by them; in townships having a population of more than one thousand, fifty dollars per month; in townships having a population of more than five hundred and less than one thousand, twenty-five dollars per month; in townships having a population of less than five hundred, ten dollars per month. The board of supervisors of such counties shall furnish and supply to the justices of the peace of the various townships in such counties the codes of the state and amendments thereto and all necessary stationery, legal blanks and forms for the proper conduct of business."

Amendment adopted.

AMENDMENT No. 6.

On page 3, commencing in line 31, strike out the word "county" and the remainder of the said paragraph extending to line 3, page 4, and insert in lieu thereof the following: "grand jurors and trial jurors in criminal cases shall be paid on warrants drawn by the county auditor, issued upon the order of the court, or judge thereof."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 15—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans, and half-orphans, and for the education of such persons and other worthy persons under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor: authorizing and empowering the maintenance of funds therefor in the county and state treasuries, to be derived from taxation and private benefaction, to be known as a "children's relief fund" and as a "scholarship fund"; making appropriations for a campaign to

secure private benefactions, and for the disposition of "transfer and collateral inheritance taxes" therefor, authorizing gifts, bequests and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the Superior Court and board of supervisors in relation to such persons and such funds.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, lines 8 and 9, of the title, strike out the words "from taxation and".

Amendment adopted.

AMENDMENT No. 2.

On page 1, lines 12 and 13, of the title, strike out the words "and for the disposition of 'transfer and collateral inheritance taxes' therefor,".

Amendment adopted.

AMENDMENT No. 3.

On page 2, strike out lines 2, 3, 4, 5, 6, 7 and 8.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1315—An Act to amend Section 1313 of the Civil Code of the State of California, relating to devises or bequests by will.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 962—An Act to amend Section 1494 of the Code of Civil Procedure of the State of California, relating to claims against the estates of decedents, and interest thereon.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1608—An Act to amend Section 1991 of the Code of Civil Procedure of the State of California, relating to contempt of court, committed by witnesses.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1610—An Act to amend Section 2031 of the Code of Civil Procedure of the State of California, relating to depositions of witnesses in civil actions and proceedings.

Bill read second time, and ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1649, 1806 and 1550.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 1649, 1806 and 1550 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 1649, 1806 and 1550, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 1407.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1407 considered.

Mr. Bohnett moved that the committee do now rise and report the bill back, and recommend that it do not pass.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1407, and do now report the same back, and recommend that it do not pass.

YOUNG, Chairman.

Bill ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 2051, 2052 and 2114.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the Chair.

Assembly Bills Nos. 2051, 2052 and 2114 considered.

Mr. Bohnett moved that the committee do now rise and report the bills back, without recommendation.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 2051, 2052 and 2114, and do now report the same back, without recommendation.

YOUNG, Chairman.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 1465.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1465 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1465, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill ordered to engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California, relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and creating a board for the purpose of preparing statement as to the effect and purpose of such questions, propositions and constitutional amendments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 451 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Mouser, Nelson, Nolan, Peairs, Polsley, Roberts, Shartel, Slater, Smith, Strine, Sutherland, Wall, Walsh, and Weisel—42.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1855 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Brown, Canepa, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Fish, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A.,

Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Palmer, Polsley, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Stuckenbruck, Wall, Walsh, Weldon, and Mr. Speaker—46.

NOES—Messrs. Bowman, Byrnes, Clarke, Geo. A., Collins, Ferguson, Mouser, Murray, Nelson, Nolan, Schmitt, and White—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a paragraph to Section 14 of Article XI thereof, relating to the creation, organization, duties and powers of a commission to be known as the fruit commission of the State of California.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 13 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, White, Woodley, and Mr. Speaker—56.

NOES—Messrs. Johnson, Geo. H., and Murray—2.

Assembly Constitutional Amendment No. 13 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 13.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered 14½ to Article XI thereof, relating to the creation, organization, duties and powers of a commission to be known as the fruit commission of the State of California.

Resolved by the Assembly, the Senate concurring, That the legislature of the State of California, at its fortieth regular session commencing on the sixth day of January, nineteen hundred and thirteen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State of California be amended by adding a new section numbered 14½ to Article XI as follows:

Section 14½. There is hereby created a fruit commission which shall consist of three members and be known as the fruit commission of the State of California. The commission shall be appointed by the governor from the state at large, for the term of office of four years; and all of said commissioners shall be qualified electors of this state. The legislature shall have the power by a two-thirds vote of all members elected to each house, to remove any one or more of said commissioners from office for dereliction of duty or corruption or incompetency. The legislature shall fix the salaries of the commissioners but said commission shall have the power to hire or appoint, at salaries to be fixed by said commissioners, such assistants, deputies and employees, as are found necessary to comply with this section. Said fruit commission shall have power to hold public hearings and after such public hearings, whether held before one or more commissioners, or the entire commission, said commission may fix or change standards of quality, of size, of color, of percentage of sugar, and of package, of all fruits, nuts and vegetables grown in this state and said commission shall prescribe the proper labels for designating such standards. Said commission shall have the power to inspect or provide for the inspection of all fruits, nuts and vegetables, and the packing thereof, and said commission may forbid the offering for sale or shipment of fruit, nuts or vegetables not conforming with standards fixed by it, and the legislature shall fix the penalties for violations of the orders of said commission. Said commission shall have the power to issue subpoenas and all necessary process and send for persons and papers; and the commission and each of the commissioners shall have the power to administer oaths, take testimony and punish for contempt in the same manner and to the same extent as courts of record. No vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission. The act of the majority of the commissioners when in session as a board shall be deemed to be the act of the commission; but any investigation, inquiry or hearing

which the commission has power to undertake or to hold may be undertaken or held by or before any commission designated for the purpose by the commission and every order made by a commissioner so designated pursuant to such inquiry, investigation or hearing, when approved or confirmed by the commission ordered filed in its office shall be deemed to be the order of the commission. No provision of this Constitution shall be construed as a limitation upon the authority of the legislature to confer upon the fruit commission additional powers of the same kind or different from those conferred herein which are not inconsistent with the powers conferred upon the fruit commission in this Constitution, and the authority of the legislature to confer such additional powers is expressly declared to be plenary and unlimited by any provision of this Constitution. Nothing in this section shall be taken as having any application to interstate commerce.

Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 313 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bowman, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Stuckenbruck, Tulloch, Walsh, Weldon, White, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION OF CONCURRENT RESOLUTION, ETC.

The following were introduced, and referred as indicated:

By Mr. Schmitt: Assembly Concurrent Resolution No. 37—Relative to adjournment *sine die*.

Read, and referred to Committee on Ways and Means.

Also: Assembly Constitutional Amendment No. 95—Relative to the qualifications of persons holding civil office of profit under the State.

Read, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 971—An Act to define and distinguish state highways and state roads and to designate names for certain state roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 878—An Act making an appropriation to pay the claim of Charles W. Hicks, for three years' service in Company C, Second Cavalry, Second Regiment, California

Volunteers, and providing for the payment therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2102—An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor;" approved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn in Tuolumne County and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway," which became a law under constitutional provision without the Governor's approval, March 12, 1901; providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley turnpike," to a point on the wagon road near the junction of Silver Creek near the east fork of Carson River, said highway to be named the Alpine-Inyo state highway; and making an appropriation therefor—which was re-referred to us from Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 46—An Act to establish a state training school for girls, to provide for the maintenance and management of the same, and to make an appropriation therefor.

Also: Senate Bill No. 592—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers; C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Captain, Corps of Engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Also: Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, at a state hospital, and to provide for the government and management thereof, and making an appropriation therefor.

Also: Senate Bill No. 1772—An Act appropriating money for the purchase of land for the Fresno State Normal School.

Also: Senate Bill No. 1365—An Act to amend Sections 655, 678 and 683 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties, prescribing the number and fixing the salaries of the members and employees thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 113—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 254—An Act to provide for the organization of the state produce exchange commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the state brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "state produce exchange fund," and providing for the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act—which was referred to us from the Committee on Agriculture, have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 1715—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's Department—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

HINKLE, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

McDONALD, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1500—An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary reasons—have had the same under consideration, and respectfully report the same back, with a committee substitute therefor, and recommend that the substitute be adopted.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2120—An Act to amend Section 105 of the Civil Code of the State of California, relating to wilful neglect.

Also: Assembly Bill No. 2066—An Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1076—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas, or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stable or tent tops and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Also: Senate Bill No. 1153—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having a population between two hundred fifty thousand and four hundred thousand.

Also: Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships between two hundred fifty thousand and four hundred thousand.

Also: Senate Bill No. 1157—An Act to amend Section 102 of the Code of Civil Procedure of California, relating to salary of justices, justices' clerks, assistant justices' clerks and deputy justices' clerks in townships having a population between two hundred fifty thousand and four hundred thousand.

Also: Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

I have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

RE-REFERENCE OF BILLS.

On motion of Mr. Clark, Committee Substitute for Assembly Bill No. 1500 was re-referred to Committee on Judiciary.

On motion of Mr. Gabbert, Senate Bill No. 1694 was recalled from the Committee on Roads and Highways and re-referred to Committee on Corporations.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 861—An Act to provide a reader for blind students in certain educational institutions and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 861 passed by the following vote:

AYES—Messrs. Benedict, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Emmons, Ferguson, Finnegan, Ford, Gates, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Pears, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1147 passed by the following vote:

AYES—Messrs. Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Dower, Emmons, Ferguson, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Walsh, Weldon, White, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 53—An Act appropriating money for the construction and equipment of new ward No. 25, at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 53 passed by the following vote:

AYES—Messrs. Beck, Benedict, Bowman, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Dower, Emmons, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Shannon, Shearer, Slater, Strine, Stuckenbruck, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1741—An Act to provide for removing the obstruction in Pit River above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1741 passed by the following vote:

AYES—Messrs. Beck, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Emmons, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1580—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State, and making an appropriation to pay the cost and expenses of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1580 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Dower, Emmons, Gates, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1329—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1329 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Gates, Gelder, Green, Guiberson, Guill, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Smith, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as number two thousand nine hundred eighty-two *a*, providing for a sanitary engineer to the State Board of Health, and fixing his salary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 592 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Ford, Gelder, Green, Guiberson, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the State Hygienic Laboratory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 570 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Brown, Bush, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Ford, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shearer, Simpson, Smith, Strine, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 471 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Dower, Emmons, Finnegan, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Ryan, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—48.

NOES—Mr. Ferguson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredge for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 470 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Finnegan, Ford, Green, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—50.

NOES—Mr. Ferguson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At two o'clock and ten minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled "An Act creating a state commission on voting or balloting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting or ballot machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held

therein, and for ascertaining the result at such elections; and providing for the punishment of all violations of the provisions of this Act," approved March 20, 1903, as subsequently amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 815 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Bush, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gates, Green, Inman, Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Polsley, Richardson, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, White, Woodley, and Wyllie—45.

NOES—Mr. Palmer—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1599—An Act to amend Section 4287 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1599 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Bush, Canepa, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gates, Green, Guiberson, Guill, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Weldon, White, Woodley, and Wyllie—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 56—A resolution proposing to the people of the State of California, to amend Section 9 of Article I of the State Constitution, relative to curbing the one-sided power and unfair influences of special interests owning the press, newspapers, magazines or other periodicals of general circulation during political campaigns.

During the reading of the constitutional amendment, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the amendment as follows:

AMENDMENT No. 1.

On page 1, line 12, after the comma, insert the words "that any newspaper, paper, pamphlet, magazine or booklet of general circulation and of either daily, weekly or bi-weekly publication and whether published, issued or printed within this state or brought across its borders, is hereby declared to have devoted its property to a public use and has granted to the public such interest in its use that it must submit to be controlled by the public for the common good of all the people to the extent that it has thus created in the public in its private property; and be it further provided".

AMENDMENT No. 2.

On page 3, after the period, insert the following: "Nothing in this section, however, shall prevent the accepting, at the usual and customary rates for such matters, of political notices or advertisements from any candidate, or the proponents or opponents of a bill or measure that is up for consideration as herein above described, providing nothing of a derogatory nature applicable to any candidate or measure, and that such said notices or advertisements are distinctly labeled in bold full-faced type "paid advertisement."

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 56, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendments adopted.

Assembly Constitutional Amendment No. 56 ordered to reprint, re-engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California, amending Sections 17 and 19 of Article V of the Constitution of the State of California, relating to the state executive officers, the salaries thereof and the formation of the Governor's cabinet.

During the reading of the constitutional amendment, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the amendment as follows:

AMENDMENT No. 1.

On page 2, line 36, strike out the word "that", and insert in lieu thereof the following: "or any interest or set of interests of any nature or character whatsoever of whom it".

AMENDMENT No. 2.

On page 2, line 36, strike out the words "as wanting or endeavoring", and insert in lieu thereof the following: "and proven by substantial corroborative evidence that has the formal approval and legal sanction of any superior court judge of the county wherein the proceedings are held or in which the candidate for such said executive appointment resides and to the effect that the said candidate for such appointive office has endeavored".

AMENDMENT No. 3.

On page 2, line 37, after the word "obtain" insert the words "or did obtain".

AMENDMENT No. 4.

On pages 2 and 3, line 37 and line 1, strike out the words "their said interests", and insert in lieu thereof the following: "or in any way being beneficial to the said interests or corporations".

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 58, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendments adopted.

Assembly Constitutional Amendment No. 58 ordered to reprint, re-engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California, an amendment to Section 23 of Article IV of the Constitution of the State of California, relative to the compensation of members of the Legislature.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 22 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons,

Farwell, Ferguson, Ford, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—59.

NOES—None.

Assembly Constitutional Amendment No. 22 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 22.

A resolution to propose to the people of the State of California, an amendment to Section 23 of Article IV, of the Constitution of the State of California, relative to the compensation of members of the legislature.

The legislature of the State of California, at its regular session, commencing the sixth day of January, 1913, two thirds of the members elected to each of the two houses of said legislature, voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California:

Section 23. The members of the legislature shall receive for their services, the sum of two thousand dollars each for each regular session, to be paid at such times during the session as may be provided by law, and the sum of ten dollars each, for each day while in attendance at a special or extraordinary session, for a number of days not exceeding thirty; and mileage to be fixed by law, all paid out of the state treasury; such mileage shall not exceed ten cents per mile; and each member shall be allowed contingent expenses not exceeding twenty-five dollars per member for each regular biennial session. The legislature may also provide for additional help; but in no case shall the total expense for officers, employees, and attachés exceed the sum of five hundred dollars per day for either house, at any regular or biennial session, nor the sum of two hundred dollars per day for either house, at any special or extraordinary session, nor shall the pay of any officer, employee or attaché be increased after he is elected or appointed.

SPEAKER IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 1134—An Act to amend Section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1134 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Green, Guiberson, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding to Article XX a new section, to be numbered 17½, relating to the conditions of labor and welfare of employees.

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Roberts moved a call of the House.

Motion carried.

Time, two o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley, Wyllie, and Mr. Speaker—62.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Roberts.

The roll of absentees was called, and Assembly Constitutional Amendment No. 90 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Walsh, Weisel, White, and Mr. Speaker—59.

NOES—Messrs. Ford, Griffin, Guill, Johnson, Geo. H., Murray, Palmer, Schmitt, Shearer, Stuckenbruck, Tulloch, Wall, Weldon, and Wyllie—13.

Assembly Constitutional Amendment No. 90 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 90.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX a new section to be numbered 17½, relating to the conditions of labor and welfare of employees.

The legislature of the State of California, at its regular session commencing on the sixth day of January, 1913, two thirds of the members elected to each of the two houses of the said legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California by adding to Article XX thereof a new section to be numbered as 17½, to read as follows:

Sec. 17½. The legislature may, by appropriate legislation, provide for the establishment of a minimum wage for women and minors and may provide for the comfort, health, safety and general welfare of any and all employees. No provision of this Constitution shall be construed as a limitation upon the authority of the legislature to confer upon any commission now or hereafter created, such power and authority as the legislature may deem requisite to carry out the provisions of this section.

Assembly Bill No. 468—An Act for the protection of railroad employees and other persons, and providing for the placing of safety blocks in all frogs and guard rails used in the operation of railroads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 468 passed by the following vote:

AYES—Messrs. Beck, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Ferguson, Finnegan, Ford, Green, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Schmitt, Shannon, Shartel, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Woodley—46.

NOES—Messrs. Cary, Clark, Wm. C., Farwell, Gabbert, Guiberson, Murray, and Mr. Speaker—7.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Schmitt gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 468 was this day passed.

Assembly Bill No. 1659—An Act to amend Section 10 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the appointment of probation officer and his assistants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1659 passed by the following vote:

AYES—Messrs. Beck, Bohnett, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Green, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—Mr. Ferguson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California.

Bill read second time.

Senate Bill No. 1536—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Bill read second time.

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of

such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the industrial accident commission; by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization; define its powers and duties and provide for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Bill read second time.

Senate Bill No. 532—An Act to amend Section 3804 of the Political Code, relating to taxes erroneously collected.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 533—An Act to amend Section 3819 of the Political Code, relating to payment of taxes under protest.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons.

During second reading of the bill, the following amendment was submitted by the committee:

Add a new paragraph on page 2 of the printed bill as follows:

"Whenever a county or city and county shall establish and maintain a psychopathic ward or wards with a capacity of not less than thirty patients at a hospital conducted by said county or city and county for the care and treatment of the acute and curable insane and for the observation of such persons charged with insanity as may be sent there for a final determination of their mental condition by the examining judge, the state commission in lunacy shall have power to assign a physician from a state hospital for service therein as resident physician. Said resident physician shall have the power of appointment and discharge of all nurses and other employees, and the salary of said physician and the wages of nurses and employees, shall be a charge against the state. The said resident physician shall receive and care for such persons who after an affidavit of insanity may be ordered by the examining superior judge to his care, and may receive voluntary patients with the consent of the examiners in lunacy. The resident physician must in his conduct of the hospital be guided by the duties of the medical superintendents as prescribed in the lunacy law with the exception that he is not obliged to make estimates for supplies to the commission, and he does not have the power of discharge of patients without approval of superior judge and examiners in lunacy or direction of the state commission in lunacy. Persons under arrest on a charge of insanity may by the examining judge of the superior court of the county or city maintaining the hospital be ordered cared for in said psychopathic wards for a period not to exceed six months. The county or city and county maintaining the wards for psychopathic purposes shall provide for their ordinary up-keep, including light, heat, water, and for the ordinary diet, and shall permit the use of its various facilities for treatment, including hydrotherapy. Payment for the care, support and maintenance of persons under treatment in said psychopathic wards must be made where there is ability on the part of the persons liable therefor, as prescribed by the lunacy law, to the city or county maintaining said wards. The rate of payment to be in accordance with the provisions of the lunacy law and to be governed by Section 2180 of the Political Code.

The sum of twenty thousand (\$20,000.00) dollars, or so much thereof as may be necessary is hereby appropriated out of any money not otherwise appropriated, to be used in accordance with law, as follows: not more than eighteen thousand (\$18,000.00) dollars thereof shall be expended for salaries and wages, and not more than two thousand (\$2,000.00) dollars for special drugs, food and instruments."

Amendment adopted.

Bill read second time.

Senate Bill No. 540—An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code, to be numbered 3612.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 191—An Act providing that the State Board of Equalization shall determine the net loss in county revenue sustained by any county of the State by the withdrawal of railroad property from county taxation, in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, and providing for the payment of such loss by the State, when no objection is made to the amount thereof, and making an appropriation for the payment of such loss and to authorize any county in the State which claims to have sustained any such net loss in county revenue, and which said county has objected to the amount of such net loss as determined by the State Board of Equalization, to commence suit against the State of California for the recovery of such loss, prosecute such suit to final judgment, regulating the procedure to be followed in such suits, the time within which such suits must be commenced, and providing for the payment of any judgment recovered in such suits, and repealing an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1309—An Act to amend Section 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 2, of the title, after the word "section", insert "seven and".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 18, after the word "expenses", insert the following:

Sec. 2. Section seven of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, is hereby amended, to read as follows:

Section 7. Each applicant on making application shall pay to the secretary of the board a fee of twenty-five dollars, which shall be paid to the treasurer of the board by said secretary. In case the applicant's credentials are insufficient, or in case he does not desire to take the examination, the sum of ten dollars will be retained, the remainder of the fee being returnable on application. Said board shall accept and register on the payment of a fee of fifty dollars and without an examination of the applicant, issue a certificate as in this Act provided, to any person holding a license which shall have been issued to him or her by the medical or osteopathic examining boards of the District of Columbia, or any state or territory of the United States; *provided, however*, that the legal requirements of said medical examining boards, and the applicant's preliminary and medical educational qualifications shall have been at the time of issuing such license or certificate, in no degree or particular less than those required by the laws of this state; *provided, further*, that said board

shall accept and register on the payment of a fee of fifty dollars and without examination of the applicant, issue a certificate as in this Act provided, to any person holding a diploma from any reputable medical or osteopathic college recognized by the medical examining board of this state.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1410—An Act dissolving Reclamation District No. 742, and providing for its liquidation and the payment of all outstanding indebtedness.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 379—An Act to amend Section 858 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Bill read second time, and ordered on file for third reading.

Senate Bill No. 681—An Act to create a "State Bureau of Criminal Identification and Investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, terms of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, directors, clerks and stenographers; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Bill read second time.

Senate Bill No. 739—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 1084—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in the year 1915.

Bill read second time.

Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "for printing, binding, ruling and all other work performed and materials furnished by the State Printing Office, to be used for the compiling and publication of Blue Book (exempt from Section 4 of this Act), ten thousand dollars," available for the distribution of said Blue Book.

Bill read second time.

Senate Bill No. 538—An Act to amend Section 204 of the Code of Civil Procedure of the State of California, relating to the qualifications, competency and exemptions and of the selecting and referring of jurors for courts of record.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1732—An Act to amend Section 752 of the Political Code, relating to the fees to be collected by the clerk of the Superior Court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1497—An Act to amend Section 1095 of the Code of Civil Procedure of the State of California, relating to the recovery of damages and awarding of costs in mandate proceedings, and said section as hereby amended providing for the recovery of damages and the awarding of costs against the state, counties and municipal corporations in certain cases.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

On page 1, line 5, at the beginning of the line and before the word "of", insert the following: "to the clerk of the superior court".

Amendment adopted.

AMENDMENT NO. 2.

On page 1, line 11, after the semicolon following the word "filed", insert the following: "and the clerk of the superior court must forthwith notify the justice or judge by United States mail, with postage thereon prepaid, that the said fees upon appeal have been paid to him and keep a record of the same;".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3787, 3897 and 3898 of the Political Code of the State of California, and to add to said Political Code two new sections, to be numbered 3773 and 3785b, all relating to property sold to the State for delinquent taxes, and providing for its disposal by sale and redemption.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3158, relating to the procedure to be observed by carriers, commission merchants, inn-keepers and warehousemen in the sale of unclaimed property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 365—An Act to amend Section 974 of the Code of Civil Procedure of the State of California, and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 368—An Act to repeal Section 980 of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1465—An Act to amend Section 1380 of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 541—An Act to amend Section 4187 of the Political Code of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1713—An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings, into portions of the State not infected; to control the spread of such diseases after introduction; and authorizing the State Board of Health to make rules and regulations therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1008—An Act to regulate repayment of employees' advances; and providing penalties for the violation of its provisions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1034—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1308—An Act to amend Sections 1, 3, 8, 20 and 21 of an Act approved March 23, 1901, and entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California,' approved March 12, 1885"; to repeal Sections 13 and 24 of said Act; also to amend Sections 10, 12, 14 and 19 of said Act as amended by an Act approved March 20, 1903; also to amend Section 21½ of said Act as added thereto, by said Act approved March 20, 1903; and also to amend Section 15 of said Act of March 23, 1901, as amended by an Act approved March 6, 1907; all relating to the

Board of Dental Examiners of California and the regulation of the practice of dentistry in the State of California, approved April 6, 1909.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 19, after the word "state", insert the following: "In case any applicant is refused a license by reason of failure to pass the required examination with a general average of not less than seventy-five per cent, said applicant shall be entitled to another examination at the next regular meeting of the board, without payment of any additional fee; *provided*, applicants who have failed to make the necessary percentage on the first examination shall only be required at the next regular meeting to take a re-examination upon the subject in which he or she has failed; *provided, further*, said board shall endorse as satisfactory, and in lieu of examination, diplomas from any reputable dental college recognized by the National Association of Dental Faculties, upon the holder furnishing satisfactory proof to the board of his or her right to the same, and said board shall issue a license to practice dentistry within the State of California to the holder thereof; *and, provided, further*, that said board shall grant a license without examination to any dentist who shall possess and produce before said board a certificate of registration in dentistry from a sovereign state of the United States, or the District of Columbia, giving said dentist the right to practice dentistry within that sovereign state of the United States, or the District of Columbia, and granted at least five years prior to the date of his application to this board for such license, and who shall furnish satisfactory proof to this board that he or she has been in the legal practice of dentistry for a period of at least five years prior to his or her application to this board for such license; *and provided, further*, that in every case where the application is made for the issuance of a license without examination, the fee of twenty-five dollars must accompany the application; *and provided, further*, that in no case shall any applicant be examined or given a license who is not twenty-one years of age."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 478—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey Custom House and grounds.

Bill read second time.

Senate Bill No. 22—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Bill read second time.

Senate Bill No. 209—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Bill read second time.

Senate Bill No. 638—An Act making an appropriation to pay the claim of the directors of the State Board of Agriculture against the State of California.

Bill read second time.

Senate Bill No. 1249—An Act to make an appropriation for maintenance of the state road from Meyers Station to McKinneys.

Bill read second time.

Senate Bill No. 1331—An Act to appropriate the sum of \$50.02 to pay the claims of the State Board of Health.

Bill read second time.

Senate Bill No. 1515—An Act to appropriate the sum of \$358.50 to pay the claims of the State Board of Health.

Bill read second time.

Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets,

fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Bill read second time.

Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 374, 1536, 905, 681, 1750, 739, 1084, 1722, 478, 22, 209, 638, 1249, 1331, 1515, and 1343.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 374, 1536, 905, 681, 1750, 739, 1084, 1722, 478, 22, 209, 638, 1249, 1331, 1515, and 1343 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 374, 1536, 905, 681, 1750, 739, 1084, 1722, 478, 22, 209, 638, 1249, 1331, 1515 and 1343, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bill No. 206.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bill No. 206 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 206, and do now report the same back, and recommend that it do pass as amended.

YOUNG, Chairman.

Bill ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 489—An Act to amend Section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gelder, Green, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nolan, Palmer, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Weldon, White, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Gelder, Green, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Mouser, Murray, Nolan, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Slater, Tulloch, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 170—An Act to make an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 170 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Green, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Mouser, Murray, Nolan, Schmitt, Scott, Shannon, Shartel, Slater, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 271—An Act appropriating \$19,000 therefor and authorizing and directing the construction and furnishing of a nursery for males, at the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 271 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ford, Gabbert, Green, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Moorhouse, Mouser, Murray, Nolan, Schmitt, Scott, Shannon, Shartel, Slater, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 270—An Act appropriating \$5,000 therefor, and authorizing and directing the construction and furnishing of a dormitory for the female employees of the Sonoma State Home, at Eldridge, Sonoma County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 270 finally passed by the following vote.

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Green, Guill, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nolan, Roberts, Schmitt, Scott, Shannon, Shartel, Slater, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 267—An Act appropriating \$10,000 to develop and increase the water supply and to extend the water system of the Sonoma State Home, at Eldridge, Sonoma County, California, and authorizing and directing the work and improvement to be done.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 267 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nolan, Roberts, Schmitt, Scott, Shannon, Slater, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 106—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 106 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gab-

bert, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nolan, Roberts, Schmitt, Scott, Shannon, Slater, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1761—An Act making an appropriation to pay for linotype machines and equipment for the State Printing Office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1761 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Canepa, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nolan, Roberts, Schmitt, Scott, Shannon, Slater, Strine, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1728—An Act to provide for the completion of the armory and state arsenal for the National Guard at Sacramento, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1728 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Libby, McDonald, Moorhouse, Mouser, Murray, Nolan, Roberts, Schmitt, Scott, Shannon, Slater, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1705—An Act providing for the purchase and the proper marking and improvement of the site of the discovery of gold on the banks of the American River, in Coloma, El Dorado County, California; creating the "Gold Discovery Landmark Commission" and making an appropriation to carry out the purposes of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1705 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nolan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 347—An Act appropriating money for the purchase and installation of fire escapes at the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 347 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nolan, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1563—An Act to provide for the purchase of lands for a state rifle range for the use of the National Guard at or near the city of Sacramento, and appointing a commission to make such purchase and appropriating \$7,500 therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1563 finally passed by the following vote:

AYES—Messrs. Beck, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Kuck, Libby, McDonald, Mouser, Murray, Nolan, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS.

On motion of Mr. Bagby, Senate Bills Nos. 187 and 189 were re-referred to Committee on Ways and Means.

On motion of Mr. Cram, Senate Bills Nos. 193, 194, 195, and 196 were re-referred to Committee on Ways and Means.

Senate Bill No. 61—An Act appropriating money for the purchase of manual training furniture and equipment at San Jose State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 61 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nolan, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weldon, White, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 509—An Act to provide state aid for blind pupils in certain institutions, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 509 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 868 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Polsley, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1662 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Brown, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1661—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1661 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Brown, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Sutherland, Tulloch, Walsh, Weldon, White, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1124—An Act to amend Section 4253 of the Political Code of the State of California, relating to salaries of county officers in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1124 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Brown, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, White, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1013—An Act appropriating the sum of \$10,000 to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of \$5,000 therefor," approved April 5, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1013 finally passed by the following vote:

AYES—Messrs. Beck, Benedict, Bowman, Brown, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Tulloch, Weisel, White, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1113—An Act appropriating the sum of ten thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organiza-

tion, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

WITHDRAWAL OF BILL.

Mr. Slater asked for and was granted unanimous consent to withdraw Assembly Bill No. 1113.

Bill withdrawn, and ordered stricken from the file.

Senate Bill No. 481—An Act appropriating money for the purchase of live stock at Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 481 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Bohnett, Bowman, Brown, Cram, Dower, Ellis, Emmons, Finnegan, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, White, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 151—An Act to appropriate the sum of \$11,433.82 out of the general fund in the state treasury, to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 151 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, White, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 199—An Act appropriating money for repairing the old manual training building, the old training school building and the old domestic science building at San Jose Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 199 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Schmitt, Shannon, Slater, Strine, Stuckenbruck, Weisel, White, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 226—An Act appropriating money for furnishing, equipping and providing with suitable fixtures the new building at the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 226 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Polsley, Roberts, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Weisel, Weldon, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1727—An Act to provide for the completion of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1727 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Cary, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Schmitt, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weldon, White, Woodley, and Mr. Speaker—50.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1252—An Act reappropriating \$964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire, in September, 1912.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1252 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bradford, Brown, Bush, Cary, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Richardson, Roberts, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—51.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 482—An Act appropriating money for the construction of farm buildings at Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 482 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Schmitt, Shannon, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 484—An Act appropriating money for the construction of cell buildings at the State Prison at Folsom and for construction of a wall around said prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 484 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Cary, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guiberson, Hinkle, Johnston, T. D., Johnstone, W. A., Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Ryan, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 406—An Act to reimburse the directors of the State Agricultural Society for money advanced to meet the deficiency in the funds of the State Agricultural Society during the sixty-third and sixty-fourth fiscal years and for the maintenance of the State Fair grounds during said fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 406 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Schmitt, Shannon, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 405—An Act providing for the construction of additional livestock barns and sheds and poultry building on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bill No. 405.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bill No. 405 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill, as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 405, and do now report the same back, and recommend that it do pass as amended.

YOUNG, Chairman.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 405 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Polsley, Richardson, Schmitt, Shannon, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1218—An Act to amend an Act entitled “An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans for reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examination for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers,” approved December 24, 1911, also creating a drainage district to be known as Sacramento Drainage District, providing for the management and control of said district and the making of assessments and issuing of bonds therein, also defining the powers of certain reclamation, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer; also making said bonds receivable as investments of or security for public money and trust funds and by banks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1218 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gab-

bert, Gates, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nolan, Polsley, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1222—An Act to amend Section 4257 of the Political Code, relating to salaries and fees of officers of counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1222 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Roberts, Schmitt, Shannon, Smith, Strine, Sutherland, Tulloch, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 450—An Act making an appropriation to pay the claim of United States Mortgage and Trust Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 450 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Shannon, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 396—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory upon a site to be donated or given to the State of California in the city of Oakland, for the use of the National Guard of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 396 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 32—An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a state superintendent of weights and measures, and his deputy sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this Act into effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Schmitt, Simpson, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 727—An Act to amend Section 3700 of the Political Code of the State of California, relating to salaries of the members of the State Board of Equalization and the secretary thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 727 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Ryan, Shannon, Simpson, Slater, Smith, Sutherland, Walsh, Weisel, White, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 184—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 184 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guiberson, Guill, Hinkle, Inman, Killingsworth, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Shannon, Simpson, Slater, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 160—An Act to prevent the introduction, and to provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 160 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shearer, Simpson, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1588—An Act making an appropriation of \$25,000 for purchasing machinery and equipment for the State Printing Office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1588 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shearer, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1754—An Act appropriating money for the support and maintenance of the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1754 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shearer, Slater, Smith, Strine, Sutherland, Wall, Weisel, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico, and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 602 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Strine, Sutherland, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 341 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Ryan, Shannon, Shearer, Simpson, Slater, Strine, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 904—An Act to establish the Yolo and Lake highway; to define its course; to provide for its survey and construction, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 904 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Strine, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 621—An Act making an appropriation to pay the claim of Duane Bliss against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 621 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Guiberson, Guill, Hinkle, Inman, Johnstone, T. D., McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Shannon, Shearer, Simpson, Slater, Sutherland, Wall, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 116—An Act appropriating money for the purchase of a dairy herd at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 116 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Richardson, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Wall, Walsh, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 115—An Act appropriating money for the purchase of additional land for Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 115 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Smith, Sutherland, Wall, Walsh, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 114—An Act appropriating money for the construction and equipment of new ward numbered twenty-five at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 114 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Inman, Killingsworth, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Richardson, Ryan, Schmitt, Shannon, Shartel, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1689—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General and defining its use and the liability therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1689 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 112—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

On request of Mr. Stuckenbruck, the above Senate bill was re-referred to Committee on Ways and Means.

Senate Bill No. 110—An Act appropriating money for the purchase and installation of an elevator for the female building at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 110 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Killingsworth, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 109—An Act appropriating money for reflooring main buildings at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 109 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Slater, Strine, Stuckenbruck, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1755—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1755 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Schmitt, Shearer, Simpson, Strine, Stuckenbruck, Wall, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1290—An Act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1290 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Kuck, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 312—An Act to amend Section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 312 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Guill, Hinkle, Inman, Johnson, Geo. H., Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weldon, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT.

The Speaker announced the appointment of Messrs. Johnson, Shannon and Gates a Committee on Conference on Senate Bill No. 1397, to meet with a like committee to be appointed by the Senate.

RE-REFERENCE OF BILLS.

On motion of Mr. Bohnett, Senate Bill No. 995 was re-referred to Committee on Ways and Means.

On motion of Mr. Weisel, Senate Bill No. 380 was recalled from the Committee on Municipal Corporations and referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1418.

On motion of Mr. Hinkle, Assembly Bill No. 1828 was withdrawn and ordered stricken from the file.

On motion of Mr. Bohnett, Senate Bill No. 1457 was recalled from the Committee on Public Health and Quarantine and referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1805.

NOTICE OF MOTION TO RECONSIDER.

Mr. Hinkle gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1252 was this day passed.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Gabbert:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF ASSEMBLY CONCURRENT RESOLUTION.

The following Assembly concurrent resolution was introduced, and referred as indicated:

By Mr. Benedict: Assembly Concurrent Resolution No. 38—Relative to a juvenile court inquiry committee.

Read, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Assembly Concurrent Resolution No. 36—Relative to granting to the Governor, Lieutenant Governor and members of the Senate and Assembly of the fortieth session of the Legislature of the State of California the privilege to absent themselves from the State for a period of more than sixty days—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BROWN, Chairman.

Assembly Concurrent Resolution No. 36 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 466—An Act to regulate the hours of employment and safe-

guard the health of females employed in any mill, factory, manufacturing, or mechanical establishment or workshop, laundry, bakery, printing, clothing, dressmaking or millinery establishment, mercantile, establishment, store, hotel, apartment house, public lodging house, hospital, restaurant, office, or where any goods or tickets are sold or distributed, or by any express or transportation company, or in the transmission or distribution of telegraph or telephone messages or merchandise—have had the same under consideration, and respectfully report that Senate Bill No. 466 is identical with Assembly Bill No. 858.

MOORHOUSE, Chairman.

Senate Bill No. 466 read second time, and ordered on file for third reading.

Assembly Bill No. 858 ordered withdrawn, and stricken from the file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 295—An Act to amend Section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health—have had the same under consideration, and respectfully report that Senate Bill No. 295 is identical with Assembly Bill No. 572.

MOORHOUSE, Chairman.

Senate Bill No. 295 read second time, and ordered on file for third reading.

Assembly Bill No. 572 ordered withdrawn, and stricken from the file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases—have had the same under consideration, and respectfully report that Senate Bill No. 579 is not identical with Assembly Bill No. 221.

MOORHOUSE, Chairman.

Senate Bill No. 579 referred to Committee on Public Health and Quarantine.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3a—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be not adopted as amended.

CLARK, Chairman.

The above reported Senate constitutional amendment ordered on file for consideration.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 809—An Act to amend Section 737 of the Political Code of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fiftieth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 675—An Act in relation to prostitution and to persons cohabitating, dwelling or residing with prostitutes; to define and prohibit the same; to provide for punishment therefor and for the competency of certain evidence at the trial therefor.

Also: Senate Bill No. 676—An Act in relation to prostitution and to persons concerned in the encouragement and promotion thereof, to define and prohibit the same, to provide for punishment therefor, to provide for the jurisdiction of persons offending against the provisions of this Act and for the competency of certain evidence at the trial therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

NELSON, Chairman.

The above reported bills ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 342—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

ELLIS, Chairman.

The above reported bill ordered on file for second reading and re-referred to Committee on Ways and Means.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 32—Relative to the use of Yerba Buena Island, in San Francisco Bay, as a union railway terminal, requesting and directing the State Board of Harbor Commissioners to promote the undertaking, and petitioning Congress to make the necessary cession therefor.

Also: Assembly Joint Resolution No. 33—Relating to acquisition of title under homestead law.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above reported joint resolutions ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 18—Memorializing the Congress of the United States

for favorable consideration of the request of the Legislature of the State of California, for investigations and surveys by the California Débris Commission under the provisions of an Act of Congress, approved March 1, 1893, to aid in the preparation and making of a report on a project for the relief from floods in the San Joaquin Valley and the delta of the Sacramento and San Joaquin rivers and for improvements in aid of commerce and navigation.

Also: Senate Joint Resolution No. 19—Memorializing the Congress of the United States for favorable consideration of the project contained in the report of the California Débris Commission, relating to "control of floods in the river systems of the Sacramento Valley and the adjacent San Joaquin Valley, California."

Also: Senate Joint Resolution No. 34—Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the state to which it is consigned through the parcel post.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above reported joint resolutions ordered on file for adoption.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1123—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments and appurtenances, and necessary dredging and filling in connection therewith, in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds, and to provide for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan" shall be borne and paid by the State of California out of the general fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON LIBRARIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Libraries, to whom was referred Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2293, 2295, 2295a and 2300, by adding thereto two new sections, to be numbered 2295b and 2295c, and by repealing Sections 2303, 4201 and 4202 thereof; and to repeal an Act entitled "An Act to provide for the compilation, printing, binding, publishing and distribution of a legislative manual and State Blue Book, or roster, and repealing conflicting Acts," approved February 12, 1903—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CLARKE, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a

penalty for violation of the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FISH, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May, 5, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 455—An Act to amend Section 1532 of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Also: Senate Bill No. 458—An Act to amend Section 1858 of the Political Code, relating to the apportioning of school moneys by the county superintendent of schools.

Also: Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Also: Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Also: Senate Bill No. 907—An Act to amend Section 1668 of the Political Code of the State of California, relating to the care of schoolrooms, health of pupils and to proper exercise of pupils in the public schools.

Also: Senate Bill No. 1263—An Act to amend Section 1886 of the Political Code of the State of California, relating to the minimum rate of interest, and sale of school bonds.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WYLLIE, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520, 1521 and 1522 of the Political Code of the State of California, relating to the State Board of Education—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WYLLIE, Chairman.

Mr. Bohnett moved that Assembly Bill No. 836 be read the second time.

Motion carried.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the words "An Act", and insert in lieu thereof the following: To amend Sections 1517, 1518, 1519, 1520 and 1521 of the Political Code of the State of California, creating a state board of education, and prescribing its powers and duties; providing for the appointment of three assistant superintendents of public instruction and defining their duties; providing for the compensation of members of the state board of education and the assistant superintendents of public instruction; providing for the publication, compilation, manufacture and distribution of state school text-books; repealing Sections 1522, 1874 and 1874a of the Political Code of the State of California, relating to the traveling expenses of the members of the state board of education, to the publication and distribution of a system of text-books, the appointment of a secretary of the state text-book committee and his compensation; and repealing all other laws or Acts relating to the publication and distribution of state text-books in conflict with this Act.

The people of the State of California do enact as follows:

SECTION 1. Section 1517 of the Political Code is hereby amended to read as follows:

1517. There is hereby created a state board of education to consist of seven members, who shall be appointed by the governor and shall hold office for a term of four years: *provided*, that those members first appointed hereunder shall be appointed within thirty days after the taking effect of this Act. One shall be appointed to serve for a term of one year; two for a term of two years; two for a term of three years and two for a term of four years. Thereafter all appointments shall be for a

period of four years, except that the governor shall fill any vacancy by appointment for the unexpired term. No member of the state board shall, during his term of office, hold any salaried educational position.

SEC. 2. Section 1518 of the Political Code is hereby amended to read as follows:

1518. The superintendent of public instruction shall within thirty days after the appointment of the state board of education, as provided for in Section 1517 of the Political Code, call a meeting of such board in his office and said board shall organize by electing one of its members president. The superintendent of public instruction, unless the board otherwise choose, shall be secretary of the board. Such secretary shall have charge of all correspondence and keep a record of its proceedings. The superintendent of public instruction shall act as the executive officer of the state board of education. It shall be the duty of the state board of education to determine all questions of policy; it shall be the duty of the superintendent of public instruction to execute, under direction of the board, the policies which have been decided upon, and to direct under such general rules and regulations as the state board of education may adopt, the work of all assistant superintendents of public instruction, and such other appointees and employees of the board as may be provided by law. The board shall meet every three months at such time as it may by resolution determine, and special meetings may be called by the president. Upon the request of any two members in writing, the secretary shall call a special meeting. Notice of each meeting shall be given by the secretary by registered mail to each member of the board at least ten days prior to the time of any meeting, unless notice of such meeting is waived in writing by all members of the board. The concurrence of the majority of all the members of the state board shall be necessary to the validity of any of its acts. At the first meeting, following any change in the membership of the board, said board shall again organize in accordance with the above provision.

SEC. 3. Section 1519 of the Political Code is hereby amended to read as follows:

1519. The powers and duties of the state board of education shall be as follows:

First—To adopt rules and regulations not inconsistent with the laws of this state for its own government, for the government of its appointees and employees, for the government of the day and evening elementary schools, the day and evening secondary schools, the technical and vocational schools of the state and such other schools, excepting the University of California, as may receive in whole or in part financial support from the state. Such rules and regulations shall be published for distribution as soon as practicable after adoption.

Second—To issue subpoenas to compel the attendance of witnesses before the board, or any member thereof, in the same manner that any court in this state may; and whenever the testimony of any witness upon any matter pending before it is material, the president must cause the attendance of the witness before such board, or a member thereof, to testify concerning such matter, and the board may make a reasonable allowance therefor, not exceeding the fees of witnesses in civil cases, which must be paid for out of the appropriation for the contingent expenses of the board, but in no instance can an allowance be made in favor of a witness who appears in behalf of a claimant.

Third—To adopt and use, in authentication of their acts, an official seal.

Fourth—To appoint three assistant superintendents of public instruction, who shall not be subject to the provisions of any civil service law of the state, and who shall be known and designated as follows:

(a) One commissioner of elementary schools, who shall be experienced in teaching in and supervising elementary schools.

(b) One commissioner of secondary schools, who shall be experienced in teaching and who has been principal or supervisor of secondary schools.

(c) One commissioner of industrial and vocational education who has had experience as a supervisor of industrial or vocational education.

(d) The state board of education shall study the educational conditions and needs of the state; shall make plans for the improvement of the administration and efficiency of the public schools of the state; shall have power to conduct educational investigations and shall employ educational and business experts, within the limits of its appropriation therefor; shall annually require reports as to the activities of the superintendent of public instruction and the assistant superintendents, and such other employees as it may direct to report, for submission to the governor, and the same shall be printed for the information of the people of the state; shall submit biennially, to the legislature a budget covering the needed expenditure of the state department of education for the coming biennium, and such recommendations as to changes in laws or new educational legislation as may seem to it to be necessary.

Fifth—(a) To prescribe by general rule the credentials upon which persons may be granted certificates to teach in the high schools of this state. No credentials shall be prescribed or allowed, unless the same, in the judgment of said board, are the equivalent of a diploma of graduation from the University of California, and are satisfactory evidence that the holder thereof has taken an amount of pedagogy equivalent to the minimum amount of pedagogy prescribed by the state board of education of this state, and include a recommendation for a high school certificate from the faculty of the institution in which the pedagogical work shall have been taken.

(b) To consider the cases of individual applicants who have taught successfully for a period of not less than twenty school months, and who are not possessed of the credentials prescribed by the board under the provisions of this section. The said board, in its discretion, may issue to such applicants special credentials upon which they may be granted certificates to teach in the high schools of the state. In such special cases, the board may take cognizance of any adequate evidence of preparation which the applicants may present. The standard of qualification in such special cases shall not be lower than that represented by the other credentials named by the board under the provisions of this section.

(c) To grant life diplomas of four grades, valid throughout the state, as follows:

(1) High school: Authorizing the holder to teach in any primary or grammar or high school.

(2) Grammar school: Authorizing the holder to teach in any primary or grammar school.

(3) Kindergarten-primary: Authorizing the holder to teach in the kindergarten class of any primary school.

(4) Special: Authorizing the holder to teach in any school such special branches and in such grades as are named in such diploma.

(d) To issue, except as provided in sections fifteen hundred and three and seventeen hundred and seventy-five of this code, life diplomas only to such persons as have held for one year, and still hold, a valid county, or city and county, certificate, corresponding in grade to the grade of diploma applied for, and who shall furnish satisfactory evidence of having had a successful experience in teaching of at least forty-eight months. Not less than twenty-one months of said experience shall have been in the public schools of California. Every application must be accompanied to the state board of education by a certified copy of a resolution adopted by at least a three-fourths vote of all the members composing a county, or city and county, board of education, recommending that the diploma be granted, and also by an affidavit of the applicant, specifically setting forth the places in which, and the dates between which, said applicant has taught. The application for any credentials or diploma or document mentioned in this chapter must also be accompanied by a fee of two dollars, for the purpose of defraying the expense of issuing the credential, document or diploma.

(e) To revoke or suspend for immoral or unprofessional conduct, or for evident unfitness for teaching, life diplomas, documents issued under the provisions of sections fifteen hundred and three and seventeen hundred and seventy-five of this code, or credentials issued in accordance with subdivision two of this section; and to adopt such rules for said revocation as they may deem expedient or necessary.

(f) To have done by the state printer, or other officer having the management of the state printing, any printing required by it; *provided*, that all orders for printing shall first be approved by the state board of control.

(g) To designate some educational monthly journal as the official organ of the department of public instruction. The publishers of such journal shall, before the tenth day of each month, mail one copy of such journal to the clerk of every school district in the state and to the secretary of every board of education, and shall, on or before the tenth day of each month, file an affidavit with the superintendent of public instruction, showing that such copies have been so mailed for that month. Each clerk of a school district and each clerk of a board of education receiving a copy of such journal so mailed to him, shall place such copy in the school library of his district, before the end of the month in which such copy shall be so received. The county superintendent of schools of each county, or city and county, shall draw his requisition semiannually, in favor of the publishers of such school journal, for an amount equal to one half of the regular subscription price of such journal, not exceeding one dollar and twenty-five cents in any school year for each and every school district in his county, or city and county, and charge the same to the unapportioned county school fund; *provided*, that such requisition shall not be drawn until such county superintendent of schools shall have received from the superintendent of public instruction a certificate to the effect that the affidavits aforesaid have been duly filed in his office, showing the mailing of copies of such journal as above required, for the half year to be covered by such requisition.

Sixth—To compile in whole, or in part, and to manufacture such text-books as are now in use; to compile, or cause to be compiled, and manufacture such other additional text-books or books, as it may deem necessary or proper for use in the elementary schools of the state, as provided by section one thousand six hundred sixty-five of the Political Code; to purchase books when necessary, or lease plates, maps, engravings or copyright matter for use in manufacturing such text-books; contract for, or lease copyrights for use in compiling, printing or publishing such books; to provide for the payment of royalties or for the leasing of plates or making the whole or any part of a book, and to do any or all things that may be necessary for the purpose of procuring a uniform series of text-books for use in the elementary day and evening schools of the state.

Seventh—Whenever any plates, maps, or engravings of any publisher or author

are adopted for use, or whenever any books have been purchased, as hereinbefore provided, the state board of education shall enter into a contract for not less than four years nor more than eight years for the use of the same in the elementary day and evening schools of the state, and shall require a good and sufficient bond of the owner or owners of such books, plates, maps or engravings under a written guarantee that the same shall be kept revised and free from all errors and up to date as may be required by the state board of education.

Eighth—The state board of education may secure copyrights in the name of the people of the State of California, to any book that may be compiled. Whenever any one or more of the state text-books shall have been compiled or purchased, published and adopted, the superintendent of public instruction, on the order of the state board of education shall issue an order to all county, city, city and county school superintendents by sending notices by registered mail to said superintendents, who in turn shall notify the secretaries of all boards of education in the cities and the clerk of the board of school trustees and the teacher or principal in each school district, requiring the uniform use of such book, in the grades of the elementary day and evening schools for which they have been adopted, and when such order has thus been given and published, the same shall remain in force and effect for a term of not less than four nor more than eight years; *provided*, that such order for the uniform use of such book, shall not take effect until the beginning of the next fiscal year; namely, the first of July next following the issue of the order, or at such time thereafter as may be fixed by the state board of education; *provided*, that the book shall go into use at the beginning of a fiscal year.

When a book has been adopted, the state board of education shall enforce the uniform use of such book in the elementary day and evening schools for which said book has been adopted.

Ninth—Any teacher, or city, county, or city and county superintendent of schools or any board of education, that refuses or neglects to use said series of state text-books at the time required in this subdivision of this Act, shall be guilty of a misdemeanor, and upon proof thereof of such refusal or neglect, shall be subject to a fine not exceeding one hundred dollars for each offense; *provided*, that nothing herein contained shall in any way restrict the additional use of such books as are now provided in section one thousand seven hundred twelve of the Political Code.

Tenth—The superintendent of state printing shall have supervision of all of the mechanical work connected with the printing of such books as may be compiled and adopted, subject to the approval of the state board of education or such representative of the state board of education as may be appointed to supervise such work. The superintendent of state printing shall print and bind such books in lots of not less than five thousand and turn them over to the state board of education at the warehouse, and receive payment thereon on the approval of the items of said cost by the state board of education or the duly authorized agent of said board, and upon the approval of the bill by the board of control. He shall furnish one copy of a cost-finding report showing items of work and the materials and the exact cost of each item for each of said lot of books, to the state board of education and one copy to the board of control. The superintendent of state printing shall on the first day of each month furnish to the state board of education a detailed statement showing the name and number of books published by him during the preceding month, and the number then in course of publication.

Eleventh—On receiving a copy of the cost-finding report and estimated cost of the publishing of any book, the state board of education thereupon shall determine and fix the cost price of such books by adding to the cost of manufacture the contract price to be paid as royalty or for the use of plates, maps, or engravings of copyrighted matter, or for compiling such matter therein contained, and said price shall be deemed to be the whole cost of publication of such book at Sacramento. The state board of education may provide for the sale at not less than cost price of state text-books to private schools, individuals, or dealers under such rules and regulations as may be adopted by said board of education; *provided*, that such books be not sold by dealers for more than the cost price at Sacramento, plus the postage, packing and cartage on such books. Whenever a text-book is furnished to a pupil, it shall be plainly marked with the name and address of such pupil, who shall be responsible to the school for the care of such text-book. Only one copy of any text-book shall be issued to a pupil, and on completion of the work in such text-book, it shall become the property of the pupil.

Twelfth—All orders for text-books shall be forwarded to the superintendent of public instruction on blanks furnished by him. He shall investigate such orders and make necessary changes and forward the same to the person in charge of the warehouse and shipment of books with definite orders for shipment. He shall keep an accurate account of the amount of money received from the sale of text-books for each month and report to the controller on or before the fifth of the succeeding month, the number of books sold, or distributed, and the amount of money collected therefor, and shall pay such money into the treasury to the credit of the "School Text-book Fund." The amount fixed for royalty and costs of plates of copyright matter in favor of any company, or individual, shall be presented by the superintendent of public instruction to the state board of education for its approval. Said

claim shall be paid quarterly, in the same manner as other claims upon the state treasury, on the approval of the board of control.

Thirteenth—Upon closing a term of school, each teacher or principal shall prepare, upon requisition blanks furnished by the superintendent of public instruction, an order for the number of state text-books estimated to be required for use in the school under his charge at the opening of the ensuing term. Such order shall be a part of the annual report required by subdivision six of section one thousand six hundred ninety-six of the Political Code. The superintendent of schools shall in no case draw a requisition for the salary of any teacher for the last month of the school term until the order required by this subdivision has been filed and by him approved. Orders for additional books may be forwarded at any time on the approval of the county superintendent of schools.

In ordering free text-books, any teacher may order one copy of any series of books for use on the teacher's desk, if not supplied with such book, which copy shall be sent by the superintendent of public instruction free of cost with other school books.

Fourteenth—On receiving orders from the superintendent of public instruction for text-books the person in charge of the warehouse and shipment of books shall forward by freight, express or mail, as directed by the superintendent of public instruction, to the nearest freight depot, express or post office, in the name of the clerk of the school district or the city superintendent of schools in cities, the number of books called for in said order.

Fifteenth—The appropriation heretofore made, known as the "Text-Book Appropriation," shall be subject to the draft of the state board of education for necessary expenses incurred by it for office supplies, the hiring of expert assistants, and for other necessary expenses; *provided*, that all claims shall be presented to the board of control for its approval.

Sixteenth—All moneys that have been received or may hereafter be received from the sale of said series of state text-books to private schools or to dealers or persons or that may be appropriated by the legislature for publishing said series of state text-books, shall be kept by the state treasurer in a fund known as the "State School Book Fund." This fund shall be subject to the order of the state board of education for all expenses incurred by the superintendent of printing for all material, labor, and other expenses necessary for publishing state school text-books, and for all books purchased, for the cost of shipping free text-books, and for necessary employees in connection with such shipment as may be determined by the state board of education. All claims to be drawn, after being certified by the claimant and the items approved by the secretary of the state board of education shall be presented to the board of control for its approval, and upon the approval of said board of control, the state controller is hereby authorized and directed to draw his warrant on the state treasurer, who is hereby directed to pay the same.

SEC. 4. Section 1520 of the Political Code is hereby amended to read as follows: 1520. The commissioner of elementary schools shall visit the elementary day and evening schools of the several counties of the state, and investigate the course of study adopted in such schools. He shall enforce the use of the state text-books and shall report to the state board of education his findings, and shall make such recommendations to the state board of education as he may deem best, and shall perform such other duties as may be assigned by the superintendent of public instruction, under the direction of the state board of education.

The commissioner of secondary schools shall visit and investigate the secondary day and evening schools of the several counties of the state. He may recommend changes in the courses of study and shall investigate all contracts with text-book companies and see that they comply with the law, and shall perform such other duties as may be assigned by the superintendent of public instruction, under the direction of the state board of education.

The commissioner of industrial and vocational education shall visit all the schools receiving financial support, in whole or in part, from the state, in which industrial and vocational education is given or contemplated. He shall have power to recommend changes to the various boards governing such schools, and shall present the state board of education a report of the work in such schools, and shall perform such other duties as may be assigned by the superintendent of public instruction under the direction of the state board of education.

SEC. 5. Section 1521 of the Political Code is hereby amended to read as follows: 1521. *First*—The members of the state board of education shall receive as compensation fifteen dollars (\$15.00) per day when the board is in session. They shall receive their actual and necessary traveling expenses.

Second—Each assistant superintendent of public instruction provided for by Section 1519 of the Political Code shall receive a salary of four thousand dollars (\$4,000.00) per annum, payable at the same time and in the same manner as the salary of state officers is paid. They shall also receive their actual and necessary traveling expenses while on official business.

Third—Within their appropriation, the state board of education may appoint such clerical and other help as may from time to time be necessary.

SEC. 6. Sections 1522, 1874 and 1874a of the Political Code of the State of California and all other laws or Acts relating to the publication and distribution of state text-books in conflict with this Act are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

RECONSIDERATION POSTPONED.

On request of Mr. Schmitt, consideration of motion to reconsider the vote whereby Senate Bill No. 1339 was passed was postponed until the next legislative day.

RECESS.

At five o'clock and forty minutes p.m., the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Young in the chair.

AMENDMENT OF BILL—(OUT OF ORDER).

Assembly Bill No. 1274—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners, in the matter of said regulation," approved March 14, 1907; as amended by a certain Act, approved March 19, 1909; as amended by a certain Act, approved May 1, 1911, by amending Section 9 of said Act, relating to the recording of certificates authorized under said Act, in the office of the county clerk of the county in which the holder of said certificate is a resident.

During third reading of the bill, Mr. Peairs moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1 (A).

On page 1, line 1, of the printed bill, strike out the word "nine", and insert in lieu thereof the word "ten".

AMENDMENT No. 1. (AA).

On page 2, line 7, of the printed bill, strike out the word "two" after the word "and", and insert in lieu thereof the word "three".

AMENDMENT No. 1 (B).

On page 2, lines 11 and 12, strike out all the words beginning with the word "college" and ending with the word "board", in line 12, and insert in lieu thereof the following: "college, school or institution engaged in medical instruction, nor any member of the faculty of any college, school or institution engaged in medical instruction, shall be appointed as a member of the board,".

AMENDMENT No. 2.

On page 3, line 22, strike out the word "class", and insert in lieu thereof the word "form".

AMENDMENT No. 3.

On page 3, line 24, strike out the words "as permitted in said form of license."

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AMENDMENT No. 4.

On page 3, line 35, after the period, insert the following: "It shall require the affirmative vote of seven members of said board to carry any motion or resolution, to adopt any rules, to pass any measure, or to authorize the issuance of any certificate as in this Act provided."

AMENDMENT No. 6.

On pages 5, 6 and 7 of the printed bill, strike out all of Sections 8 and 9, beginning with the word and figure "Sec. 8", in line 6, on page 5, and ending with the word "mentioned", in line 16, on page 7, and insert in lieu thereof the following:

Sec. 8. Two forms of certificates shall be issued by said board under the seal thereof and signed by the president and secretary: *First*, a certificate authorizing the holder thereof to use drugs or what are known as medicinal preparations in or upon human beings and to sever or penetrate the tissues of human beings and to use any and all other methods in the treatment of diseases, injuries, deformities or other physical and mental conditions, which certificate shall be designated "Physician and Surgeon Certificate"; *second*, a certificate authorizing the holder thereof to treat diseases, injuries, deformities or other physical or mental conditions without the use of what are known as medicinal preparations and without in any manner severing or penetrating any of the tissues of human beings except the severing of the umbilical cord, which certificate shall be designated "Drugless Practitioner Certificate." A "Reciprocity Certificate" shall also be issued under the provisions hereinafter specified. Any of these certificates on being recorded in the office of the county clerk, as hereinafter provided, shall constitute the holder thereof a duly licensed practitioner in accordance with the provisions of his certificate.

Sec. 9. Every applicant must file with the board, at least two weeks prior to the regular meeting thereof, satisfactory testimonials of good moral character and a diploma or diplomas issued by some legally chartered school or schools approved by the board, the requirements of which school or schools shall have been at the time of granting such diploma or diplomas in no degree less than those required under this Act, or satisfactory evidence of having possessed such diploma or diplomas, and must file an affidavit stating that he is the person named in said diploma or diplomas, and that he is the lawful holder thereof, and that the same was procured in the regular course of instruction and examination without fraud or misrepresentation; *provided*, that in addition thereto each applicant for a "Physician and Surgeon Certificate" must show that he has attended four courses of study, each such course to have been of not less than thirty-two weeks' duration, but not necessarily pursued continuously or consecutively, and that at least ten months shall have intervened between the beginning of any course and the beginning of the preceding course; *provided, further*, that an applicant for a "Drugless Practitioner Certificate" must show that he has attended two courses of study, each such course to have been of not less than thirty-two weeks' duration, but not necessarily pursued continuously or consecutively, and that at least ten months shall have intervened between the beginning of any course and the beginning of the preceding course; *provided, also*, that before January 1, 1919, in lieu of the diploma or diplomas and preliminary requirements herein referred to where the applicant can show to the satisfaction of the board of medical examiners that he has taken courses in a school or schools approved by the board totaling for applicants for "Drugless Practitioner Certificates" not less than sixty-four weeks consisting of not less than twenty-four hundred hours, and for "Physician and Surgeon Certificates" totaling not less than one hundred twenty-eight weeks, consisting of not less than forty-eight hundred hours, it being required that all applicants shall have received passing grades in all such courses, that the applicant or applicants shall be admitted to examination for their respective form of certificates.

The said application shall be made upon a blank furnished by said board and it shall contain such information concerning the medical instruction and the preliminary education of the applicant as the board may by rule prescribe. In addition to the requirements hereinabove provided for, applicants for either form of certificate hereunder shall present to said board at the time of making such application a diploma from a California high school or other school in the State of California requiring and giving a full four years' course of same grade, or other schools elsewhere, requiring and giving a full four years' standard high school course, or its equivalent, approved by the board, together with satisfactory proof that he is the lawful holder of such diploma and that the same was procured in the regular course of instruction. In lieu of such diploma, the applicant may present: (1) a certificate from the college entrance examination board, or the college examining board of any state or territory showing that such applicant has successfully passed the examination of said board; or (2) if such applicant be thirty years or more of age he may show to the satisfaction of the board of medical examiners proof of preliminary education equivalent in training power to the foregoing requirements. After January 1, 1919, every applicant for a "Physician and Surgeon Certificate" shall, in addition to the foregoing requirements, present to the board satisfactory evidence that before beginning the study of medicine he has completed a course which includes at least one year of work, of college grade, in each of the subjects: physics, chemistry and biology.

AMENDMENT No. 7.

On page 7, line 18, strike out the word "such", and insert in lieu thereof the word "any".

AMENDMENT No. 8.

On page 7, strike out all of the words beginning with the word "provided", in line 21, and ending with the word "year" in line 23.

AMENDMENT No. 9.

On page 7, line 25, strike out the numerals "720", and insert in lieu thereof the numerals "825".

AMENDMENT No. 10.

On page 7, line 26, strike out the numerals "510", and insert in lieu thereof the numerals "600".

AMENDMENT No. 11.

On page 7, line 28, strike out the numerals "135", and insert in lieu thereof the numerals "150".

AMENDMENT No. 12.

On page 7, line 33, strike out the numerals "450", and insert in lieu thereof the numerals "700".

AMENDMENT No. 13.

On page 7, line 35, strike out the numerals "75", and insert in lieu thereof the numerals "100".

AMENDMENT No. 14.

On page 7, line 36, strike out the numerals "45", and insert in lieu thereof the numerals "90".

AMENDMENT No. 15.

On page 7, line 37, strike out the numerals "270", and insert in lieu thereof the numerals "450".

AMENDMENT No. 16.

On page 8, line 5, strike out the numerals "985", and insert in lieu thereof the numerals "1120".

AMENDMENT No. 17.

On page 8, line 8, strike out the numerals "640", and insert in lieu thereof the numerals "700".

AMENDMENT No. 18.

On page 8, line 10, strike out the numerals "105", and insert in lieu thereof the numerals "180".

AMENDMENT No. 19.

On page 8, line 25, strike out the numerals "4,310", and insert in lieu thereof the numerals "4,800".

AMENDMENT No. 20.

On page 9, line 36, strike out the words "bacteriology and pathology", and insert in lieu thereof the words "pathology and elementary bacteriology".

AMENDMENT No. 21.

On page 10, line 1, strike out the words "chemistry and toxicology", and insert in lieu thereof the words "toxicology and elementary chemistry".

AMENDMENT No. 22.

On page 10, line 4, strike out the words "or one equivalent thereto,".

AMENDMENT No. 23.

On page 20, strike out all of lines 30, 31, 32, 33, 34 and 35, and insert in lieu thereof the following:

"SEC. 21. Nothing in this Act shall be construed to prohibit the practice by any person now holding an unrevoked certificate issued under or validated by any medical practice Act of this state, but all such certificates may be revoked for unprofessional conduct in the same manner and upon the same grounds as if they had been issued under this Act."

Motion carried.

The Speaker appointed Mr. Peairs as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1274, with instructions, do now report that the instructions of the Assembly have been carried out.

PEAIRS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3a.

The following amendment was submitted by the committee:

Amend Senate Constitutional Amendment No. 66 by striking out all of Section 3a thereof and by inserting in lieu thereof the following:

Section 3a. The city and county of San Francisco and the county of San Mateo may be consolidated into one city and county, under the name of the city and county of San Francisco; *providing*, that two thirds of the qualified electors of said city and county of San Francisco and two thirds of the qualified electors of said county of San Mateo voting thereon at an election, shall approve such consolidation, and at a subsequent election shall also adopt a proposed freeholders' charter for such new consolidated city and county. The charter so adopted must provide for a borough or other system of government whereby said city and county of San Francisco, or districts therein, and said county of San Mateo, or districts therein, so to be consolidated for general municipal purposes, shall nevertheless exercise such special municipal powers as the charter may provide. Districts may be created thereby which will include territory situated partly in the city and county of San Francisco and partly in the county of San Mateo. The provisions of this Constitution applicable to cities and counties and the adoption of freeholders' charters, so far as not inconsistent herewith, shall be applicable to such consolidated government. The question upon the approval of such proposed consolidation may be submitted to the voters of the city and county of San Francisco by the board of supervisors thereof, and must be so submitted whenever petitioned therefor by a number of qualified voters equal to that now required therein for the proposal of legislation by initiative. The proposition may be submitted to the voters of the county of San Mateo by the board of supervisors thereof, and must be so submitted whenever petitioned therefor by a number of qualified voters equal to that now required for the proposal of legislation by initiative. The respective boards of supervisors shall cause the results of such elections held in their respective territories to be certified to the secretary of state. In the event such consolidation shall be approved at any such election held in the city and county of San Francisco by such two-thirds vote and shall be approved at any election held in the county of San Mateo by such two-thirds vote, the secretary of state shall so certify, and immediately thereupon such consolidation shall be in effect and such consolidated city and county shall be deemed a municipality under the jurisdiction of the board of supervisors of the city and county of San Francisco, solely for the purpose, however, of selecting freeholders, which freeholders shall be composed of an equal number from each of said counties and the freeholders from San Mateo County shall be divided equally between the five townships now existing in said county of San Mateo, and adopting a freeholders' charter conformable to this section. Until the adoption by the city and county of San Francisco and by the county of San Mateo of such charter, and the approval thereof by the legislature, the government of the city and county of San Francisco and the county of San Mateo shall otherwise not be changed. Such new consolidated city and county shall be liable for all the existing debts and liabilities of the city and county of San Francisco, the county of San Mateo, and of any municipality, school district, sanitary and other district therein, and also of all bonded indebtedness whether represented by bonds issued or by bonds authorized, but provision shall be made for the payment of any such indebtedness represented by bonds, both issued and authorized, by taxes levied upon the property assessable therefor and situate at the time of such levy within the territory so constituting such city and county, county, municipality, school, sanitary or other district respectively as such territory existed at the time when any such indebtedness was incurred or

authorized. Any of such bonds so authorized but not issued at the time of such consolidation may thereafter be issued and sold by the legislative body of such consolidated city and county and shall be valid and subsisting obligations payable by taxes levied upon property situated as so aforesaid. The charter of such new consolidated city and county government shall provide for the places of holding sessions of the superior courts and of all inferior courts exercising jurisdiction therein. Until otherwise provided by law, the superior court of the county of San Mateo shall, upon the approval of such charter, become and be a superior court of the city and county of San Francisco, and constitute an additional department thereof. In the event that the first election held in the county of San Mateo and the city and county of San Francisco, hereinbefore provided for, shall result in favor of consolidation, at any time thereafter and before the adoption of a freeholders' charter for the government of the consolidated counties, all or any portion of that part of San Mateo county lying to the south of the boundary of San Francisco county, as existing in 1852, may be eliminated from the territory to be annexed and may be annexed to any contiguous county in such manner as the legislature by special Act may provide, and the legislature shall enact such law at its first session held after the approval of this amendment by the voters of the state. Such exclusion of territory shall not become effective, however, until the freeholders' charter adopted as herein provided for shall be approved by the legislature. In case it has been determined that any territory is to be excluded from the county of San Mateo and annexed to a contiguous county, the voters residing in such excluded territory shall not be entitled to vote on the question of the adoption of the freeholders' charter. Except as herein otherwise provided, this section shall be self-executing.

Amendment adopted.

Senate constitutional amendment ordered to reprint, engrossment, and on file for adoption.

CONSIDERATION OF SPECIAL URGENCY FILE.

Senate Bill No. 588—An Act to amend Sections 1, 2, 3, 4, 6, 8, and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 588 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McDonald, Morgenstern, Mouser, Peairs, Roberts, Ryan, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—46.

NOES—Messrs. Cary, Emmons, Richardson, and Schmitt—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1574—An Act to provide for a trial by jury in certain cases of contempt of court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1574 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bohnett, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Ford, Gabbert, Gates, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Kingsley, Libby, McDonald, Morgenstern, Mouser, Peairs, Richardson, Roberts, Ryan, Scott, Simpson,

Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—43.

NOES—Messrs. Benedict, Cary, Cram, Fish, Green, Guill, Nelson, Schmitt, and Sutherland—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1439—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1439 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Kuck, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Peairs, Roberts, Ryan, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Woodley—46.

NOES—Messrs. Dower, Libby, Murray, Richardson, and Schmitt—5.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. L. D. BOHNETT IN THE CHAIR.

At eight o'clock and twenty minutes p.m., Hon. L. D. Bohnett, Assemblyman of the Forty-fourth District, in the chair.

Assembly Bill No. 2085—An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate name of each.

Mr. Inman moved that the above bill be placed upon the unfinished business file.

Motion carried.

Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, strike out lines 20, 21, 22.

Also: On page 5, lines 15, 16, 17 and 18, strike out "and that no judge shall be designated to serve in such capacity who has already, or shall hereafter, have served for three consecutive years, until an interval of one year has elapsed;"

PREVIOUS QUESTION.

Mr Schmitt moved the previous question.

Motion carried.

The question being upon the motion of Mr. Johnston to appoint a select committee of one to amend the bill.

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Collins, Dower, Ferguson, Finnegan, Ford, Gabbert, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McCarthy, McDonald, Morgenstern, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, and White—44.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Brown, Cary, Clarke, Geo. A., Ellis, Emmous, Farwell, Fish, Gates, Guilberson, Hinkle, Johnstone, W. A., Kingsley, Kuck, Mouser, Peairs, Roberts, Weisel, Woodley, Wyllie, and Mr. Speaker—23.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1684, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPEAKER IN THE CHAIR.

At ten o'clock and twenty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Mr. Peairs moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 4, line 9, strike out the numerals "1913", and insert in lieu thereof the numerals "1903".

AMENDMENT No. 2.

On page 4, line 9, strike out the word "suspending," and insert in lieu thereof the word "superseding."

AMENDMENT No. 3.

On page 7, line 35, strike out the period, and insert in lieu thereof the following: "but further provided that persons heretofore declared dependent upon grounds which in this Act constitute neglect shall for such purposes be treated as neglected persons."

AMENDMENT No. 4.

On page 8, lines 15 and 16, strike out the words "said judge", and insert in lieu thereof the word "and".

AMENDMENT No. 5.

On page 8, lines 32 and 33, strike out the words "of at least sixteen years of age".

AMENDMENT No. 6.

On page 8, line 34, strike out the words "if under sixteen years of age".

AMENDMENT No. 7.

On page 14, line 33, strike out the word "two", and insert in lieu thereof the word "three".

AMENDMENT No. 8.

On page 16, line 10, before the word "thirty-fifth", insert the following: "twenty-first and".

AMENDMENT No. 9.

On page 16, line 14, strike out the following: "twenty-first,".

AMENDMENT No. 10.

On page 17, line 20, insert before the word "dependency", the word "neglect".

AMENDMENT No. 11.

On page 21, line 28, strike out the word "sixteen", and insert in lieu thereof the word "eighteen".

AMENDMENT No. 12.

On page 24, line 19, strike out the words "under the age of sixteen years,".

AMENDMENT No. 13.

On page 24, lines 20 and 21, strike out the words "if over the age of sixteen years,".

AMENDMENT No. 14.

On page 26, line 37, after the period, insert the following: "The term neglected person in this Act shall comprehend and include both voluntary and involuntary neglect, and where the facts of the petition do not justify such finding shall not be deemed to imply voluntary neglect of any person by the parent or parents or guardian of such person."

AMENDMENT No. 15.

On page 28, line 32, after the word "belief", strike out the period and insert the following: "unless placed in or committed to a non-sectarian or state institution".

MOTION.

Mr. Inman moved that consideration of above amendments to Assembly Bill No. 1684 be made a special order for Tuesday, May 6, 1913, at four o'clock and thirty minutes p.m.

Motion carried.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bowman gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1574 was this day passed.

RECONSIDERATIONS POSTPONED.

On request of Mr. Brown, consideration of motion to reconsider the vote whereby Assembly Bill No. 880 was refused passage was postponed until next legislative day.

On request of Mr. Brown, consideration of motion to reconsider the vote whereby Assembly Bill No. 598 was passed was postponed until Thursday, May 8, 1913.

RECONSIDERATION.

In accordance with notice given by Mr. Killingsworth on a previous day, Mr. Bagby moved that the vote whereby Assembly Bill No. 1120 was refused passage be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Cary, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Green, Guiberson, Johnston, T. D., Killingsworth, Libby, McCarthy, McDonald, Nolan, Peairs, Richardson, Ryan, Schmitt, Shannon, Simpson, Slater, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—33.

NOES—Messrs. Benedict, Bohnett, Bradford, Brown, Bush, Byrnes, Clark, W. C., Clarke, Geo. A., Fish, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, Morgenstern, Mouser, Nelson, Polsley, Roberts, Scott, Smith, Sutherland, and Wall—27.

COMMUNICATIONS.

On request of Mr. Bagby, the following communications were ordered printed in the Journal:

STOCKTON, CAL., March 24, 1913.

Hon. H. C. Bagby, Sacramento, Cal.

DEAR SIR: I am very much interested in the bills, Nos. 239 and 1120, which were introduced by you. The present law providing for the transferring of attendance is fundamentally wrong and does not work well in practice. At the superintendents' convention held at Catalina last September the matter was thoroughly discussed and the superintendents voted in favor of the repeal of the present law and for a return to the former rule of crediting the attendance to the school which pupils attend.

I hope your bill will be favorably acted upon.

Very sincerely yours.

JOHN ANDERSON.

Also:

STOCKTON, CAL., April 22, 1913.

Hon. Henry C. Bagby, Sacramento, Cal.

DEAR SIR: I hope that the Legislature will give favorable consideration to your bill providing for the repeal of the present law transferring attendance of pupils to the home school. The law as it now stands is fundamentally wrong. At the convention of city and county superintendents, held at Catalina last September, the matter was thoroughly discussed, and the sentiment of the superintendents, as shown by their votes, was strongly in favor of the repeal of the present law and in favor of a return to the former method of crediting attendance of pupils to the schools which they attend.

Very truly yours.

JOHN ANDERSON,

County Superintendent Schools, San Joaquin County, Cal.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

Also: Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of Richmond in Contra Costa County in the State of California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the eighth day of April, 1913.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

SCOTT, Chairman.

The above Senate concurrent resolutions ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public work.

Also: Senate Bill No. 380—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Also: Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers

thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto.

Also: Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

Also: Senate Bill No. 1666—An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory.

Also: Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1900—An Act to amend Section 4269 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fourth class.

Also: Assembly Joint Resolution No. 32—Relative to the use of Yerba Buena Island, in San Francisco Bay, as a union railway terminal, requesting and directing the State Board of Harbor Commissioners to promote the undertaking, and petitioning Congress to make the necessary cession therefor.

Also: Assembly Joint Resolution No. 33—Relating to acquisition of title under homestead law.

And report that the same have been correctly engrossed.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 621—An Act to amend Section 190 of the Penal Code of the State of California, relating to capital punishment.

Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Assembly Bill No. 1274—An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act.

Assembly Bill No. 1598—An Act to amend Section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

Assembly Bill No. 1913—An Act to amend Section 1401 of the Civil Code of the State of California, relating to the distribution of community property.

Assembly Bill No. 1990—An Act to add a new section to the Penal Code of the State of California, to be numbered 650b, and relating to remuneration for time lost to prisoners of the State who have been improperly or unjustly incarcerated.

Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now

existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest of said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Also: Assembly Concurrent Resolution No. 36—Relative to granting to the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fortieth session of the Legislature of the State of California the privilege to absent themselves from the State for a period of more than sixty days.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration, and making an appropriation for the purpose of carrying out the object of this Act.

Assembly Bill No. 1053—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery, and adding a new section thereto, to be numbered 6a.

Assembly Bill No. 1330—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

Assembly Bill No. 2000—An Act to be known as the "Corrupt Practices Act," to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

Also: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations.

Also: Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California the repeal of Section 19 of Article XX of the Constitution, and the substitution in lieu thereof a new section, to be known as Section 19, Article XX, and relating to the use of state funds for the payment of legitimate campaign expenses by any political party of the State.

Also: Assembly Concurrent Resolution No. 31—Relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding state roads.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Assembly Bill No. 962—An Act to amend Section 1494 of the Code of Civil Procedure of the State of California, relating to claims against the estates of decedents, and interest thereon.

Assembly Bill No. 1027—An Act to amend Section 4264 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class.

Assembly Bill No. 1315—An Act to amend Section 1313 of the Civil Code of the State of California, relating to devise or bequests by will.

Assembly Bill No. 1465—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Assembly Bill No. 1584—An Act to amend Section 4014 of the Political Code of the State of California, relating to township officers.

Assembly Bill No. 1608—An Act to amend Section 1991 of the Code of Civil Procedure of the State of California, relating to contempt of court, committed by witnesses.

Assembly Bill No. 1609—An Act providing for the payment of the actual expenses of the justices *pro tempore* of the District Courts of Appeal of the State of California.

Assembly Bill No. 1610—An Act to amend Section 2031 of the Code of Civil Procedure of the State of California, relating to depositions of witnesses in civil actions and proceedings.

Assembly Bill No. 1804—An Act creating an "industrial accident fund" and appropriating moneys therein.

Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Assembly Bill No. 2117—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds;' approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Also: Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California amending Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 23 and 23a of Article IV and Sections 2 and 4 of Article V of the Constitution of the State of California relating to a merging of the two houses of the legislature into one house of representatives which shall be called the Senate of the State of California; the eligibility to office; the terms of office; the senatorial districts; the duties, powers, privileges and compensation of the members thereof.

Also: Assembly Constitutional Amendment No. 93—A resolution to propose to the people of the State of California eight amendments to the Constitution of the State of California; Amendment No. 1, amending Sections 5 and 6 of Article IV, relating to the number of members of the Senate and of the Assembly, and the number of senatorial and assembly districts; Amendment No. 2, amending Section 23, and repealing Section 23½ of Article IV relating to compensation and expenses of the Legislature and its members; Amendment No. 3, amending Section 2 of Article IV, and Section 11 of Article V, relating to sittings and adjournments of the Legislature; Amending No. 4, amending Section 16 of Article IV, relating to approval of bills by Governor and veto power; Amendment No. 5, amending Section 1 of Article IV, relating to the legislative powers of the State; Amendment No. 6, amending Section 4 of Article IV, relating to election and terms of Senators, and qualifications of members of the Legislature; Amendment No. 7, amending Section 3 of Article IV, relating to election and terms of members of the Assembly; Amendment No. 8, amending Section 11 of Article IV, relating to privileges of members of the legislature from arrest and civil process.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 666—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 1188—An Act for the relief of purchasers of state lands.

Also: Senate Bill No. 1165—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered three thousand five hundred twenty-four, providing for the reissuing of patents to swamp and overflowed lands, where the original patent has been lost or destroyed, and not of record in the county where the land is situate.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MORGENSTERN, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the objects and changing the name of the California Institution for the Deaf and the Blind—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WYLLIE, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Also: Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Also: Assembly Bill No. 1403—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Also: Assembly Bill No. 1650—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Which were re-referred to us from the Committee on Public Health and Quarantine, have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1259—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Also: Senate Bill No. 1204—An Act to amend Section 637b of the Penal Code of the State of California, relating to imported fish and game.

Also: Senate Bill No. 154—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing the penalties for the violation of any of the provisions thereof.

Also: Senate Bill No. 955—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

Also: Senate Bill No. 953—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 935—An Act to amend Section 384 of the Penal Code, relating to forest fires.

Also: Senate Bill No. 72—An Act to amend Section 167 of the Penal Code of California, relating to false certificates and acknowledgments of notaries public and other officers.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Wright, Breed and Juilliard as a Committee on Free Conference on Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class—to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 679—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

Also: Senate Bill No. 563—An Act to amend Section 1191 of the Code of Civil Procedure, relating to liens upon lots for improvements made thereon.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Hewitt, Juilliard and Breed as a Committee on Conference on Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 402f, providing that certain buildings shall be provided with fire escapes—to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1293—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections to be numbered 84 to 89, inclusive.

Also: Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce.

Also: Senate Bill No. 1757—An Act to amend Section 1332 and Section 1333 of the Political Code of the State of California, and to add four new sections thereto, to be numbered 1334, 1335, 1336 and 1337, relating to the election of Senators in Congress.

Also: Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void.

Also: Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1458—An Act creating an "industrial accident fund" and appropriating moneys therein.

Also: Senate Bill No. 1459—An Act appropriating moneys to the use of the state compensation insurance fund.

Also: Senate Bill No. 1291—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities and also for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections, to be numbered 10 to 13, inclusive.

Also: Senate Bill No. 1292—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto six new sections, to be numbered 57 to 62, inclusive.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1293 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1535 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 1411 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1757 read first time, and referred to Committee on Elections.

Senate Bill No. 278 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1600 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1458 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1459 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1291 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1292 read first time, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes p.m., on motion of Mr. Killingsworth, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO CAL.,
Tuesday, May 6, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—76.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Hinkle, Mr. Judson was granted leave of absence for the day.

On motion of Mr. Weldon, Mr. Griffin was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. McDonald, the further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, April 28, Tuesday, April 29, Wednesday, April 30, Thursday, May 1, Friday, May 2, and Saturday, May 3, 1913, were approved as corrected by the Minute Clerk.

On motion of Mr. Bohnett, the following was declared to be the order for the consideration of bills until ordered changed by the Assembly:

ASSEMBLY BILLS.

1. Second-reading File.
2. Special File. Appropriation and county government bills.
3. Special File. Other bills.
4. Members' Special Urgency File.

SENATE BILLS.

1. Second-reading File.
2. Appropriation and county government bills.
3. Other Senate bills.

RESOLUTION.

The following resolution was offered:

By Mr. Sutherland:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer

is hereby directed to pay the same, for the sum of forty-seven (47) dollars and eighty (80) cents in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, said amount being in payment of the following bills for witness fees and expenses properly incurred in the matter of the investigation of the charges against A. J. Buckles, a judge of the Superior Court of the State of California in and for the county of Solano, which investigation was conducted by a sub-committee of the Committee on Judiciary pursuant to a resolution of the Assembly adopted on April 18, 1913:

Mrs. Kate Whinney-----	\$9 80
James H. Creeley-----	12 00
Edward R. Eliassen-----	12 00
Ed E. Reese-----	14 00
Total -----	\$47 80

Resolution read, and referred to Committee on Contingent Expenses.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities except in those of the fifth and sixth class, and of cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish within the State of California uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practical method of dealing with tuberculosis among dairy herds supplying milk or cream to any such city, or city and county.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending Sections 2, 3, 4, 5, 6, and 7 $\frac{1}{2}$ thereof, by adding a new section thereto to be known and numbered as Section 6 $\frac{1}{2}$, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violations of this Act.

Also: Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California relating to salaries of officers in counties of the fifty-fifth class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 29—Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 29 read, and referred to Committee on Education.

Also :

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 394—An Act to add two new sections to the Political Code of the State of California, to be numbered two thousand six hundred and ninety-seven and two thousand six hundred ninety-eight, relating to the abandonment of highways—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 394?"

The roll was called, and the Assembly receded by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shartel, Shearer, Simpson, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—49.

NOES—None.

On motion of Mr. Cram, Senate Bill No. 191 was re-referred to Committee on Ways and Means.

WITHDRAWAL OF BILL.

Mr. Finnegan asked for and was granted unanimous consent to withdraw Assembly Bill No. 658.

Bill withdrawn, and ordered stricken from the file.

RE-REFERENCE OF BILLS.

On motion of Mr. Schmitt, Senate Bill No. 579 was recalled from the Committee on Public Health and Quarantine and referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 221.

AMENDMENT OF BILLS.

Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California amending Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 23 and 23a of Article IV and Sections 2 and 4 of Article V of the Constitution of the State of California, relating to a merging of the two houses of the Legislature into one house of representatives, which shall be called the Senate of the State of California; the eligibility to office; the terms of office; the senatorial districts; the duties, powers, privileges and compensation of the members thereof.

During the reading of the constitutional amendment Mr. Farwell moved that the Speaker appoint a select committee of one to amend the amendment as follows:

AMENDMENT No. 1a.

On page 8, line 19, strike out the words "so called."

AMENDMENT No. 1b.

On page 8, line 23, after the word "chosen", insert the words "and elected".

AMENDMENT No. 2.

On page 8, line 36, strike out the word "that" and insert in lieu thereof the words "of whom it".

AMENDMENT No. 3.

On page 8, line 36, strike out the words "to have then", and insert in lieu thereof the following: "by substantial corroborative evidence that has the formal approval and legal sanction of any superior court judge of the county wherein the proceedings are held or in which the candidate for the senate resides that the said candidate has".

AMENDMENT No. 4.

On page 8, line 36, after the word "been", strike out the words "wanting, or".

AMENDMENT No. 5.

On page 9, line 1, at the beginning of the line, strike out the word "then".

AMENDMENT No. 6.

On page 9, line 1, after the comma, insert the words "or did obtain".

AMENDMENT No. 7.

On page 9, line 2, after the word "affecting", strike out the word "their" and insert in lieu thereof the following: "or being beneficial to the such".

AMENDMENT No. 8.

On page 9, line 2, after the word "interests", insert the words "or corporations".

AMENDMENT No. 9.

On page 9, line 33, strike out the words "each house" and insert in lieu thereof the words "the senate".

AMENDMENT No. 10.

On page 9, line 33, after the period, insert the words "The proponents or opponents of any bill or measure under consideration by the senate and who are not members of said senate can be heard before the senate, either before the senate committee to which the measure is referred, or in open regular session and in such manner or at such times as the senate by its rules, or by the enactment of laws on that subject, may from time to time prescribe."

AMENDMENT No. 11.

On page 10, line 14, after the period after the word "bill", insert the words "The proponents of any bill or measure who are not members of the senate, or who are members of the senate, or who are members elect of the senate and who are desirous of proposing any legislation affecting the affairs of this state or of any of the towns, cities, municipalities or counties of this state shall prepare and properly present their bills or measures, in triplicate, to the supreme court of this state beginning with the first Monday in the month of June and ending with the last Saturday in the month of October of any year immediately preceding the opening of any legislative session. The clerk of the supreme court shall thereupon stamp and date the said bills or measures with the date, hour and minute that they are received and in that manner they shall have preference by sequence in the order of their consideration, or as nearly as may be, by the supreme court and later by the senate. The supreme court shall review all such bills and measures presented and shall classify them into four classifications, 'good measures,' 'fair measures,' 'bad measures,' 'unconstitutional measures.' The supreme court shall give a brief, comprehensive synopsis of just what the bill contains and what it proposes to accomplish, together with good and sufficient reasons why it should or should not become a law and furthermore make any suggestions as to what possible amendments might be proposed. The supreme court shall furthermore group the different measures so presented under such headings as they deem proper and in order that each group of measures bearing on any subject or correlative subject, may be fully and comprehensively considered together at one time during the immediately succeeding sessions of the legislature. During the opening or first thirty day period of each legislative session as provided for in section two of Article IV of the Constitution, the members of the senate shall introduce not to exceed ten bills or measures and which shall be numbered in sequence with the last bill introduced by the public at the close of the last Saturday in October as herein above provided, and the committees of the senate shall then proceed to study carefully and faithfully all bills or measures presented by the public to the supreme court as hereinabove provided, as well as the bills presented by the members of the senate. The review and opinion of the supreme court upon all bills presented by the public shall be considered as advisory only, and the supreme court clerk shall provide each member of the senate or to the public upon personal or individual request either by mail or in person, with a copy of the list of bills so presented and indexed, together with the synopsis and comments thereon as herein provided. The state printing office is herewith charged with the printing of said lists of bills properly indexed and containing the synopsis

of each bill and comments thereon as furnished by supreme court of this state. The committees shall study all bills, and in rendering their report upon a bill or measure to the senate shall state in a brief and concise manner their reasons why a bill should or should not pass. Unless as may be otherwise herein provided in this Constitution for special urgency measures, no bill or measure shall be passed or receive formal approval by the senate till after the thirty day constitutional recess. At no time during any session of the senate can any bill or measure be brought out of any committee to be placed upon the senate files unless it shall have the unanimous approval of the committee to which it was referred, together with a signed statement by each member of said committee that he has had the bill under careful consideration for ten days prior to such notice of withdrawal from committee, and that he not only has read the bill through completely three times but has discussed it with not less than three different opponents and three different proponents of said bill or measure."

AMENDMENT No. 12.

On page 10, line 15, after the word "passage", insert the following: "on the reconvening of the Senate after the constitutional recess."

AMENDMENT No. 13.

On page 10, line 22, after the word "bills", strike out the word "they", and insert in lieu thereof the following: "a full and complete synopsis of the bill, stating its purposes and intentions and just what it is to accomplish, shall be made by the proponent of the bill, or the proponent's authorized agent and representative, or the senator, who is acting as sponsor for the measure, or it".

AMENDMENT No. 14.

On page 10, line 22, after the word "length", insert the words "by the clerk of the senate".

AMENDMENT No. 15.

On page 10, line 23, after the comma, insert the following: "or the senate can choose and approve such convenient and practical electric devices as it deems proper to register the aye and nay vote on any bill or measure."

AMENDMENT No. 16.

On page 10, line 24, after the first "and" insert the words "such said vote".

AMENDMENT No. 17.

On page 11, line 29, change the period to a comma, and insert the following: "but in such case, the senator so elected must obtain a formal and sufficient furlough or leave of absence without pay from the proper authorities of the town, city, municipality or county that he so represents in order that he shall give his full and undivided attention to his duties as state senator".

AMENDMENT No. 18.

On page 11, line 31, strike out the word "one", and insert in lieu thereof the word "five".

AMENDMENT No. 19.

On page 11, line 32, strike out the word "session" and insert in lieu thereof the words "four-year term".

AMENDMENT No. 20.

On page 11, line 32, strike out the word "the" and insert in lieu thereof the words "each biennial".

AMENDMENT No. 21.

On page 12, line 9, after the word "determine", insert the words "and receive a salary of six dollars per day."

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Constitutional Amendment No. 57, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendments adopted.

Assembly constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

Assembly Bill No. 1990—An Act to add a new section to the Penal Code of the State of California, to be numbered 650*b*, and relating to remuneration for time lost to prisoners of the State who have been improperly or unjustly incarcerated.

During third reading of the bill, Mr. Farwell moved that the Speaker appoint a select committee of one to amend the bill as follows:

Strike out the title and insert in lieu thereof the following:

AN ACT

To add a new section to the Penal Code of the State of California to be numbered six hundred and fifty *b*, and relating to remunerating innocent persons incarcerated in penal institutions, making the claim of such person a county charge, and providing for a pension by the county for such person where incapacitated by reason of such incarceration.

On line 4, page 1, of the printed bill, after the caption 650*b*, strike out all the rest of the bill and insert in lieu thereof the following:

650*b*. Whenever, after the trial of any person charged with committing a crime, such person, by reason of the verdict of the jury or the judgment of the court, shall be detained as a prisoner in any penal institution in this state, and, subsequently to such trial, it shall be determined by the court or jury that such person was unjustly convicted and is innocent of the crime with which he was charged, the said person shall receive as remuneration a sum of money for the time lost by him or her during his or her incarceration based upon the average daily earnings of said person during the year preceeding said incarceration, but in no event shall the sum of money so paid to said discharged prisoner as such remuneration be less than three dollars per day nor more than six dollars per day for each day so incarcerated. Any person claiming the benefit of this section may, within one year after being liberated from prison or other place of confinement where he shall have been detained, present a claim in accordance with this section to the board of supervisors of the county wherein the trial was had and the said board of supervisors shall act upon said claim and allow the same for the amount to which such person may show himself or herself to be entitled, and the said claim when allowed shall be a proper charge against the said county; *provided, however*, that if it shall appear that by reason of said incarceration the said person has become incapacitated from earning a future livelihood, then in such case, the said person shall be entitled to receive and the said board of supervisors shall allow in addition to the amount above specified a pension to be paid by said county at the rate of one dollar per day, the said pension to continue for the time during which said person shall remain so incapacitated."

Motion carried.

The Speaker appointed Mr. Farwell as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1990, with instructions, do now report that the instructions of the Assembly have been carried out.

FARWELL, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2102—An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor," approved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway", which became a law under constitutional provision without the governor's

approval, March 12, 1901; providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley Turnpike," at a point on the wagon road near the junction of Silver Creek near the east fork of Carson River, said highway to be named the Alpine-Inyo state highway; and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 1650—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 5, of the printed bill, after the period following the word "eradication", insert the following:

"SEC. 2. For the purposes of this Act, in addition to the provisions of Section 1, the state board of health is authorized and empowered to establish through the department of tuberculosis, dispensaries for providing examination of and furnishing advice to tuberculous persons, and for the detection, prevention and alleviation of suffering from tuberculosis. The number of these dispensaries shall be determined by the state board of health after due investigation through the department of tuberculosis, and dispensaries shall be located at such places in the state as may be deemed necessary. The state board of health is also authorized and empowered through said department of tuberculosis, to enter into appropriate contracts with the board of managers or other executive head of any dispensary or other institution which is now or may hereafter be established and maintained with adequate equipment for the dispensary service included within the meaning of this Act. No dispensary may be established or contract entered into under the provisions of this Act until a careful report has been prepared and filed with the state board of control showing the necessity for such action and for the location chosen, together with a careful estimate of the expense involved. The approval of the estimate by the state board of control shall be necessary before any dispensary may be established or contract concluded."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 6, of the printed bill, strike out the numeral "2", and insert in lieu thereof the numeral "3".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 12, strike out the numeral "3", and insert in lieu thereof the numeral "4".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis, under the direction of the State Board of Health; defining its powers and duties, and making an appropriation therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, Section 2, line 10 of the printed bill, after the word "department", insert the following: "whose salary shall be fixed by the board in an amount not to exceed three thousand dollars per annum".

Amendment adopted.

AMENDMENT No. 2.

On page 2, Section 3, line 12, of the printed bill, strike out the word "five" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT No. 3.

On page 2, Section 3, line 13, of the printed bill, strike out the word "five" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT No. 4.

On page 2, Section 3, line 15, of the printed bill, strike out the words "four and five" and insert in lieu thereof the words "and four".

Amendment adopted.

AMENDMENT No. 5.

On page 2, Section 3, line 17, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 6.

On page 2, Section 3, line 24, of the printed bill, strike out the period following the words "each action" and insert in lieu thereof the following: "; *provided*, that a majority vote by mail ballot may be recognized as complying with the provisions of this section".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 32, Section 3, of the printed bill, strike out the word "president" and insert in lieu thereof the word "chairman".

Amendment adopted.

AMENDMENT No. 8.

On page 2, Section 3, line 36, of the printed bill, strike out the word "bi-monthly" and insert in lieu thereof the word "annually".

Amendment adopted.

AMENDMENT No. 9.

On page 3, Section 3, line 3, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT No. 10.

On page 3 of the printed bill, strike out all of Section 4 and insert in lieu thereof the following:

"Sec. 4. The sum of \$7,500 is hereby appropriated out of any moneys in the state treasury not otherwise appropriated to be expended by the state board of health in carrying out the provisions of this Act. All claims against the appropriation shall be audited by the state board of control. The controller is hereby directed to draw his warrant for sums aggregating this amount and the state treasurer is directed to pay the same."

Amendment adopted.

Bill read second time.

Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and

other public officials with relation thereto; and making an appropriation for the purposes of this Act.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 31, of the printed bill, strike out the words "fifteen thousand" and insert in lieu thereof the words "two thousand".

Amendment adopted.

Bill read second time.

Assembly Bill No. 1403—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis, and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions, and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

During second reading of the bill, the following amendment was submitted by the committee:

On page 4, Section 11, line 32, of the printed bill, strike out the remainder of the section following the words "the sum of", and insert in lieu thereof the following: "five thousand dollars is hereby appropriated. In addition to this amount, only such sums as may be received from gifts, endowments, and bequests will be available until otherwise provided."

Amendment adopted.

Bill read second time.

Assembly Bill No. 254—An Act to provide for the organization of the state produce exchange commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the state brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "state produce exchange fund," and providing for the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT No. 1.

On page 2, line 4, of printed bill, strike out the word "five", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 11, of printed bill, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 3.

On page 2, line 12, of printed bill, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT No. 4.

On pages 2 and 3, of printed bill, strike out all of Section 4.

Amendment adopted.

AMENDMENT No. 5.

On page 3, lines 24 and 25, of printed bill, strike out the following: "the annual salary of the attorney to the commission shall be four thousand dollars;"

Amendment adopted.

Bill read second time.

Assembly Bill No. 2066—An Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fiftieth class.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 6, strike out all after the semicolon down to line 8 after the comma, and insert in lieu thereof the following: "The county clerk may appoint such number of deputies as may be necessary for the convenient registration of electors in their respective precincts or townships, and each such registration deputy shall receive as compensation for all services performed as such the sum of ten cents per name for each elector registered by him, to be paid monthly, at the same time, in the same manner and out of the same fund as salaries of county officers are paid; *provided*, that each such registration deputy, when so appointed, shall, prior to the drawing of any warrant for such compensation first file with the auditor a statement, verified by the oath of such registration deputy, and approved in writing by the county clerk, showing the number of electors so registered by him during the period covered by such statement. The county clerk shall receive and retain for his own use such fees as are now or may hereafter be allowed by law for issuing hunting and fishing licenses, for the naturalization of persons desiring to become citizens, and such other fees of similar character as are now or may hereafter be allowed by law for the performance of any service rendered by the county clerk other than in his official character as county clerk. All other fees or commissions shall be collected by the county clerk and shall be by him paid into the county treasury, and no part thereof shall be retained by him as a part of his compensation."

Amendment adopted.

AMENDMENT No. 2.

On page 3, strike out all of Subdivision 15, and insert in lieu thereof the following: "Each member of the board of supervisors shall receive the sum of forty (40) dollars per month as his salary."

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 3, after the comma following the word "peace", insert the following: "shall receive the sum of ten (10) dollars per month as their salaries and".

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the objects and changing the name of the California Institution for the Deaf and Blind.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 10, strike out all the line.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Assembly Bill No. 2120—An Act to amend Section 105 of the Civil Code of the State of California, relating to wilful neglect.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2293, 2295, 2295*a* and 2300, by adding thereto two new sections, to be numbered 2295*b* and 2295*c*, and by repealing Sections 2303, 4201 and 4202 thereof; and to repeal an Act entitled "An Act to provide for the compilation, printing, binding, publishing and distribution of a legislative manual and State Blue Book, or roster, and repealing conflicting Acts," approved February 12, 1903.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title of said bill by striking out the whole thereof and inserting in lieu thereof the following: "An Act to amend the Political Code by amending Sections 2293, 2295, 2295*a* and 2300, and by repealing Section 2303 thereof."

Amendment adopted.

AMENDMENT No. 2.

On page 3, strike out all of lines 14 and 15.

Amendment adopted.

AMENDMENT No. 3.

On page 3, strike out all of lines 35, 36 and 37.

Amendment adopted.

AMENDMENT No. 4.

On page 4, strike out all of the page.

Amendment adopted.

AMENDMENT No. 5.

On page 5, strike out all of lines 1 to 20, both inclusive.

Amendment adopted.

AMENDMENT No. 6.

On page 5, line 21, strike out the figure "6" following the word "Sec.", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT No. 7.

On page 5, strike out all of lines 26 to 32, both inclusive, and insert in lieu thereof the following: "Sec. 5. Section 2303 of the Political Code is hereby repealed."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1650, 1234, 1385, 1403 and 2102.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 2102 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 2102, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 1650, 1234, 1385, 1403 and 254.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills No. 1650, 1234, 1385, 1403 and 254 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 1650, 1234, 1385, 1403 and 254, and do now report the same back, and recommend that they do pass as amended.

YOUNG, Chairman.

Bills ordered to reprint, engrossment and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1027—An Act to amend Section 4264 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1027 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Hinkle, Inman, Johnson, Geo. H., Kingsley, Kuck, Libby, McDonald, Moor-

house, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 227 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Dower, Ellis, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Hinkle, Inman, Johnson, Geo. H., Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, White, and Mr. Speaker—42.

NOES—None.

TITLE AMENDED.

The following amendment to title was submitted by Mr. Wall:

In line 3 of the title, strike out the words "Amusement Hall and Gymnasium" and insert in lieu thereof the following: "Assembly Hall".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds, to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds therefor for said purposes, and providing for the manner in which the same shall be expended: creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2116 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Collins, Dower, Ferguson, Finnegan, Gabbert, Gelder, Green, Hinkle, Inman, Johnson, Geo. H., Kingsley, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Roberts, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1598—An Act to amend Section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1598 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Collins, Dower, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1900—An Act to amend Section 4269 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fortieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1900 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Green, Guiberson, Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1186 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1465—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets, fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1465 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Bush, Byrnes, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Roberts, Schmitt, Scott, Shartel, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2051 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, McDonald, Morgenstern, Mouser, Murray, Polsley, Schmitt, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Walsh, White, Woodley, and Mr. Speaker—43.

NOES—Mr. Wyllie—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2052 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bush, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Roberts, Schmitt, Scott, Shartel, Strine, Stuckenbruck, Sutherland, Wall, Weisel, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2114 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bowman, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Roberts, Schmitt, Scott, Shartel, Slater, Strine, Sutherland, Wall, Weisel, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 177—An Act to amend an Act to establish a uniform system of county and township government (approved April 1, 1897), by amending Section 228 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 177 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polesley, Roberts, Schmitt, Scott, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1584—An Act to amend Section 4014 of the Political Code of the State of California, relating to township officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1584 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Johnson, T. D., Johnstone, W. A., Killingsworth, Kuck, McDonald, Moorhouse, Morgenstern, Murray, Polesley, Roberts, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—49.

NOES—Messrs. Ferguson and Schmitt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Smith gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1584 was this day passed.

Assembly Bill No. 1609—An Act providing for the payment of actual expenses of the justices *pro tempore* of the District Courts of Appeal of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1609 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Kuck, McDonald, Moorhouse, Morgenstern, Murray, Palmer, Schmitt, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2117—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for

the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises; to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts in conflict with this Act," approved April 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2117 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Cram, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Shannon, Shearer, Slater, Strine, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 25 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dover, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Roberts, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—56.

NOES—None.

Assembly Constitutional Amendment No. 25 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 25.

A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California relating to municipal corporations.

The legislature of the State of California, at its regular session commencing on the sixth day of January, 1913, two thirds of the members elected to each of the

two houses of said legislature voting in favor thereof, hereby proposes that Section 8 of Article XI of the Constitution of the State of California be amended to read as follows:

Section 8. Any city or city and county containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States or of the legislature of California, may form a charter for its own government, consistent with and subject to this constitution; and any city, or city and county having adopted a charter may adopt a new one. Any such charter shall be framed by a board of fifteen freeholders chosen by the electors of such city at any general or special election; but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city. An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city, and, on presentation of a petition signed by not less than fifteen per cent of the registered electors of such city, the legislative body shall call such election at any time not less than thirty nor more than sixty days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city or city and county and the expenses of such verification shall be provided by the legislative body thereof. Candidates for the office of freeholders shall be nominated either in such manner as may be provided for the nomination of officers of the municipal government or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to be voted for at general elections. The board of freeholders shall, within one hundred and twenty days after the result of the election is declared, prepare and propose a charter for the government of such city; but the said period of one hundred and twenty days may with the consent of the legislative body of such city be extended by such board not exceeding a total of sixty days. The charter so prepared shall be signed by a majority of the board of freeholders and filed in the office of the clerk of the legislative body of said city. The legislative body of said city shall within fifteen days after such filing cause such charter to be published once in the official paper of said city; (or in case there be no such paper, in a paper of general circulation); and shall cause copies of such charter to be printed in convenient pamphlet form, and shall, until the date fixed for the election upon such charter, advertise in one or more papers of general circulation published in said city a notice that such copies may be had upon application therefor. Such charter shall be submitted to the electors of such city at a date to be fixed by the board of freeholders, before such filing and designated on such charter, either at a special election held not less than sixty days from the completion of the publication of such charter as above provided, or at the general election next following the expiration of said sixty days. If a majority of the qualified voters voting thereon at such general or special election shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be submitted to the legislature, if then in session, or at the next regular or special session of the legislature. The legislature shall by concurrent resolution approve or reject such charter as a whole, without power of alteration or amendment; and if approved by a majority of the members elected to each house it shall become the organic law of such city or city and county, and supersede any existing charter and all laws inconsistent therewith. One copy of the charter so ratified and approved shall be filed with the secretary of state, one with the recorder of the county in which such city is located, and one in the archives of the city; and thereafter the courts shall take judicial notice of the provisions of such charter. The charter of any city or city and county may be amended by proposals therefor submitted by the legislative body of the city on its own motion or on petition signed by fifteen per cent of the registered electors, or both. Such proposals shall be submitted to the electors only during the six months next preceding a regular session of the legislature or thereafter and before the final adjournment of that session and at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the legislative body of the city or city and county not less than sixty days prior to the general election next preceding a regular session of the legislature. The signatures on such petitions shall be verified by the authority having charge of the registration records of such city or city and county, and the expenses of such verification shall be provided by the legislative body thereof. If such petitions have a sufficient number of signatures the legislative body of the city or city and county shall so submit the amendment or amendments so proposed to the electors. Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon held at a date to be fixed by the legislative body of such city, not less than forty and not more than sixty days after the completion of the advertising in the official paper. If a majority of the qualified voters voting on any such amendment vote in favor thereof it shall be deemed ratified, and shall be submitted to

the legislature at the regular session next following such election; and approved or rejected without power of alteration in the same manner as herein provided for the approval or rejection of a charter. In submitting any such charter or amendment separate propositions, whether alternative or conflicting, or one included within the other, may be submitted at the same time to be voted on by the electors separately, and, as between those so related, if more than one receive a majority of the votes, the proposition receiving the larger number of votes shall control as to all matters in conflict. It shall be competent in any charter framed under the authority of this section to provide that the municipality governed thereunder may make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws. It shall be competent in any charter to provide for the division of the city or city and county governed thereby into boroughs or districts, and to provide that each such borough or district may exercise such general or special municipal powers, and to be administered in such manner, as may be provided for each such borough or district in the charter of the city or city and county. The percentages of the registered electors herein required for the election of freeholders or the submission of amendments to charters shall be calculated upon the total vote cast in the city or city and county at the last preceding general state election; and the qualified electors shall be those whose names appear upon the registration records of the same or preceding year. The election laws of such city or city and county shall, so far as applicable govern all elections held under the authority of this section.

Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California the repeal of Section 19 of Article XX of the Constitution and the substitution in lieu thereof a new section, to be known as Section 19, Article XX, and relating to the use of state funds for the payment of legitimate campaign expenses by any political party of the State.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 79 refused adoption by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Emmons, Farwell, Finnegan, Fish, Kingsley, Moorhouse, Tulloch, and Woodley—11.

NOES—Messrs. Alexander, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Ferguson, Ford, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Morgenstern, Mouser, Murray, Polsley, Richardson, Roberts, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—44.

RE-REFERENCE OF BILLS.

On motion of Mr. Clark, Senate Concurrent Resolution No. 29 and Assembly Concurrent Resolution No. 23 were re-referred to Committee on Engrossment and Enrollment for comparison.

WITHDRAWAL OF BILLS.

Mr. Ellis asked for and was granted unanimous consent to withdraw Assembly Bill No. 208.

Bill withdrawn, and ordered stricken from the file.

Mr. Bloodgood asked for and was granted unanimous consent to withdraw Assembly Bills Nos. 675 and 679.

Bills withdrawn, and ordered stricken from the file.

AMENDMENT OF SENATE BILL.

Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

During third reading of the bill, Mr. Guill moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 4, strike out the word "May" and insert in lieu thereof the word "June".

Motion carried.

The Speaker appointed Mr. Guill as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1177, with instructions, do now report that the instructions of the Assembly have been carried out.

GUILI, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases—have had the same under consideration, and respectfully report that Senate Bill No. 579 is not identical with Assembly Bill No. 221.

MOORHOUSE, Chairman.

Senate Bill No. 579 re-referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1458—An Act creating an "Industrial Accident Fund," and appropriating moneys therein—have had the same under consideration, and respectfully report that Senate Bill No. 1458 is identical with Assembly Bill No. 1804.

MOORHOUSE, Chairman.

Senate Bill No. 1458 read second time, and ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 380—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness—have had the same under consideration, and respectfully report that Senate Bill No. 380 is identical with Assembly Bill No. 1418.

MOORHOUSE, Chairman.

Senate Bill No. 380 read second time, and ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1459—An Act appropriating moneys to the use of the state compensation insurance fund—have had the same under consideration, and respectfully report that Senate Bill No. 1459 is not identical with Assembly Bill No. 1806.

MOORHOUSE, Chairman.

Senate Bill No. 1459 referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 35—Relative to the Governor making temporary appointments to fill vacancies that may happen in the representation of the State of California in the Senate of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BENEDICT, Chairman.

The above reported concurrent resolution ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Also: Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Also: Senate Bill No. 150—An Act to amend Section 739 of the Political Code relating to the salaries of officers connected with the Supreme Court.

Also: Senate Bill No. 286—An Act to amend Section 857 of the Civil Code, relating to express trusts.

Also: Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 256—An Act to amend Section 751½ of the Political Code of the State of California, relating to the salary of the stenographer of the Supreme Court.

Also: Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Also: Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem and making an appropriation for the payment by the State of any such judgments.

Also: Senate Bill No. 1311—An Act to add a new section to the Political Code, to be known as Section 1617b of said code, relating to the sale or leasing of school property by boards of trustees of common school districts and by boards of education in city school districts.

Also: Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure, relating to the reports of referees.

Also: Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

Also: Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

Also: Senate Bill No. 591—An Act to add a new section to the Civil Code to be numbered Section 149, relating to the recording of a notice of pendency of action in actions for divorce.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1006—An Act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 254—An Act establishing a state mining bureau, creating the office of state mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a state mining bureau fund for the purpose of carrying out the provisions of this Act and repealing an Act entitled "An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties, and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1893, and all Acts amendatory thereof and supplemental thereto or in conflict herewith—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2122—An Act making an appropriation for the legislative printing fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1715—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's department.

Also: Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan," shall be borne and paid by the State of California out of the general fund.

Also: Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Also: Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin and Feather rivers, and other river channels of the State, and improving the navigability of such streams and for acquiring land for necessary rights of way.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Assembly Bill No. 1006 taken up for second reading, by unanimous consent.

During second reading of the bill, the following amendments were submitted by the committee:

COMMITTEE AMENDMENTS TO ASSEMBLY BILL No. 1006.

Strike out all after the enacting clause and insert in lieu thereof the following: Section 1. The following sums of money are hereby appropriated out of any money in the state treasury not otherwise appropriated for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years; *provided*, that in all cases in which statutory provision has already been made for salaries or for other regular annual appropriations, the amounts herein appropriated shall be deemed to be the same amounts appropriated by such statutes, and not additional thereto:

LEGISLATIVE DEPARTMENT.

For salaries of senators, forty thousand dollars.
For mileage of lieutenant governor and senators, four thousand four hundred dollars.
For pay of officers, clerks and all other employees of the senate, forty-five thousand dollars.
For contingent expenses of senate, fifteen thousand dollars.
For salaries of assemblymen, eighty thousand dollars.
For mileage of assemblymen, seven thousand dollars.
For pay of officers, clerks and all other employees of the assembly, forty-five thousand dollars.
For contingent expenses of the assembly, eighteen thousand dollars.
For printing, binding and all other work performed and materials furnished by the state printing office to the legislature, eighty-five thousand dollars.

JUDICIAL DEPARTMENT.

For salaries of justices of supreme court, one hundred twelve thousand dollars.
For salaries of two secretaries supreme court, nine thousand six hundred dollars.
For salary of reporter of decisions of supreme court and district courts of appeal, five thousand dollars.
For salary of one assistant reporter of decisions of supreme court and district courts of appeal, four thousand eight hundred dollars.
For salary of librarian of supreme court, three thousand dollars.
For salaries of two phonographic reporters of supreme court, ten thousand eight hundred dollars.
For salaries of two bailiffs of supreme court, seven thousand two hundred dollars.
For expenses of supreme court under Section 47, Code of Civil Procedure, forty-eight thousand dollars.
For postage and contingent expenses of the supreme court, two hundred fifty dollars.
For salary of clerk of supreme court, ten thousand dollars.
For salary of chief deputy of supreme court, four thousand eight hundred dollars.
For salaries of six deputy clerks of supreme court, twenty-one thousand six hundred dollars.
For salary of stenographer to clerk of supreme court, two thousand dollars.
For pay of porter for office of clerk of supreme court at Sacramento, one thousand four hundred forty dollars.
For postage and contingent expenses of clerk of supreme court, four thousand dollars.
For printing, etc., clerk of supreme court, two thousand and five hundred dollars.
For salaries of justices of district courts of appeal, one hundred twenty-six thousand dollars.
For salaries of three clerks of district courts of appeal, sixteen thousand two hundred dollars.
For salaries of three deputy clerks of district courts of appeal, twelve thousand dollars.
For salaries of three phonographic reporters of district courts of appeal, fourteen thousand four hundred dollars.
For salaries of three bailiffs of district courts of appeal, nine thousand six hundred dollars.
For pay of two porters for first and second district courts of appeal, three thousand six hundred dollars.
For pay of one porter of third district court of appeal, two thousand one hundred sixty dollars.
For postage and contingent expenses of clerks of district courts of appeal; one third to each, three thousand dollars.

For printing, etc., clerks of district courts of appeal; one third to each, three thousand dollars.

For rent of quarters for second district court of appeal, eight thousand dollars.

For state's portion of salaries of judges of superior courts, five hundred thirty-eight thousand five hundred dollars.

EXECUTIVE AND ADMINISTRATIVE DEPARTMENT.

For salary of governor, twenty thousand dollars.

For salary of private secretary to governor, ten thousand dollars.

For salary of executive secretary to governor, seven thousand two hundred dollars.

For salary of stenographer to governor, four thousand dollars.

For salary of messenger to governor, three thousand dollars.

For special contingent expenses (secret service), governor's office, exempt from provisions of Sections 433 and 672 of Political Code, ten thousand dollars.

For postage, expressage, telegraphing, traveling, and contingent expenses, governor's office, six thousand dollars.

For printing, etc., governor's office, one thousand five hundred dollars.

For support of governor's residence, exempt from Section 672 of Political Code, seventeen thousand five hundred dollars.

For salary of watchman, governor's mansion, two thousand four hundred dollars.

For payment of rewards offered by the governor, five hundred dollars.

For payment of rewards offered by the governor, illegal voting, one thousand five hundred dollars.

For payment of rewards for arrest and conviction of highway robbers, two thousand dollars.

For arresting criminals without the state (exempt from Section 4 of this Act), twenty-eight thousand dollars.

For salary of lieutenant governor, eight thousand dollars.

STATE BOARD OF CONTROL.

For salaries of members, twenty-four thousand dollars.

For salary of secretary to board of control, four thousand eight hundred dollars.

For salaries of three clerks to state board of control, ten thousand eight hundred dollars.

For salaries of two stenographers, six thousand dollars.

For salary of messenger, one thousand eight hundred dollars.

For salary of superintendent of accounts, six thousand dollars.

For salaries of two assistant superintendents of accounts, ten thousand eight hundred dollars.

For maintenance and general expenses of board of control, including traveling and contingent expenses, thirty thousand dollars.

For printing, binding, etc., for various state offices under direction of board of control, four thousand five hundred dollars.

For official advertising, six thousand dollars.

For purchase from federal government of topographical sheets, one thousand dollars.

For emergency fund to be expended only upon unanimous vote of the board of control, approved by the controller, seventy-five thousand dollars.

For printing, etc., for board of control, two thousand dollars.

SECRETARY OF STATE'S OFFICE.

For salary of secretary of state, ten thousand dollars.

For salary of deputy secretary of state, six thousand dollars.

For salary of bookkeeper, office secretary of state, four thousand eight hundred dollars.

For salary of corporation secretary, office secretary of state, five thousand six hundred dollars.

For salary of statistician, office secretary of state, four thousand eight hundred dollars.

For salary of keeper of archives, office secretary of state, four thousand dollars.

For salary of one recording clerk, office secretary of state, three thousand six hundred dollars.

For salaries of five recording clerks, office secretary of state, sixteen thousand dollars.

For salary of one register clerk, office secretary of state, three thousand six hundred dollars.

For salaries of two certificate clerks, office of secretary of state, six thousand four hundred dollars.

For salary of messenger, office secretary of state, one thousand eight hundred dollars.

For pay of porter, office secretary of state, one thousand four hundred forty dollars.

For salaries of two special clerks, January 1 to May 1, legislative year, office secretary of state, one thousand dollars.

For postage, expressage and telegraphing, office secretary of state (exempt from Section 4 of this Act), eight thousand dollars.

For contingent and traveling expenses, office secretary of state, two thousand five hundred dollars.

For printing, etc., office secretary of state (exempt from Section 4 of this Act), ten thousand dollars.

For printing, etc., and distributing constitutional amendments (exempt from Section 4 of this Act), ten thousand dollars.

For printing, etc., and compiling blue book (exempt from Section 4 of this Act); five thousand dollars.

For salary of superintendent and cashier, corporation license department, four thousand eight hundred dollars.

For salaries of two clerks, corporation license department, seven thousand two hundred dollars.

For salaries of four clerks, corporation license department, twelve thousand eight hundred dollars.

For pay of porter, corporation license department, seven hundred twenty dollars.

For pay of messenger, corporation license department, one thousand two hundred dollars.

For postage and contingent expenses, corporation license department, two thousand five hundred dollars.

For printing, etc., corporation license department, four thousand three hundred dollars.

CONTROLLER'S OFFICE.

For salary of controller, ten thousand dollars.

For salary of deputy controller, six thousand dollars.

For salary of bookkeeper, controller's office, four thousand eight hundred dollars.

For salary of expert, controller's office, four thousand dollars.

For salary of one clerk, controller's office, three thousand six hundred dollars.

For salaries of three clerks, controller's office, nine thousand six hundred dollars.

For salary of statistician, controller's office, four thousand dollars.

For salary of warrant registrar, controller's office, four thousand dollars.

For salary of stenographer, controller's office, two thousand four hundred dollars.

For pay porter, controller's office, one thousand four hundred forty dollars.

For postage, expressage, and telephoning, controller's office, two thousand four hundred dollars.

For contingent and traveling expenses, controller, two thousand dollars.

For expenses of collecting, compiling and printing county and municipal statistics, two thousand dollars.

For salary of inheritance tax attorney, six thousand dollars.

For salaries of two assistant inheritance tax attorneys, one in San Francisco and the other in Los Angeles, twelve thousand dollars.

For salary of inheritance tax clerk, Sacramento, three thousand six hundred dollars.

For expenses of inheritance tax department, including printing, traveling and contingent expenses, postage, expressage and telegraphing, clerical and other services, and any other expenses necessary and proper to the enforcement of the inheritance tax law, eighteen thousand four hundred dollars.

For salaries of two clerks, corporation tax collection department, seven thousand two hundred dollars.

For salaries of extra clerks, tax collecting department, eleven thousand dollars.

For postage, expressage and telegraphing, tax collecting department, three thousand dollars.

For printing, binding and ruling, tax collection department, one thousand eight hundred dollars.

For printing, etc., controller's office, five thousand five hundred dollars.

TREASURER'S OFFICE.

For salary of state treasurer, ten thousand dollars.

For salary of deputy state treasurer, six thousand four hundred dollars.

For salary of cashier, treasurer's office, five thousand dollars.

For salary of bond officer, treasurer's office, five thousand dollars.

For salaries of two bookkeepers, treasurer's office, eight thousand eight hundred dollars.

For salary of stenographer, treasurer's office, two thousand four hundred dollars.

For salaries of four watchmen, treasurer's office, ten thousand five hundred sixty dollars.

For pay of porter, treasurer's office, one thousand four hundred forty dollars.

For postage, expressage, telegraphing, contingent and traveling expenses, treasurer's office, two thousand two hundred dollars.

For printing, etc., treasurer's office, one thousand nine hundred dollars.

ATTORNEY GENERAL'S OFFICE.

- For salary of attorney general, twelve thousand dollars.
- For salary of assistant attorney general, eight thousand dollars.
- For salary of chief deputy to attorney general, eight thousand dollars.
- For salaries of two deputies to attorney general, thirteen thousand two hundred dollars.
- For salaries of three deputies to attorney general, eighteen thousand dollars.
- For salaries of two clerks, attorney general's office, seven thousand two hundred dollars.
- For salary of phonographic reporter, attorney general's office, three thousand six hundred dollars.
- For salaries of four stenographers, attorney general's office, nine thousand six hundred dollars.
- For pay of porter, attorney general's office at Sacramento, nine hundred sixty dollars.
- For postage, expressage, telegraphing and contingent expenses, attorney general's office, four thousand dollars.
- For traveling expenses, attorney general's office, one thousand dollars.
- For costs and expenses of suits wherein the state is a party in interest, seven thousand five hundred dollars.
- For office rent of attorney general in San Francisco, six thousand dollars.
- For purchase of law books, attorney general's office, two thousand dollars.
- For printing, etc., attorney general's office, six thousand dollars.
- For payment of expenses incidental to conserving state lands, gathering evidence, and quieting and canceling outstanding evidences of title, five thousand dollars.

SURVEYOR GENERAL'S OFFICE.

- For salary of surveyor general, ten thousand dollars.
- For salary of deputy surveyor general, six thousand dollars.
- For salary of assistant surveyor general, four thousand five hundred dollars.
- For salaries of three clerks, surveyor general's office, ten thousand eight hundred dollars.
- For salaries of three clerks, register state land office, ten thousand eight hundred dollars.
- For pay of porter, surveyor general's office, nine hundred sixty dollars.
- For postage, expressage and telegraphing, surveyor general's office, one thousand seven hundred dollars.
- For contingent and traveling expenses, surveyor general's office, one thousand dollars.
- For purchase of and copying maps and records, checking surveys, and securing necessary data, surveyor general's office, four thousand eight hundred dollars.
- For traveling expenses of surveyor general and attorney general when engaged in official state business in relation to land, one thousand dollars.
- For printing, etc., surveyor general's office, one thousand seven hundred dollars.

SUPERINTENDENT OF STATE PRINTING.

- For salary of superintendent of state printing, ten thousand dollars.
- For salary of deputy superintendent of state printing, four thousand eight hundred dollars.
- For postage, traveling, telegraph, and contingent expenses, state printing office, two thousand dollars.
- For printing, etc., office superintendent of state printing, six hundred dollars.

STATE BOARD OF EQUALIZATION.

- For salaries of members of state board of equalization, thirty-two thousand dollars.
- For salary of secretary, state board of equalization, six thousand dollars.
- For pay of porter, state board of equalization, nine hundred sixty dollars.
- For postage, expressage, telegraph and contingent expenses, state board of equalization, one thousand dollars.
- For clerical and expert assistance, printing, postage and all other expenses involved in making the assessment of taxes, thirty-six thousand dollars.
- For traveling and contingent clerical expenses, state board of equalization (Political Code, Section 3702), twelve thousand dollars.
- For printing, etc., state board of equalization, five thousand dollars.

SUPERINTENDENT OF CAPITOL BUILDING AND GROUNDS.

- For salary of superintendent of capitol building and grounds, six thousand dollars.
- For salary of clerk to superintendent of capitol building and grounds, three thousand six hundred dollars.
- For salary of engineer, three thousand six hundred dollars.

For salary of additional engineer during session of the legislature, four hundred fifty dollars.

For salary of fireman, two thousand five hundred twenty dollars.

For salary of additional fireman during session of legislature, three hundred fifteen dollars.

For salary of electrician, three thousand six hundred dollars.

For salary of additional electrician during session of legislature, four hundred fifty dollars.

For salary of head porter, two thousand four hundred dollars.

For salaries of seven special policemen, eighteen thousand four hundred eighty dollars.

For salaries of two elevator attendants, four thousand three hundred twenty dollars.

For salaries of two additional elevator attendants during session of legislature, five hundred forty dollars.

For salaries of two telephone exchange operators, two thousand eight hundred eighty dollars.

For salaries of two additional telephone exchange operators during session of legislature, four hundred eighty dollars.

For salary of one telephone exchange operator for two months each year, one hundred twenty dollars.

For purchase of carpets and furniture for capitol building (exempt from Section 4 of this Act), two thousand dollars.

For water for state capitol building and grounds, three thousand six hundred dollars.

For repairs to capitol building, furniture and fixtures (exempt from Section 4 of this Act), five thousand dollars.

For stationery, fuel, lights and supplies for legislature and state offices, twenty-eight thousand dollars.

For salary of head gardener, three thousand six hundred dollars.

For pay of gardeners, porters and other help in capitol building and grounds, forty-two thousand five hundred dollars.

For purchase of implements and hose, care and improvement of grounds (exempt from Section 4 of this Act), seven thousand dollars.

For traveling and contingent expenses, superintendent capitol building and grounds, two hundred forty dollars.

BOARD OF RAILROAD COMMISSIONERS.

For salaries of railroad commissioners, sixty thousand dollars.

For salaries of other civil executive officers in office of board of railroad commissioners, twenty-one thousand six hundred dollars.

Appropriation for expense of carrying on work of railroad commission, including traveling and contingent expenses, two hundred eighty-seven thousand dollars.

OFFICE OF INSURANCE COMMISSIONER.

For salary of insurance commissioner, eight thousand dollars.

For salary of deputy insurance commissioner, five thousand four hundred dollars.

STATE BOARD OF HEALTH.

For salary of secretary to state board of health, seven thousand two hundred dollars.

For salary of assistant secretary, four thousand eight hundred dollars.

For salary of attorney to state board of health, six thousand dollars.

For salary of statistician, state board of health, four thousand eight hundred dollars.

For salary of deputy statistician, state board of health, three thousand two hundred dollars.

For salary of two copyists, three thousand six hundred dollars.

For payment of fees for reporting and investigating occupational diseases, two thousand dollars.

For salary of clerk, state board of health, three thousand two hundred dollars.

For salary of director, food and drug laboratory, state board of health, six thousand dollars.

For salary of assistant director, food and drug laboratory, state board of health, three thousand dollars.

For traveling and contingent expenses, state board of health, seven thousand five hundred dollars.

For support of state hygienic laboratory for bacteriological work, state board of health, twenty thousand dollars.

For support of pure food and drug laboratory, state board of health, forty-five thousand dollars.

For printing, etc., state board of health, eight thousand dollars.

For salary of director of hygienic laboratory, six thousand dollars.

For salary of sanitary engineer, six thousand dollars.
For salary of stenographer, two thousand four hundred dollars.
For expense of engineering division, two thousand dollars.

BUREAU OF LABOR STATISTICS.

For salary of the commissioner, bureau of labor statistics, six thousand dollars.
For salary of the deputy commissioner, bureau of labor statistics, four thousand eight hundred dollars.
For salary of deputy commissioner, bureau of labor statistics, at Los Angeles, four thousand eight hundred dollars.
For salary of assistant deputy commissioners, bureau of labor statistics, four thousand two hundred dollars.
For salary of statistician, bureau of labor statistics, four thousand two hundred dollars.
For salary of stenographer, bureau of labor statistics, two thousand four hundred dollars.
For office rent, bureau of labor statistics, three thousand six hundred dollars.
For salaries of assistants, traveling and contingent expenses, bureau of labor statistics, the same being the appropriation made by Chapter 42, Statutes 1909, and not additional thereto, forty thousand dollars.
For printing, etc., bureau of labor statistics, six thousand dollars.

HARBOR COMMISSIONERS, EUREKA.

For salaries of three commissioners, two thousand four hundred dollars.
For salary of harbor master, two thousand four hundred dollars.
For salary of secretary to harbor commissioners, two thousand dollars.
For contingent expenses of harbor commissioners at Eureka, the same being the appropriation made by Section 2572 of the Political Code, and not additional thereto, three thousand dollars.

INDUSTRIAL ACCIDENT BOARD.

For salaries of members of industrial accident board, twenty-one thousand six hundred dollars.
For salary of secretary, four thousand eight hundred dollars.
For salary of statistician, four thousand two hundred dollars.
For salaries of three clerks, seven thousand dollars.
For salaries of stenographers, six thousand dollars.
For support and maintenance of board, including accident prevention work, twelve thousand dollars.
For department of industrial safety, ten thousand dollars.
For payment of compensation benefits accruing by reason of personal injury resulting from accidents to state officers and employees while performing service growing out of and incidental to their employment, twelve thousand dollars.
For postage, expressage and telegraphing, six thousand dollars.
For traveling and contingent expenses, four thousand dollars.
For printing, etc., five thousand dollars.
For rent, five thousand dollars.

NATIONAL GUARD.

For salary of the adjutant general, seven thousand two hundred dollars.
For salary of assistant adjutant general, six thousand dollars.
For salary of chief clerk, adjutant general's office, three thousand eight hundred dollars.
For salaries of three clerks, adjutant general's office, ten thousand two hundred dollars.
For salary of clerk and stenographer, adjutant general's office, three thousand dollars.
For salary of military storekeeper, adjutant general's office, two thousand four hundred dollars.
For salary of assistant military storekeeper, adjutant general's office, one thousand eight hundred dollars.
For postage, expressage and telegraphing, adjutant general's office, two thousand dollars.
For care of state armory, cleaning and transportation of arms, traveling and contingent expenses of the adjutant general, seven thousand dollars.
For target practice and purchase of medals, national guard, twenty-two thousand dollars.
For allowance for brigade headquarters, national guard, four thousand eight hundred dollars.
For allowance for regimental headquarters, including allowance for bands, national guard, twenty-nine thousand four hundred dollars.
For armory rents and other expenses of the national guard, two hundred forty-five thousand dollars.

Traveling expenses and per diem of officers and enlisted men on detail duty, also traveling expenses of United States army and navy officers detailed for duty with the national guard, ten thousand dollars.

For hospital supplies, national guard, one thousand dollars.

For furnishing coal and other supplies, and for repairs to training ships, naval militia, eight thousand dollars.

For purchase of uniforms and equipment, national guard (exempt from Section 4 of this Act), ten thousand dollars.

For expenses of court martial and contingent expenses thereof, one thousand dollars.

Expenses of encampments, cruises, and authorized parades (exempt from Section 4 of this Act), twenty thousand dollars.

For pay of enlisted men at joint maneuver encampments, sixty thousand dollars.

For allowance to surgeon general, six hundred dollars.

For allowance for officers, under provisions of Section 2078, Political Code, fifteen thousand dollars.

For printing, etc., adjutant general's office, six thousand dollars.

STATE ENGINEERING DEPARTMENT.

For salaries of three appointed members, twenty-one thousand six hundred dollars.

For salary of state engineer, ten thousand dollars.

For salary of highway engineer, twenty thousand dollars.

For salaries of two assistant state engineers, seven thousand two hundred dollars.

For salary of state architect, nine thousand six hundred dollars.

For salary of architectural designer for state engineering department, four thousand eight hundred dollars.

For salaries of three architectural draughtsmen for state engineering department, twelve thousand dollars.

For salaries of two engineer's draughtsmen for state engineering department, eight thousand dollars.

For salary of one testing engineer for state engineering department, four thousand two hundred dollars.

For salary of one mechanical engineer for state engineering department, five thousand four hundred dollars.

For salary of two filing clerks, state engineering department, seven thousand two hundred dollars.

For salary of blue print pressman for state engineering department, three thousand dollars.

For salary of secretary, state engineer, four thousand eight hundred dollars.

For salaries of two clerks and stenographers, state engineering department, six thousand dollars.

For salary of the porter and messenger to state engineering department, one thousand eight hundred dollars.

For contingent and traveling expenses, state engineering department, twenty-five thousand dollars.

For printing, etc., state engineering department, five thousand dollars.

For improvements and maintenance of Mono Lake Basin road, five thousand dollars.

For improvements and maintenance of Sonora and Mono road, ten thousand dollars.

For improvements and maintenance of Lake Tahoe road, fifteen thousand dollars.

For improvements and maintenance of Emigrant Gap highway, eight thousand dollars.

For improvements and maintenance of Kings River highway, four thousand dollars.

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

For salary of superintendent of public instruction, ten thousand dollars.

For salary of deputy superintendent of public instruction, four thousand eight hundred dollars.

For salary of statistician, superintendent of public instruction's office, four thousand eight hundred dollars.

For salary of clerk and stenographer, superintendent of public instruction's office, three thousand two hundred dollars.

For salary of bookkeeper, superintendent of public instruction's office, three thousand two hundred dollars.

For clerical assistance in superintendent of public instruction's office in distributing state school books, four hundred dollars.

For pay of porter, superintendent of public instruction's office, one thousand eight hundred dollars.

For postage, expressage and telegraphing, superintendent of public instruction's office, two thousand six hundred dollars.

For contingent and traveling expenses (including traveling expenses under Section 1532, Political Code), three thousand six hundred dollars.

For printing, etc., superintendent of public instruction's office, twenty-four thousand dollars.

Text-books for orphans (Statutes 1907, Chapter 472), five thousand dollars.

STATE LIBRARY.

For salary of state librarian, seven thousand two hundred dollars.

For salaries of two deputy state librarians, seven thousand two hundred dollars.

For support and maintenance of state library, one hundred ninety thousand dollars.

UNIVERSITY OF CALIFORNIA.

For support and maintenance of University of California, four hundred thousand dollars.

For printing, etc., University of California, twelve thousand dollars.

For support, maintenance and equipment of college of agriculture of University of California, including support of the university farm school at Davis and also support of all experimental stations, all pathological and other investigations, farmers' institutes and all agricultural departments connected with the University of California, and also including appropriations as provided in Chapter 515, Statutes 1911, seven hundred thousand dollars.

For university extension work, fifty thousand dollars.

For support, maintenance and equipment of Los Angeles department of the college of medicine, twenty thousand dollars.

For support and maintenance of Scripps Institution of Biological Research, fifteen thousand dollars.

For work of insecticide and fungicide control laboratory provided for in Chapter 653, Statutes of 1911, ten thousand dollars.

STATE BOARD OF EDUCATION.

For per diem of members of board of education, traveling and contingent expenses of board and commissioners of education and salaries of office employees, thirty thousand dollars.

For salaries of commissioners of education, thirty-two thousand dollars.

For printing for board and commissioners of education, two thousand dollars.

STATE NORMAL SCHOOLS.

For support of state normal school, at San Jose, eighteen thousand dollars.

For salaries of officers, teachers and employees of same, one hundred fifty-five thousand dollars.

For care and improvement of grounds of same, six thousand dollars.

For library, museum and purchase of scientific apparatus of same, four thousand five hundred dollars.

For printing, etc., state normal school at San Jose, one thousand five hundred dollars.

For support of state normal school at Los Angeles, twenty thousand dollars.

For salaries of officers, teachers and employees of same, two hundred twelve thousand dollars.

For care and improvement of grounds of same, seven thousand dollars.

For library, museum and purchase of scientific apparatus for same, five thousand dollars.

For printing, etc., state normal school at Los Angeles, one thousand eight hundred dollars.

For support of state normal school at Chico, seven thousand five hundred dollars.

For salaries of officers, teachers and employees of same, eighty-five thousand dollars.

For care and improvement of grounds of same, three thousand five hundred dollars.

For library, museum and purchase of scientific apparatus for same, two thousand two hundred dollars.

For printing, etc., state normal school at Chico, one thousand dollars.

For support of state normal school at San Diego, eight thousand five hundred dollars.

For salaries of officers, teachers and employees of same, ninety thousand dollars.

For library, museum and scientific apparatus for same, three thousand dollars.

For care and improvement of grounds of same, four thousand dollars.

For printing, etc., state normal school at San Diego, one thousand two hundred dollars.

For support of state normal school at San Francisco, seven thousand five hundred dollars.

For salaries of officers, teachers and employees of same, eighty thousand dollars.

For care and improvement of grounds of same, one thousand dollars.

For library, museum and scientific apparatus for same, two thousand dollars.

For printing, etc., state normal school at San Francisco, one thousand two hundred dollars.

For support of state normal school at Santa Barbara, three thousand five hundred dollars.

For salaries of officers, teachers and employees of same, fifty-seven thousand dollars.

For care and improvement of grounds of same, one thousand dollars.

For library, museum and scientific apparatus for same, six hundred dollars.

For printing, etc., state normal school at Santa Barbara, six hundred dollars.

For support of state normal school at Fresno, five thousand seven hundred fifty dollars.

For salaries of officers, teachers and employees of same, sixty-two thousand dollars.

For library, museum and scientific apparatus for same, one thousand five hundred dollars.

For printing, binding and ruling, seven hundred fifty dollars.

JOINT BOARD OF NORMAL SCHOOL TRUSTEES.

For traveling expenses of joint board of normal school trustees, one thousand dollars.

CALIFORNIA POLYTECHNIC SCHOOL.

For support and maintenance, including purchase of stock and equipment for farm and laboratories, twenty-eight thousand dollars.

For salaries of officers, teachers and employees of same, seventy thousand dollars.

For care and improvement of grounds of same, seven thousand dollars.

For library for same, one thousand five hundred dollars.

For printing, etc., California Polytechnic School, one thousand two hundred dollars.

INSTITUTION FOR DEAF AND BLIND.

For support of Institution for Deaf and Blind at Berkeley, sixty thousand dollars.

For salaries of officers and employees of same, one hundred thirty thousand dollars.

For printing, etc., for Institution for Deaf and Blind, six hundred dollars.

HASTINGS COLLEGE OF THE LAW.

For payment of interest on one hundred thousand dollars to Hastings College of the Law, fourteen thousand dollars.

For rental, Hastings College of the Law, four thousand eight hundred dollars.

STATE AGRICULTURAL SOCIETY.

For aid to state agricultural society, sixty thousand dollars.

For salary of secretary, six thousand dollars.

For salary of assistant secretary, three thousand dollars.

For salary of stenographer, one thousand eight hundred dollars.

For salary of night watchman, one thousand eight hundred dollars.

For salary of gardener, one thousand eight hundred dollars.

For gathering statistics (Statutes 1911, page 1109), ten thousand dollars.

For traveling expenses of the directors of the state agricultural society, two thousand dollars.

For printing, etc., state agricultural society, six thousand five hundred dollars.

STATE MINING BUREAU.

For salary of state mineralogist, six thousand dollars.

For support of the mining bureau, including salaries, eighty thousand dollars.

For printing, etc., state mining bureau, seven thousand five hundred dollars.

STATE COMMISSIONER OF HORTICULTURE.

For salary of commissioner, eight thousand dollars.

For salary of deputy commissioner, four thousand eight hundred dollars.

For salary of secretary, four thousand eight hundred dollars.

For salary of superintendent of state insectary, four thousand eight hundred dollars.

For salary of assistant superintendent, state insectary, three thousand six hundred dollars.

For salary of field deputy, insectary division, three thousand dollars.

For salary of chief deputy quarantine inspector at San Francisco, four thousand eight hundred dollars.

For salary of deputy quarantine officer at San Francisco, three thousand six hundred dollars.

For salary of clerk at Sacramento office, three thousand dollars.

For use and support of office of commissioner of horticulture, searching for beneficial insects, and use and support of state insectary, fifty-five thousand dollars.

For printing, etc., commissioner of horticulture, ten thousand dollars.

STATE VETERINARIAN.

- For salary of state veterinarian, seven thousand two hundred dollars.
- For salary of assistant state veterinarian, six thousand dollars.
- For salary of deputy state veterinarian, three thousand six hundred dollars.
- For salary of clerk to state veterinarian, three thousand two hundred dollars.
- For traveling and contingent expenses of the office of state veterinarian, including sheep inspecting, twenty-two thousand dollars.
- For printing, etc., state veterinarian, four hundred dollars.

STATE DAIRY BUREAU.

- For support of state dairy bureau, fifty thousand dollars.

STATE BOARD OF FORESTRY.

- For salary of state forester, six thousand dollars.
- For salary of deputy state forester, three thousand six hundred dollars.
- For salary of assistant state forester, three thousand and two hundred dollars.
- For support of state board of forestry, including field and traveling expenses, twenty-five thousand dollars.
- For fire protection, state board of forestry, fifty thousand dollars.
- For printing, etc., state board of forestry, six thousand dollars.

CALIFORNIA REDWOOD PARK.

- For improvement and maintenance, California Redwood Park, ten thousand dollars.

MARSHALL MONUMENT AND SUTTER'S FORT.

- For salary of guardian, Marshall monument and grounds, one thousand two hundred dollars.
- For salary of guardian of Sutter's Fort, one thousand eight hundred dollars.
- For salary of gardener of Sutter's Fort, two thousand four hundred dollars.
- For salary of assistant gardener of Sutter's Fort, two thousand one hundred sixty dollars.
- For maintenance of grounds and buildings at Sutter's Fort, one thousand seven hundred forty dollars.

VETERANS' HOME.

- For support and maintenance, two hundred sixty-five thousand dollars.
- For printing, etc., Veterans' Home, one thousand five hundred dollars.

WOMAN'S RELIEF CORPS HOME.

- For expense of maintenance of Woman's Relief Corp Home, four thousand dollars.

INDUSTRIAL HOME FOR ADULT BLIND.

- For support of Home for Adult Blind, thirty-eight thousand dollars.
- For salaries of officers and employees of same, twenty-five thousand dollars.
- For printing, etc., Home for Adult Blind, five hundred dollars.

ORPHAN AID.

- For support of orphans, half-orphans and abandoned children, eight hundred sixty thousand dollars.

STATE BOARD OF CHARITIES AND CORRECTIONS.

- For salaries and expenses, state board of charities and corrections (Statutes 1911, page 1335), twenty-five thousand dollars.

STATE COMMISSION IN LUNACY.

- For salaries of officers and employees and for salary of general superintendent of state hospitals, thirty-six thousand dollars.
- For traveling expenses and all other contingent expenses of the commission and its officers and employees, five thousand dollars.
- For printing, etc., state commission in lunacy, six thousand dollars.

HOSPITALS FOR INSANE.

- For support of Stockton State Hospital, four hundred six thousand six hundred twenty dollars.
- For salaries of officers and employees of same, three hundred twenty-five thousand sixty dollars.
- For support of Napa State Hospital, three hundred seventy-eight thousand seven hundred fifty dollars.
- For salaries of officers and employees of same, three hundred nine thousand seven hundred sixty dollars.

For support Agnews State Hospital, three hundred twenty-one thousand eighty dollars.

For salaries of officers and employees of same, two hundred twenty-three thousand sixty dollars.

For support of Mendocino State Hospital, two hundred thirty-nine thousand six hundred dollars.

For salaries of officers and employees of same, one hundred eighty-five thousand four hundred sixty dollars.

For support of Southern California State Hospital, four hundred fifty thousand nine hundred seventy-five dollars.

For salaries of officers and employees of same, two hundred fifty-nine thousand forty dollars.

For support of Sonoma State Home, two hundred thirty-seven thousand seven hundred ten dollars.

For salaries of officers and employees of same, one hundred ninety-eight thousand eight hundred twenty dollars.

For support of Folsom State Hospital, twelve thousand dollars.

For salaries of officers and employees of same, twelve thousand dollars.

TRANSPORTATION EXPENSES.

For transportation of prisoners, insane, delinquent and feeble-minded children to state institutions to which they are committed (exempt from Section 4 of this Act), two hundred thousand dollars.

PRESTON AND WHITTIER SCHOOLS.

For support of Preston School of Industry, two hundred seventy-five thousand dollars.

For salaries of officers and employees of same, one hundred fifty-six thousand dollars.

For support of Whittier State School, one hundred five thousand dollars.

For salaries of officers and employees of same, ninety thousand dollars.

STATE BOARD OF PRISON DIRECTORS.

For printing, state board of prison directors, five hundred dollars.

For parole work, thirty thousand dollars.

STATE PRISONS.

For salaries of officers and employees of state prison at San Quentin, one hundred fifty thousand dollars.

For printing, etc., state prison at San Quentin, one thousand dollars.

For support of state prison at Folsom, two hundred sixty-four thousand dollars.

For salaries of officers and employees of same, one hundred ninety-five thousand dollars.

For printing, etc., state prison at Folsom, two thousand dollars.

MISCELLANEOUS PURPOSES.

For care of state burial grounds, two hundred dollars.

For payment of premiums on surety bonds of state officers and employees, seven thousand dollars.

For cost of publication or purchase and distribution of state text-books, and other necessary expenses in carrying out the provisions of Article IX, Section 7 of the Constitution (exempt from Section 4 of this Act), five hundred thousand dollars.

For rent of quarters of state offices in Sacramento, outside of capitol building, and cost of moving, to be expended under the direction of board of control, forty-five thousand dollars.

SEC. 2. The various sums herein appropriated for printing, binding, ruling, materials and all other work provided for by law to be done in the state printing office shall be expended only upon requisitions to be approved by the state board of control, and said board is authorized and given power to reduce the amount of such requisitions either in whole or in any item thereof. When any state publication is printed and paid for out of any appropriation in this Act, the disposition of the same shall be subject to the provisions of Section 2295a of the Political Code of the State of California. The sums that are herein appropriated for expenses of the senate and assembly shall be disbursed under the direction of the bodies to which they respectively belong, and shall not be subject to any of the provisions of section six hundred and seventy-two of the Political Code; *provided*, that the state controller shall not be required to draw any warrants until the original claims and vouchers, itemized and properly sworn to, are filed with him. The sums herein appropriated for the expenses of the national guard shall be audited by the adjutant general, as required by sections two thousand and eighty-three and two thousand and eighty-five of the Political Code. Not more than five hundred dollars of the moneys hereby appropriated for the support of the institutions of the state shall be used in each fiscal

year for permanent improvements, but shall be used solely for the payment of salaries and traveling expenses of the commissioners or directors having charge of the same (when such salaries or expenses are allowed by law), the salaries of employees, the purchase of material and supplies for the use of said institutions, and for such incidental and current expenses as may be necessarily incurred for the proper management and support of said institutions.

SEC. 3. All persons having demands against the state, the various state officers, and the officers of all institutions under the control of the state, except the governor, to whom and for which appropriations other than salaries are made under the provisions of this Act, shall, with their biennial report, submit a detailed statement, under oath, of the manner in which all appropriations for their respective departments and institutions have been expended, and the state board of control is hereby expressly prohibited from allowing any demand payable out of any such appropriations until the same are presented in itemized form, accompanied by affidavit and voucher for money expended by them, stating specifically the service rendered, by whom performed, time employed, distance traveled, and necessary expenses thereof; if for articles purchased, the name of each article, together with the price paid for each, and of whom purchased, with the date of the purchase; *provided*, that in instances where the duties of any state officer or board make necessary the use of moneys for purposes of a confidential nature, the board of control may audit claims for such expense without requiring itemization or vouchers; but such claims must be accompanied by a statement of the facts surrounding the expenditure, which statement must be filed in the office of the board of control; *provided, further*, that the total amount so allowed for such confidential purposes from the moneys herein appropriated shall not exceed in any one fiscal year the sum of two thousand dollars. All bills and vouchers, which shall be presented for supplies furnished or services rendered, shall be original bills and vouchers of the parties furnishing supplies and rendering services; *provided*, that no officer shall use or appropriate any money, appropriated by this Act, for any purpose whatsoever, unless authorized thereto by law; *and provided*, that any officer, board, commission or department for whom any appropriation is made herein, may, with the permission of the board of control, and without at the time furnishing vouchers and itemized statements, draw from such appropriation a sum not to exceed five hundred dollars for any such officer, board, commission or department. The sum so drawn shall be used as a revolving fund where cash advances are necessary, and at the close of each fiscal year, or at any other time, upon the demand of the board of control, must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the board of control and the controller.

SEC. 4. Not more than one twenty-fourth of the amount appropriated under this Act for each department or institution for the two years ending June thirtieth, nineteen hundred and fifteen, shall be expended during any one month without the consent of the state board of control, and not more than one half of such appropriation shall be expended during the sixty-fifth fiscal year, unless the same has been expressly authorized by this Act.

SEC. 5. The officers of the various departments, boards, commissions, and institutions, for whose benefit and support appropriations are made in this Act, are expressly forbidden to make any expenditure in excess of such appropriations, except the unanimous consent of the state board of control be first obtained, and a certificate, in writing, duly signed by every member of said board, of the unavoidable necessity of such expenditure; and any indebtedness attempted to be created against the state in violation of the provisions of this section shall be absolutely null and void, and shall not be allowed by said state board of control, nor paid out of any state appropriations; *provided*, that any member of any such department, board, commissions, or institutions, who shall vote for any expenditure, or create any indebtedness against the state in excess of the respective appropriations, made by this Act, except by the unanimous consent of the state board of control, and the certificate in this section provided to be first obtained, shall be liable on his official bond for the amount of such indebtedness, to be recovered in any court of competent jurisdiction by the person or persons, firm or corporation, to whom such indebtedness is owing.

SEC. 6. No money appropriated by this Act shall be used to renew, or pay for the renewal of any fire insurance on any public building or property, nor to effect or pay for any new insurance on any public building or property, except the state printing office and its contents.

SEC. 7. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately.

Amendments adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners, and repealing an Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ELLIS, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 395—An Act to amend Section 4084½ of the Political Code of the State of California, authorizing the board of supervisors of the several counties of this State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, the State of California, and providing a penalty therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 1136—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channel of Napa River, in Napa County, and improving the navigability of such stream in said county and for acquiring land for necessary rights of way—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

Also: Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of said city, situate in the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

INMAN, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act

entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

SCHMITT, Chairman.

Bill re-referred to Committee on Ways and Means.

REPORTS OF COMMITTEES ON CONFERENCE.

The following reports of Committees on Conference were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 402½, providing that certain buildings shall be provided with fire escapes—report that we have met a like committee of the Senate, consisting of Senators Hewitt, Juilliard and Breed, and we report that the Committee on Conference are unable to agree and recommend that a Committee on Free Conference be appointed.

JOHNSON, GEO. H.,
SHANNON,
GATES,
For the Assembly.
BREED,
JUILLIARD,
For the Senate.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, by amending Sections 1, 2, 3, 4, 5 and 6 thereof and by adding a new section thereto, to be numbered Section 7—report that we have met a like committee of the Senate, consisting of Senators Birdsall, Thompson and Juilliard, and we report that the Committee on Conference have been unable to agree, and we recommend that a Committee on Free Conference on said bill be appointed.

HAYES,
BRADFORD,
HINKLE,
For the Assembly.
BIRDSALL,
THOMPSON,
JUILLIARD,
For the Senate.

ANNOUNCEMENT.

The Speaker announced the appointment of Messrs. Green, Clark, Wm. C., and Bagby, a Committee on Free Conference concerning Senate Bill No. 1397.

Also: Messrs. Sutherland, Smith and Richardson, a Committee on Free Conference concerning Senate Bill No. 847.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Beck:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

Referred to Committee on Introduction of Bills.

By Mr. Cary:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

Referred to Committee on Introduction of Bills.

By Mr. Gates:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act appropriating money for the completion, furnishing and equipping of the Folsom State Hospital.

Referred to Committee on Introduction of Bills.

SPEAKER PRO TEM. IN THE CHAIR.

At one o'clock and forty minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 246—An Act to amend Section 627 of the Penal Code of the State of California, relating to the protection and preservation of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 246 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Cary, Finnegan, Ford, Guiberson, Inman, Johnson, Geo. H., Moorhouse, Morgenstern, Murray, Palmer, Peairs, Schmitt, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, and Wyllie—21.

NOES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Fish, Gates, Gelder, Green, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Mouser, Nelson, Polsley, Roberts, Slater, Smith, Strine, and Sutherland—34.

NOTICE OF MOTION TO RECONSIDER.

Mr. Polsley gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 246 was this day refused passage.

Assembly Bill No. 309—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for the examination and licensing of chiropractors in the State of California, and to repeal all Acts or parts of Acts in conflict herewith.

During third reading of the bill, Mr. Mouser moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 14, after the word "chiropractic", insert the following: "or some other medical school or institution that teaches the requirements made herein to practice chiropractic".

Motion lost.

During third reading of the bill, Mr. McDonald moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 6, after line 6, add a new section to be known as Section 16.
"SEC. 16. This Act is by no means to be construed to allow such chiropractors to use the title of 'Dr.', 'M.D.' or 'Physician' in any manner whatsoever."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 309 refused passage by the following vote:

AYES—Messrs. Chandler, Gates, Gelder, Kingsley, Morgenstern, Murray, Polsley, Richardson, Shartel, Strine, Stuckenbruck, Wall, Weldon, and Woodley—14.

NOES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, McDonald, Moorhouse, Mouser, Nelson, Nolan, Palmer, Roberts, Shannon, Simpson, Sutherland, Walsh, and Weisel—38.

Assembly Bill No. 1252—An Act prohibiting the destruction of food-stuffs, food products or food articles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1252 passed by the following vote:

AYES—Messrs. Alexander, Benedict, Bloodgood, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Pairs, Polsley, Roberts, Shartel, Slater, Smith, Strine, Stuckenbruck, Walsh, Weisel, and Weldon—43.

NOES—Messrs. Guiberson and Sutherland—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1903—An Act to amend Section 4300e of the Political Code, relating to justices of the peace fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1903 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Ellis, Farwell, Ferguson, Fish, Gabbert, Gates, Gelder, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Pairs, Polsley, Schmitt, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, and Wyllie—44.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At three o'clock p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 1484—An Act to regulate the practice of employing special agents, detectives or so-called "spotters" to investigate and report to an employer information containing accusations against his employees; and providing penalties for the violation of its provisions and making the employer liable in damages to an employee sustaining thereby.

Bill read third time.

Mr. Weldon moved that further consideration of the above bill be postponed until the evening session of this day.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1484 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bohnett, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Hayes, Hinkle, Inman, Johnson, Geo. H., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgestern, Mouser, Nolan, Polsley, Richardson, Roberts, Ryan, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—52.

NOES—Messrs. Benedict, Emmons, Fish, Gates, Guiberson, Guill, Schmitt, and Wyllie—8.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Weldon:

An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report and providing for the punishment for the violation thereof.

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS.

On motion of Mr. Hayes, Senate Bills Nos. 22 and 209 were re-referred to Committee on Ways and Means.

On motion of Mr. Farwell, Assembly Bill No. 1550 was referred to Committee on Ways and Means.

On motion of Mr. Clarke, Senate Bill No. 1249 was re-referred to Committee on Ways and Means.

On motion of Mr. Sutherland, Senate Bills Nos. 1331 and 1515 were re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS.

Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, near Stockton, California, and to provide for the government and management thereof, and making an appropriation therefor.

Bill read second time.

Senate Bill No. 46—An Act to establish a state training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor.

Bill read second time.

Senate Bill No. 592—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers, C. H. McKinstry, Major Corps of Engineers, and Thomas H. Jackson, Captain Corps of Engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Bill read second time.

Senate Bill No. 1772—An Act appropriating money for the purchase of land for the Fresno State Normal School.

Bill read second time.

Senate Bill No. 1365—An Act to amend Sections 655, 678 and 683 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof.

Bill read second time.

Senate Bill No. 113—An Act appropriating money for the erection and equipment of an amusement hall and gymnasium at the Stockton State Hospital.

On request of Mr. Wall, the above Senate bill was re-referred to Committee on Ways and Means.

Senate Bill No. 971—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1076—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck or canvas or articles composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stable or tent tops, and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1153—An Act to amend Section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having population between 250,000 and 400,000.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of California, relating to when and how original process returnable in justices' courts in townships having a population between 250,000 and 400,000.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1157—An Act to amend Section 102b of the Code of Civil Procedure of California, relating to salary of justices, justices'

clerks, assistant justices' clerks and deputy justices' clerks in townships having a population between 250,000 and 400,000.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend the title of the engrossed bill as follows: In line 3 of the title insert the word "distribution" immediately after the word "water" and before the word "districts".

Amendment adopted.

AMENDMENT No. 2.

Amend the title of the engrossed bill as follows: In line 5 of the title, immediately after the word "water" at the end of said line 5, add the word "distribution".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 4, of the engrossed bill, insert the word "distribution" immediately after the word "water" and before the word "district".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 5, of the engrossed bill, insert the word "distribution" immediately after the word "water" and before the word "district".

Amendment adopted.

AMENDMENT No. 5.

On page 1, line 7, of the engrossed bill, add the following to Section 1, after the period immediately following the word "described": "The term 'water district' when used in this Act means a 'water distribution district' provided for or formed under this Act; and wherever the words 'water district' are used in this Act they refer to and mean such 'water distribution district.'"

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 34, of the engrossed bill, insert the word "distribution" immediately after the word "water" and before the word "district".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 455—An Act to amend Section 1532 of the Political Code, relating to duties of the State Superintendent of Public Instruction.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 458—An Act to amend Section 1858 of the Political Code, relating to the apportioning of school moneys by the county superintendent of schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the

courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 907—An Act to amend Section 1668 of the Political Code of the State of California, relating to the care of schoolrooms, health of pupils and to proper exercise of pupils in the public schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1263—An Act to amend Section 1886 of the Political Code of the State of California, relating to the minimum rate of interest and sale of school bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 809—An Act to amend Section 737 of the Political Code of the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend title by striking out the period after the word "California", and adding thereto the following: "relating to the salaries of superior court judges".

Amendment adopted.

AMENDMENT No. 2.

In line 10, after the comma following the word "Fresno", insert the following: "Imperial, Humboldt, San Mateo,".

Amendment adopted.

AMENDMENT No. 3.

In line 11, after the comma following the word "Santa Cruz", strike out "San Mateo,".

Amendment adopted.

AMENDMENT No. 4.

In line 13, after the comma following the word "Placer", strike out "Humboldt,".

Amendment adopted.

AMENDMENT No. 5.

In line 15, after the comma following the word "Glenn", add the following: "Yolo, Trinity and".

Amendment adopted.

AMENDMENT No. 6.

Beginning in line 15, after the word "Plumas", and ending in line 16, strike out the words "and Imperial".

Amendment adopted.

AMENDMENT No. 7.

In line 16, after the semicolon following the word "dollars", insert the following: "the county of Inyo, thirty-six hundred dollars;".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 675—An Act in relation to prostitution and to persons cohabiting, dwelling or residing with prostitutes; to define

and prohibit the same; to provide for punishment therefor and for the competency of certain evidence at the trial therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 676—An Act in relation to prostitution and to persons concerned in the encouragement and promotion thereof, to define and prohibit the same, to provide for punishment therefor, to provide for the jurisdiction of persons offending against the provisions of this Act, and for the competency of certain evidence at the trial therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, of the amended bill, strike out all of line 9, following the word "headlights", and all of line 10 down to and including the semicolon, and in lieu thereof insert the following: "which will project sufficient light to enable the locomotive engineer to observe clearly a dark object the size of an average man, at a distance of not less than 800 feet on a dark, clear night while his train is running at a rate of speed not less than 30 miles per hour;".

Amendment adopted.

AMENDMENT No. 2.

On page 1, of the amended bill, strike out the period in line 15, and in lieu thereof insert a comma, and the following: "nor to locomotive engines used on short lines or local lines where in the judgment of the railroad commission, the headlight herein provided for is not necessary for the preservation of public safety."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public work.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain

officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

Amend the title by striking out the period at the end of said title and insert the following: "and by adding a new section thereto to be known as Section 9a thereof, relating to the consolidation of other county and municipal offices in counties organized under a charter framed under the provisions of section seven and one half of Article XI of the Constitution."

Amendment adopted.

AMENDMENT NO. 2.

After line 5, page 5, insert the following:

SEC. 5. A new section is hereby added to said Act to read as follows:

Section 9a. Any county organized under a charter for its own government, framed under the provisions of section seven and one half of Article XI of the Constitution of the State of California; or any city or town situated within said county, organized, or incorporated under the provisions of section six of said article; or any city or town situated within said county heretofore or hereafter organized by charter authorized by section eight of said article shall have the power to prescribe, whenever such county charter so provides and the said county consents thereto, such other consolidation of county and municipal officers and the assumption and discharge of such functions thereof, as may be consistent with, and subject to said Constitution.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, strike out Section 9, and insert in lieu thereof the following:

"9. To levy and collect annually a property tax which shall not exceed one dollar and twenty-five cents on each one hundred dollars."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1666—An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 666—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1188—An Act to amend Section 3493 of the Political Code of the State of California, relating to the validation of uncanceled certificates of purchase and patents heretofore issued for swamp and overflowed lands.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1165—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 3524, providing for the reissuing of patents to swamp and overflowed lands, where the original patent has been lost or destroyed, and not of record in the county where the land is situated.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 628, 46, 1772, 1365 and 1416.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 628, 46, 592, 1772, 1365 and 1416 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 628, 46, 592, 1772, 1365, and 1416, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bill ordered to engrossment and third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 43—An Act appropriating money for building and furnishing a cottage for female working patients at Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 43 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Clark, Wm. C. Emmons, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Killingsworth, Kingsley, Libby, Morgenstern, Mouser, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Shannon, Slater, Smith, Sutherland, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1656—An Act appropriating money for wiring and piping the conduit at Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1656 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Mouser, Nelson, Nolan, Polsley, Richardson, Roberts, Shannon, Shearer, Simpson, Slater, Smith, Sutherland, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 414—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries of officers in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 414 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, McCarthy, Mouser, Nelson, Polsley, Richardson, Schmitt, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 374—An Act appropriating money to pay the claim of J. B. Curtin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 374 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bowman, Bradford, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Libby, McCarthy, McDonald, Mouser, Nolan, Richardson, Roberts, Ryan, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weldon, White, and Wyllie—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1536—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1536 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Libby, McCarthy, McDonald, Moorhouse, Mouser, Richardson, Roberts, Ryan, Shannon, Shartel, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 681—An Act to create a "State Bureau of Criminal Identification and Investigation"; providing for the appointment of a board of managers of said bureau, defining their qualifications, terms of office, duties and powers; providing for the appointment of a director, six clerks and one stenographer, fixing the compensation of said managers, directors, clerks and stenographers; providing for the manner of paying the same, and providing for the expense of equipping and maintaining the office of said bureau, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 681 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Inman, Johnstone, W. A., Libby, McCarthy, McDonald, Moorhouse, Mouser, Nolan, Peairs, Polsley, Roberts, Ryan, Slater, Smith, Strine, Stuckenbruck, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—47.

NOES—Mr. Wyllie—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1750—An Act to appropriate money for the purpose of constructing a pipe line from the property of the California State Reformatory, in Napa County, to the Veterans' Home of California, at Yountville, and connecting the same with the water system at said Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1750 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., McCarthy, McDonald, Moorhouse, Mouser, Polsley, Richardson, Roberts, Ryan, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 739—An Act to provide for the establishment of a state hospital for the insane and providing for commitment thereto and management thereof, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 739 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guill, Hinkle, Johnstone, W. A., Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Slater, Smith, Strine, Tulloch, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1084—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a national encampment of the United Spanish War Veterans in this State, to be held in the year 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1084 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gelder, Green, Guill, Johnstone, W. A., McCarthy, McDonald, Moorhouse, Mouser, Polsley, Roberts, Ryan, Schmitt, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1722—An Act making the appropriation made by Chapter 705, Statutes of 1911, "for printing, binding, ruling and all other work performed and materials furnished by the State Printing Office, to be used for the compiling and publication of Blue Book (exempt from Section 4 of this Act), ten thousand dollars," available for the distribution of said Blue Book.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1722 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Guill, Hinkle, Johnson, Geo. H., McCarthy, McDonald, Moorhouse, Mouser, Roberts, Schmitt, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 638—An Act making an appropriation to pay the claim of the directors of the State Board of Agriculture against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 638 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., McCarthy, McDonald, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Schmitt, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1343—An Act appropriating money to pay for the expense of improving American street, between Park and Poplar streets.

fronting the property belonging to Stockton State Hospital, in the city of Stockton.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1343 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnstone, W. A., Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Polsley, Richardson, Roberts, Ryan, Schmitt, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 746—An Act providing for the commemoration as “Gold Discovery Day,” in all departments of the public school system of the State of California, of the 24th of January, the date of the discovery of gold in California by James W. Marshall.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 746 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bush, Byrnes, Canepa, Cary, Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Richardson, Roberts, Ryan, Schmitt, Shannon, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Hinkle moved that the vote whereby Senate Bill No. 1252 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bowman, Bradford, Cary, Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, White, Wyllie, and Mr. Speaker—43.

NOES—None.

Senate Bill No. 1252—An Act reappropriating \$964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California entitled “An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot, or imminent danger thereof,” approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire, in September, 1912.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1252 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke Geo. A., Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—59.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1492—An Act to amend Section 287 of the Code of Civil Procedure of the State of California, relating to the removal and suspension of attorneys and counselors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1492 finally passed by the following vote:

AYES—Messrs. Alexander, Benedict, Bloodgood, Bowman, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Cram, Ellis, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Richardson, Roberts, Ryan, Schmitt, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of four o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

The question being upon the motion of Mr. Peairs to appoint a select committee of one to amend the bill as follows:

On page 4, line 9, strike out the numerals "1913", and insert in lieu thereof the numerals "1903".

Also: On page 4, line 9, strike out the word "suspending", and insert in lieu thereof the word "superseding".

Also: On page 8, lines 15 and 16, strike out the words "said judge", and insert in lieu thereof the word "and".

Also: On page 8, lines 32 and 33, strike out the words "of at least sixteen years of age".

Also: On page 8, line 34, strike out the words "if under sixteen years of age".

Also: On page 14, line 33, strike out the word "two", and insert in lieu thereof the word "three".

Also: On page 16, line 10, before the word "thirty-fifth", insert the following: "twenty-first and".

Also: On page 16, line 14, strike out the word "twenty-first".

Also: On page 17, line 20, before the word "dependency", insert the word "neglect".

Also: On page 24, line 19, strike out the words "under the age of sixteen years".

Also: On page 24, lines 20 and 21, strike out the words "if over the age of sixteen years".

Also: On page 28, line 32, after the word "belief", strike out the period and insert the following: ", unless placed in or committed to a non-sectarian or state institution".

Also: On page 19, line 6, strike out the word "is", and insert in lieu thereof the words "was at the time said offense was alleged to have been committed".

Also: On page 21, line 3, after the numerals "19", strike out all of Section 19, and insert in lieu thereof the following: "If the court shall determine that a delinquent person is not a fit and proper subject to be dealt with under the reformatory provisions of this Act, said court may dismiss the petition hereunder and direct that such delinquent person be prosecuted under the general law. No delinquent person under eighteen years of age shall be prosecuted for crime until the matter has first been submitted to the juvenile court by petition as in this Act provided or by certificate of the lower court as provided in Section 18 hereof."

Also: On page 23, line 16, after the words "to be" insert the word "neglected".

Also: On page 28, line 6, after the word "the", insert the word "neglect".

Also: On page 28, line 20, after the word "misdemeanors", insert the words "if said person is placed on probation, the probation period may be for such time as in the judgment of the court is necessary for the reformation of said person, or the protection of said person to whose neglect, dependency or delinquency said person has contributed, not exceeding three years."

Also: On page 29, line 1, after the word "person", insert the following: "or unless his parent or legal guardian is found by the court to be unfit;"

Also: On page 29, strike out all of lines 18, 19, 20 and 21 and to the period in line 22, and insert in lieu thereof the following: "Findings of facts shall be made by the court whenever demanded by either of the parties at the time of the trial."

Also: On page 30, line 10, after the word "appeals", strike out the word "and", and insert in lieu thereof the word "in".

Also: On page 30, line 36, after the word "Act", insert the following: "and under the Act of which this is amendatory."

Also: On page 31, line 4, after the word "pending", insert "under the Act of which this Act is amendatory".

Also: On page 31, line 4, after the word "Act", strike out the period and insert the following: "as it existed prior to these amendments. All officers holding office under the provisions of the Act of which this Act is amendatory shall be continued therein subject hereto and nothing herein contained shall be deemed to interfere with their term or tenure of office."

Also: In line 12 of the title, insert a comma immediately after the word "for", and before the word "or".

Also: In line 14 of the title, insert a comma immediately after the word "offenses".

Also: On page 2, line 3, insert a comma immediately after the word "industry".

Also: On page 3, line 13, strike out the word "destitute", and insert in lieu thereof the word "destitute".

Also: On page 19, line 4, strike out the word "of", and insert in lieu thereof the word "or".

Also: On page 12, line 20, strike out the word "theron", and insert in lieu thereof the word "thereon".

Also: On page 30, line 16, strike out the word "and", and insert in lieu thereof a comma.

Also: On page 30, line 23, after the word "protection", insert a comma.

Also: On page 30, line 30, after the word "act", insert a comma.

Also: On page 30, line 34, strike out the figures "27" immediately after the word "March", and insert in lieu thereof the figures "21".

Also: On page 17, line 29, strike out the word "Whenever", and strike out all of lines 30, 31, 32, 33, 34, 35 and 36 to the period, and insert in lieu thereof the following: "Whenever any person is declared neglected, dependent or delinquent under the provisions of this Act, and is placed under probation in another county than that in which such order is made, the entire case may be transferred to the juvenile court of the county wherein said person is placed on probation and the court of that county shall thereafter have jurisdiction of said cause. The expense of the transfer of the neglected, dependent or delinquent person aforesaid to be borne by the county in which the order is made."

Motion carried.

The Speaker appointed Mr. Peairs as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1684, with instructions, do now report that the instructions of the Assembly have been carried out.

PEAIRS, Select Committee.

Report of select committee and amendments adopted.

Mr. Peairs moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 9, line 32, strike out the words "one judge", and insert in lieu thereof the words "two judges".

Also: On page 9, line 32, after the word "court", insert the words "a majority of".

Mr. Johnston moved as a substitute that the Speaker appoint a select committee of one to amend the bill as follows:

On page 9, line 32, after the word "court", strike out "the judges of the superior court", and insert in lieu thereof the following: "the judge who has been designated as judge of the juvenile court".

Roll call regularly demanded.

The roll was called, and substitute adopted by the following vote:

AYES—Messrs. Bagby, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Dower, Finnegan, Guill, Johnson, Geo. H., Johnston, T. D., Killingsworth, McDonald, Polsley, Richardson, Ryan, Schmitt, Shannon, Simpson, Slater, Stuckenbruck, Wall, and Walsh—24.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Fish, Gates, Guiberson, Johnstone, W. A., Judson, Kingsley, Kuck, Mouser, Nelson, Peairs, Weisel, Woodley, and Mr. Speaker—22.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1684, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendment adopted.

Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 7, line 34, after the word "with", strike out "dependent or delinquent persons", and insert in lieu thereof "delinquent persons or dependent persons who have been adjudged dependent because of wilful misconduct, immorality or depravity on the part of such dependent persons."

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1684, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendment adopted.

Mr. Bradford moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 28, line 14, between the words "a" and "defendant", insert the word "neglected."

Motion carried.

The Speaker appointed Mr. Bradford as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1684, with instructions, do now report that the instructions of the Assembly have been carried out.

BRADFORD, Select Committee.

Report of select committee and amendment adopted.

Mr. Johnston moved that the further consideration of Assembly Bill No. 1684 be continued to the hour of eight o'clock p.m. of this day.

Motion carried.

RECESS.

At six o'clock and five minutes p.m., on motion of Mr. Johnston, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Young in the chair.

Assembly Bill No. 1684 under consideration.

Mr. Peairs moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 3, strike out the word "State".

Also: On page 2, line 16, after the word "Preston", strike out the word "State".

Also: On page 4, line 25, after the word "county", insert a comma.

Also: On page 19, line 4, after the word "justice", strike out the word "of", and insert in lieu thereof the word "or".

Also: On page 24, line 21, strike out the word "State".

Also: On page 25, line 7, after the word "Preston", strike out the word "State".

Also: On page 26, line 19, after the word "Preston", strike out the word "State".

Also: On page 4, after line 19, insert the following: "(10) Who commits a misdemeanor which does not involve moral turpitude."

Also: On page 4, line 24, after the second word "person", insert the words "who commits a felony or".

Also: On page 5, line 5, after the word "petition", insert the following: "when-ever a petition is ordered filed as herein provided, it may be filed by the district attorney or any probation officer and need not be verified."

Motion carried.

The Speaker appointed Mr. Peairs as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1684, with instructions, do now report that the instructions of the Assembly have been carried out.

PEAIRS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

AMENDMENT OF BILLS.

Senate Bill No. 961—An Act to amend Section 632 $\frac{1}{2}$ of the Penal Code, relating to the protection of steelhead trout.

Mr. Emmons moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 3, strike out the period after the word "misdemeanor", and insert in lieu thereof the following: " : *provided*, that in fish and game district number six of the State of California every person who between the first day of March of the year following, takes, catches, kills, destroys, or has in his possession any steelhead trout is guilty of misdemeanor."

Motion carried.

The Speaker appointed Mr. Emmons as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 961, with instructions, do now report that the instructions of the Assembly have been carried out.

EMMONS, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fiftieth class.

Mr. Woodley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 8, strike out the word "and", and insert a period after the word "created". Begin the word "the" following with a capital letter.

Also: On page 1, lines 9 and 10, strike out the words "deputy district attorney", and insert in lieu thereof the following: "registration deputies".

Motion carried.

The Speaker appointed Mr. Woodley as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 736, with instructions, do now report that the instructions of the Assembly have been carried out.

WOODLEY, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL URGENCY FILE.

Assembly Bill No. 1193—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1193 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Brown, Bush, Cary, Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert,

Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McDonald, Nelson, Palmer, Pairs, Richardson, Roberts, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Mr. Speaker—44.

NOES—Mr. Murray—1.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. W. A. SUTHERLAND IN THE CHAIR.

At eight o'clock and fifteen minutes p.m., Hon. W. A. Sutherland, of the Fifty-first District, in the chair.

Assembly Bill No. 2069—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign born resident of this State and providing punishment therefor, and providing for disposition of such shotguns or rifles.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 2, after the word "California", insert the following: "who has not declared his intention to become a citizen of the United States."

Roll call regularly demanded.

The roll was called.

Pending the announcement of the vote, Mr. Shannon moved a call of the House.

Motion lost.

The roll of absentees was called, and motion to appoint select committee carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Brown, Byrnes, Canepa, Chandler, Clarke, Geo. A., Ellis, Emmons, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Johnstone, W. A., Kingsley, Kuck, Libby, Nelson, Palmer, Polsley, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, and Weldon—33.

NOES—Messrs. Bloodgood, Bowman, Bush, Cary, Cram, Ferguson, Ford, Gelder, Guill, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, McDonald, Mouser, Murray, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Smith, Tulloch, Walsh, Weisel, Woodley, and Wyllie—30.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 2069, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1287 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Canepa, Chandler, Clarke, Geo. A., Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates,

Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 844—An Act to amend Section 2643 of the Political Code of the State of California, relative to the powers of boards of supervisors relating to roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 844 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, and Walsh—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Schmitt moved that the vote whereby Assembly Bill No. 468 was passed, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bagby, Beck, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Fish, Gates, Guiberson, Johnstone, W. A., Libby, Murray, Roberts, Schmitt, Sutherland, and Wyllie—17.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bush, Canepa, Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, McDonald, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, and Woodley—42.

Bill ordered transmitted to the Senate.

Mr. Brown called up his motion to reconsider the vote on Assembly Bill No. 880.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Brown moved a call of the House.

Motion carried.

Time, nine o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Murray,

Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

At nine o'clock and fifty-five minutes p.m., Mr. Johnstone moved that further proceedings under the call of the House be dispensed with.

Motion lost.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. McDonald.

The roll of absentees was called, and motion to reconsider carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gelder, Griffin, Guiberson, Hinkle, Kingsley, Kuck, Libby, Murray, Palmer, Peairs, Polsley, Roberts, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—41.

NOES—Messrs. Beck, Bohnett, Bradford, Bush, Byrnes, Canepa, Collins, Dower, Ferguson, Ford, Gates, Green, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, McDonald, Nelson, Nolan, Richardson, Schmitt, Scott, Shannon, Shartel, and Walsh—30.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Brown moved a call of the House.

Motion carried.

Time, ten o'clock and ten minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

At ten o'clock and thirty minutes p.m., Mr. Johnstone moved to dispense with the call of the House.

Motion lost.

At ten o'clock and forty minutes p.m., Mr. Johnston moved that further proceedings under the call of the House be dispensed with.

Motion lost.

Mr. Brown moved that the Sergeant-at-Arms be required to report to the Assembly.

Mr. McDonald moved, as a substitute, that further proceedings under the call of the House be dispensed with.

Roll call regularly demanded.

The roll was called, and substitute motion carried by the following vote:

AYES—Messrs. Beck, Bohnett, Bradford, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Collins, Dower, Ferguson, Finnegan, Ford, Gelder, Green, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, McDonald, Nelson, Nolan, Richardson, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Walsh, and Mr. Speaker—37.

NOES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Brown, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Griffin, Guiberson, Hinkle, Johnson, Geo. H., Kingsley, Libby, Murray, Palmer, Peairs, Polsley, Roberts, Simpson, Strine, Tulloch, Weisel, Weldon, Woodley, and Wyllie—34.

Time, ten o'clock and forty-five minutes p.m.

The roll of absentees was called, and bill refused passage by the following vote:

AYES—Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Griffin, Guiberson, Hinkle, Johnson, Geo. H., Kingsley, Kuck, Libby, Murray, Palmer, Peairs, Polsley, Roberts, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—39.

NOES—Messrs. Beck, Bohnett, Bradford, Bush, Byrnes, Canepa, Chandler, Collins, Dower, Ferguson, Finnegan, Ford, Gelder, Green, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, McDonald, Nelson, Nolan, Richardson, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Wall, and Walsh—34.

Assembly Bill No. 1260—An Act relating to the receiving and transmitting of train orders by telegraph or telephone, by persons under sixteen years of age.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1260 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Roberts, Schmitt, Scott, Shannon, Simpson, Smith, Sutherland, Tulloch, Walsh, and Weisel—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1450—An Act to amend Section 627*b* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1450 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, Libby, McDonald, Nelson, Peairs, Polsley, Richardson, Roberts, Schmitt, Simpson, Slater, Strine, Sutherland, Weisel, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1582—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposi-

tion Commission of the State of California and defining its powers and duties," approved March 4, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1582 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser, Nelson, Peairs, Roberts, Schmitt, Shartel, Simpson, Slater, Strine, Sutherland, Walsh, Weisel, Weldon, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At ten o'clock and fifty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

REPORT OF STANDING COMMITTEE. *

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

An Act appropriating money for the completion, furnishing and equipping of the Folsom State Hospital.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cary: Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the legislature.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Beck: Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Gabbert: Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth legislature of the State of California during the sixty-fourth fiscal year.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Gates: Assembly Bill No. 2130—An Act appropriating money for the completion, furnishing, and equipping of the Folsom State Hospital.

Bill read first time, and referred to Committee on Ways and Means.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Clark:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows: An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Slater, Strine, Sutherland, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Clark: Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Bill read first time, and referred to Committee on Judiciary.

AMENDMENT OF BILLS.

Senate Bill No. 1240—An Act to amend Sections 10e and 10n of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier

State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

During third reading of the bill, Mr. Dower moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 32, after the word "eighteen", insert the word "assistant".

Also: On page 6, line 10, before the word "thirty-fifth", insert the words "twenty-first and".

Also: On page 6, line 15, strike out the following: "twenty-first,".

Motion carried.

The Speaker appointed Mr. Dower as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1240, with instructions, do now report that the instructions of the Assembly have been carried out.

DOWER, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

During third reading of the bill, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 10, of the printed bill, strike out all of line 10 after the word "keepers", and all of line 11, and insert in lieu thereof the following: "of unclaimed property by section one thousand eight hundred and sixty-two of".

Motion carried.

The Speaker appointed Mr. Weldon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1568, with instructions, do now report that the instructions of the Assembly have been carried out.

WELDON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

During third reading of the bill, Mr. Shannon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 10, strike out the words "to prosecute suits".

Also: On page 2, line 26, strike out the period after the word "any" and insert a semicolon.

Also: On page 2, line 26, strike out the period after the word "committed" and insert a semicolon.

Also: On page 2, line 27, strike out the period after the word "violated" and insert a semicolon.

Also: On page 2, line 28, after "tered" strike out the period and insert a semicolon.

Also: On page 2, line 28, after the word "punishment", strike out the period and insert a semicolon.

Also: On page 2, line 30, after the word "punishment" strike out the period and insert a semicolon.

Also: On page 2, line 30, after the word "health" strike out the period and insert a semicolon.

Also: On page 2, line 31, after the word "punishment" strike out the period and insert a semicolon.

Motion carried.

The Speaker appointed Mr. Shannon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1538, with instructions, do now report that the instructions of the Assembly have been carried out.

SHANNON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape, near every window more than twelve feet from the ground, in every building, edifice or structure in the State of California; providing for the enforcing of this Act; providing for an appropriation for the same covering state buildings and institutions, and providing penalties for the violation thereof—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association.

Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Assembly Bill No. 2066—An Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their compensation, and to prescribe certain rules of practice in said courts.

Assembly Bill No. 2102—An Act repealing an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor"; approved March 15, 1911; repealing an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway"; which became a law under constitutional provision without the Governor's approval, March 12, 1901:

providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the "Big Tree and Carson Valley turnpike," to a point on the wagon road near the junction of Silver Creek, near the east fork of Carson River, said highway to be named the Alpine-Inyo state highway; and making an appropriation therefor.

Assembly Bill No. 2120—An Act to amend Section 105 of the Civil Code of the State of California, relating to wilful neglect.

Also: Assembly Constitutional Amendment No. 92—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 20 of Article V thereof, relating to the election of United States Senators.

Also: Assembly Concurrent Resolution No. 35—Relative to the Governor's making temporary appointments to fill vacancies that may happen in the representation of the State of California in the Senate of the United States.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Concurrent Resolution No. 29 and Assembly Concurrent Resolution No. 33—Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities—have had the same under consideration, and respectfully report that Senate Concurrent Resolution No. 29 is identical with Assembly Concurrent Resolution No. 33.

MOORHOUSE, Chairman.

Senate Concurrent Resolution No. 29 ordered on file for adoption.

Assembly Concurrent Resolution No. 33 ordered withdrawn, and stricken from the file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 15—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans and half-orphans, and for the education of such persons and other worthy persons, under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor; authorizing and empowering the maintenance of funds therefor in the county and state treasuries, to be derived from private benefaction, to be known as "children's relief fund" and as a "scholarship fund"; making appropriations for a campaign to secure private benefactions, authorizing gifts, bequests and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the Superior Court and board of supervisors in relation to such persons and such funds.

Assembly Bill No. 612—An Act to amend Section 4278 of the Political Code of the State of California, relating to the compensation of officers of counties of the forty-ninth class.

Assembly Bill No. 1600—An Act to amend Section 4274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Also: Senate Bill No. 180—An Act appropriating money to pay the claim of Thomas Nightingale against the State of California.

Also: Senate Bill No. 821—An Act appropriating money to pay the claim of R. D. Barton against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 1071—An Act to appropriate fifteen hundred dollars for the payment of the claim of the Humboldt and Trinity Toll Road Company, a corporation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 636½, to prevent the use or possession of lompara nets, parenzella nets, trawl or drag nets, and providing the penalty therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

GULL, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1657—An Act to prohibit minors under the age of twelve years to vend and sell goods, engage in, or conduct any business, and providing penalties for violation thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ADJOURNMENT.

At eleven o'clock and fifteen minutes p.m., on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Wednesday, May 7, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Gelder, the further reading was dispensed with.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kingsley:

To the members of the fortieth California Legislature, in Senate and Assembly:

We, the undersigned, emphatically voice our approval of Assembly Bill No. 31, introduced by Assemblyman C. W. Kingsley. This measure is intended to limit the work-day to eight hours for all who toil. We approve its broad scope in protecting men, women and children.

We urge the adoption of this measure to the end that California may again lead the world in a great conservation act—the conservation of the most valuable thing in the world—humanity!

W. R. YOUNGER (and 90,000 others).

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 593—An Act to amend Section 3075 of the Polit-

ical Code, relating to the office of State Registrar of the Bureau of Vital Statistics and the State Board of Health, and providing for deputies, clerks and assistants and their compensation.

Also: Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid to such employees.

Also: Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants and the salaries of the deputy and assistants.

Also: Assembly Bill No. 1294—An act making an appropriation to pay for services rendered the State of California by C. William White in the prosecution of criminals in the county of Trinity, State of California.

Also: Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Graham against the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Also: Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class.

Also: Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Also: Assembly Bill No. 1111—An Act to amend Section 4285 of the Political Code, relating to the salaries and compensation of officers of counties of the fifty-sixth class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Also: Assembly Bill No. 1677—An Act to appropriate the sum of \$358.50 to pay the claims of the State Board of Health.

Also: Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Also: Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Frederick Maskew.

Also: Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol building.

Also: Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Also: Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Scripps Institute of Biological Research the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea to report on the advisability of establishing per-

petual reservations of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Also: Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewerage from the State Fair grounds in the city of Sacramento.

Also: Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Also: Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Also: Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Also: Assembly Bill No. 1498—An Act to appropriate the sum of eight thousand eight hundred forty-one and seventy-nine one hundredths dollars out of the general fund in the state treasury to pay the assessments levied, by the city and county of San Francisco, against property belonging to the State of California for local improvements.

Also: Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City in Nevada County.

Also: Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Also: Assembly Bill No. 388—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2058—An Act to repeal Section 4 of an Act entitled, "An Act to prevent the taking of fish by means of weirs, dams, nets, traps, or seines, in certain tide water on the coast of Mendocino County," approved March 25, 1909, as amended April 14, 1911, relating to the preservation of fish.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly No. 550—An Act to amend Section 4286 of the Political

Code of the State of California, relating to county and township officers in counties of the fifty-seventh class.

Also: Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Also: Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Also: Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers and fees and mileage of jurors in counties of the thirty-third class.

Also: Assembly Bill No. 576—An Act to amend Section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 386—An Act providing for the extension of the agricultural pavilion on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Also: Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, Oakland, Sacramento, Stockton, San Diego, Bakersfield, Fresno and San Jose, under the control and management of the Commissioner of the Bureau of Labor Statistics and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof.

Also: Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Also: Assembly Bill No. 111—An Act appropriating two thousand dollars for the completing of the restoration and rebuilding of the Mission San Francisco de Solano of the city of Sonoma, California.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 410—An Act to amend Section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Also: Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Also: Assembly Bill No. 1695—An Act to authorize the appointment of a commission and to empower it to sell and convey all or any part of the lands and buildings of the Whittier State School; to change the name of the Whittier State School to "California Trades School;" to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus for said school.

Also: Assembly Bill No. 1815—An Act to repeal an Act entitled "An Act to authorize the establishment of the California State Trades and Training School for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County: appointing a commission therefor and providing an appropriation to carry this Act into effect.

Also: Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory and wharf.

Also: Assembly Bill No. 86—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Also: Assembly Bill No. 218—An Act to authorize the payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Also: Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 32—Approving a certain amendment to the charter of the city of San Bernardino in the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said city of San Bernardino, at a special municipal election held therein on the 18th day of April, 1913.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 418—An Act relating to the furnishing of pure drinking water and individual drinking cups on passenger trains of railroad corporations; and providing penalties for violation of this act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 27—Approving four certain amendments to the charter of the city of Vallejo, in the county of Solano, State of California, voted for and ratified by the qualified electors of the said city of Vallejo, at the general municipal election held therein on the 15th day of April, 1913—suspended the rules, and considered the concurrent resolution engrossed.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 5, 1913, adopted Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 6 of Article IV thereof, relating to senatorial and assembly districts and repealing Section 27 of Article IV of said Constitution relating to congressional districts and the formation thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 162—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Also: Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this Act into effect.

Also: Senate Bill No. 172—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the county of Yuba, thence to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 1621—An Act to amend the Political Code of the State of California by adding thereto a new section to be known as Section 445, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney, two assistant inheritance tax attorneys and an inheritance tax clerk and necessary assistants thereto, and to repeal an Act entitled "An Act to authorize the Controller of State, to appoint an inheritance tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

Also: Senate Bill No. 1489—An Act to amend Section 1760 of the Political Code of the State of California, relating to state aid for high schools.

Also: Senate Bill No. 943—An Act to amend Section 4272 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class.

Also: Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of fifty thousand dollars therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

Also: Senate Bill No. 459—An Act to amend Section 22½ of an Act entitled, "An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1909.

Also: Committee Substitute for Senate Bill No. 629—An Act to amend Section 2185c of the Political Code of the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1326—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 64 thereof and inserting a new section relating to joint use of irrigation works.

Also: Committee Substitute for Senate Bill No. 1664—An Act to provide for the consolidation of municipal corporations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 1486—An Act relating to combinations, defining certain unlawful practices, and providing penalties for violations thereof, and repealing conflicting Acts.

Also: Senate Bill No. 1239—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Also: Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered 550a relating to the furnishing of water for family use.

Also: Senate Bill No. 276—An Act to authorize the appointment of an interpreter of the Italian and Slavonian languages and their dialects, in criminal proceedings, in counties of the first class, and prescribing his duties and compensation.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 27 read first time, and referred to Committee on Municipal Corporations.

Senate Constitutional Amendment No. 4 read first time, and referred to Committee on Constitutional Amendments.

Senate Bill No. 162 read first time, and referred to Committee on Claims.

Senate Bill No. 1531 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 172 read first time, and referred to Committee on Roads and Highways.

Committee Substitute for Senate Bill No. 1621 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 1489 read first time, and referred to Committee on Education.

Senate Bill No. 943 read first time, and referred to Committee on County Government.

Senate Bill No. 1014 read first time, and referred to Committee on Military Affairs.

Committee Substitute for Senate Bill No. 1312 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 459 read first time, and referred to Committee on Public Health and Quarantine.

Committee Substitute for Senate Bill No. 629 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1326 read first time, and referred to Committee on Irrigation.

Committee Substitute for Senate Bill No. 1664 read first time, and referred to Committee on Municipal Corporations.

Committee Substitute for Senate Bill No. 1486 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1239 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 587 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 276 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey custom house and grounds—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2063?"

On page 1, Section 1, line 1, strike out the word "three", and insert the word "two".

The roll was called, and Senate amendment to Assembly Bill No. 2063 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Dover, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H. Johnstone, W. A. Judson, Kingsley, Kuck, Libby, Mouser, Murray, Polsley, Schmitt, Scott, Shearer, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 3, 1913, passed, with the title amended, Assembly Bill No. 200—An Act to amend Section 4250 of the Political Code of the State of California relating to the salaries and fees of the officers of the counties of the twenty-first class (Santa Cruz County)—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 200?"

Amend title by striking out of line 5 the following: "(Santa Cruz County)".

The roll was called, and Senate amendment to Assembly Bill No. 200 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bowman, Bradford, Byrnes, Cary, Dover, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H. Johnston, T. D. Johnstone, W. A. Judson, Killingsworth, Kingsley, Libby, Mouser, Murray, Roberts, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Also: Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Also: Assembly Bill No. 781—An Act appropriating money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Also: Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 779?"

On page 1, line 10, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 779 was concurred in by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bowman, Byrnes, Cary, Dower, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Gelder, Green, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Palmer, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 780?"

On page 1, line 9, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 780 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Cary, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Hayes, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Palmer, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 781?"

On page 1, Section 2, line 7, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 781 was concurred in by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Cary, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Morgenstern, Mouser, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 786?"

On page 1, line 11, after the word "the" and before the word "current," insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 786 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Byrnes, Cary, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Schmitt, Scott, Shartel, Shearer, Slater, Smith, Sutherland, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 756?"

AMENDMENT No. 1.

On page 2, line 4, of the printed bill, strike out the words "two thousand", and insert in lieu thereof the words "two thousand four hundred".

AMENDMENT No. 2.

On page 2, line 5, after the word "one", strike out the words "deputy to be", and also all of lines 6 and 7, and insert in lieu thereof the following: "clerk to be appointed by him who shall receive nine hundred dollars per annum, said salary to be paid by said county in monthly installments at the same time and in the manner and out of the same fund as the salaries of county officers are paid".

The roll was called, and Senate amendments to Assembly Bill No. 756 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bowman, Bradford, Cary, Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuek, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Shearer, Smith, Stuckenbruck, Walsh, Weisel, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1604—An Act to provide for issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of said bonds; and providing for the submission of this Act to the vote of the people.

Also: Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Also: Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1604?"

Strike out of Section 1, line 16, page 2, of the printed bill the following: "and one-half".

The roll was called, and Senate amendment to Assembly Bill No. 1604 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finne-

gan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 777?"

On page 2, Section 2, line 4, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 777 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Strine, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 778?"

On page 1, in line 11, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 778 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Cary, Clark, Wm. C., Clarke, Geo. A., Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Simpson, Slater, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Also: Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 322, Statutes 1907, for searching for beneficial insects.

Also: Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and other infectious diseases in and from the dairy herds of the State; to establish uniform standards and uniform rules and regulations governing the production, manufacture and marketing of dairy products; and to appropriate money therefor.

Also: Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 787?"

On page 1, Section 2, line 9, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 787 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Scott, Shearer, Simpson, Slater, Walsh, Wyllie, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 788?"

On page 1, line 9, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 788 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 536?"

AMENDMENT No. 1.

On page 4, line 10, after the word "pharmacists", insert the words "and laboratories operating under United States government license".

AMENDMENT No. 2.

On page 4, line 17, after the word "pharmacist" and before the word "shall", insert the words "and laboratory chemist".

AMENDMENT No. 3.

Amend Section 13, subdivision (b), by striking out all after the word "contains", in line 34 on page 11, to and including the word "fat", in line 1, on page 12, and inserting in lieu thereof the following: "the quantities of fats and solids stated in the following specifications:

1a. The percentage of total solids and of fat shall be as set forth in the standard of purity of condensed or evaporated milk proclaimed and established by the secretary of the department of agriculture of the United States.

1b. If for any reason the provisions of the foregoing Subdivision 1a, describing standard of purity of condensed or evaporated milk be held to be invalid, or become inoperative, or without force or effect, then, and in that event, the percentage of total solids and of fat shall be such that the sum of the two shall not be less than thirty-four and three tenths per cent (34.3%) and contain not less than seven and eight tenths (7.8%) per cent of milk fat."

AMENDMENT No. 4.

On page 5, line 15, strike out the letter "s", at the end of the word "creams".

The roll was called, and Senate amendments to Assembly Bill No. 536 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Griffin, Guill, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley,

Roberts, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Wyllie, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1291?"

On page 5, line 15, strike out the words "one half of all", and insert in lieu thereof the word "all".

Also: On page 5, line 16, strike out the word "either".

Also: On page 5, lines 16 and 17, strike out the words "or the fees allowed by law for the making of the military roll".

The roll was called, and Senate amendments to Assembly Bill No. 1291 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Roberts, Schmitt, Scott, Shannon, Simpson, Slater, Sutherland, Tulloch, Wyllie, and Mr. Speaker—43.

NOES—Mr. Kingsley—1.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, and making certain acts a felony and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a débris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled, 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof, and by adding three new sections to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering and making certain acts a misdemeanor—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 930?"

On page 9, line 32, beginning at the word "four", strike out all up to and including the word "annum", on line 33, page 9, and in lieu thereof insert the

following: "six thousand dollars per annum and said payment of said six thousand dollars shall be made monthly out of the San Francisco harbor improvement fund".

The roll was called, and Senate amendment to Assembly Bill No. 930 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Ford, Gates, Griffin, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

Also: Assembly Bill No. 1289—An Act to amend Section 626k of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Also: Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1289?"

In Section 1, line 5, strike out the comma after the word "rabbits" and insert a comma after the word "geese".

Also: Strike out the comma after the word "law", in line 6, of Section 1, and insert in lieu thereof the word "and".

Also: Add a new paragraph after line 18, to read as follows: "Nothing in this section shall be construed to prohibit the sale of any species of wild duck from the first day of November to the first day of December of the same year."

The roll was called, and Senate amendments to Assembly Bill No. 1289 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Roberts, Schmitt, Simpson, Smith, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 249?"

On page 1, line 12, of the printed bill, strike out the period, and insert in lieu thereof the following: "": *provided*, that the foregoing provisions shall not apply to advertisements or solicitations published solely or made within the same city or locality where the strike, lockout or other labor disturbance exists."

The roll was called, and Senate amendment to Assembly Bill No. 249 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hinkle, Inman, Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Mouser, Polsley, Roberts, Schmitt, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 236?"

On page 1, line 12, strike out the word "the".

Also: On page 1, line 15, after the word "file", insert the following: "on or before the first day of January, 1914".

Also: On page 1, line 5, strike out the words "the persons", and insert in lieu thereof the words "any person".

Also: Strike out of lines 9 and 10, on page 1 of the printed bill, the following: "municipality, district, or other public utility, corporation, firm or person", and insert in lieu thereof the following: "person, firm, corporation, public utility, municipality or other public body, institution, or corporation".

Also: On page 1, line 12, strike out the word "persons", and insert in lieu thereof the words "any person".

Also: Strike out of lines 15 and 16, on page 1 of the printed bill, the following: "on or before the first day of January, 1914", and insert in lieu thereof the following: "as herein provided".

Also: Strike out of lines 17 and 18, page 1, the words "complete and detailed plan," and insert in lieu thereof the following: "statement containing a general".

Also: On page 2, line 5, strike out the period following the word "system", and insert in lieu thereof the following: "such general statement to be in such form and to cover such matters as the state board shall prescribe".

Also: On page 2, line 9, strike out the period after the word "health", and insert in lieu thereof a semicolon and the following: "*provided*, that if for any reason the board cannot immediately proceed with such investigation, a temporary permit shall be issued to the petitioner, which shall continue in force until final action is taken by the board upon the completion of the investigation herein specified".

Also: On page 2, line 22, after the word "conditions", insert the word "it".

Also: On page 2, line 36, after the word "system", insert a comma.

Also: Strike out the comma at end of line 21, page 3.

Also: Strike out of lines 23, 24 and 25, of page 3, of the printed bill, the following: "Whenever any petitioner shall be granted any permit by said board under the provisions of this Act such petitioner shall," and insert in lieu thereof the following: "The holder of any permit granted by said board under the provisions of this Act may at any time by order of said board be required to".

Also: On page 3, line 27, strike out the comma after the word "system", and insert in lieu thereof the following: "owned, operated or controlled by it".

Also: Strike out the period following the word "manner", in line 7, page 4, and insert in lieu thereof a semicolon and the following: "*provided, further*, that any such person, firm, corporation, public utility, municipality or other body, institution or corporation subject to the provisions of this Act may file such petition at any time prior to January first, 1914, unless sooner required so to do by order of said state board of health."

Also: Strike out of line 13, page 2, the word "shall", and insert in lieu thereof the word "may".

Also: Insert in line 14, page 2, after the word "if", the following: "such investigation is decided upon and".

Also: In line 18, page 2, strike out the period following the word "specified", and insert in lieu thereof a semicolon and the following: "*and provided, further*, that no person, firm or corporation supplying water for domestic purposes or use on his or its private property upon which there is no industrial camp, hotel, temporary or permanent resort using said water, or supplying less than two hundred service connections shall be required to apply for a permit under the provisions of this section, except upon formal complaint filed with the state board of health by a person receiving such water or by some duly authorized public officer."

The roll was called, and Senate amendments to Assembly Bill No. 236 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Guill, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Monser, Murray, Nelson, Polesley, Roberts, Schmitt, Shannon, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, Wyllie, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Also: Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Also: Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a commission to determine the amount to be expended for furnishing and equipping said buildings and accepting a suitable site, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation therefor, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISII, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 784?"

On page 1, line 12, after the word "the" and before the word "current," insert the word "usual."

The roll was called, and Senate amendment to Assembly Bill No. 784 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Green, Griffin, Guill, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Richardson, Roberts, Schmitt, Scott, Shannon, Slater, Strine, Struckenbruck, Sutherland, Wall, Wyllie, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 783?"

On page 1, Section 2, line 10, after the word "the" and before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 783 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Richardson, Roberts, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wyllie, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1325?"

On page 1, line 5, strike out the word "eleven", and in lieu thereof insert the word "ten".

Also: On page 2, line 3, strike out the words "and one half".

The roll was called, and Senate amendments to Assembly Bill No. 1325 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Polsley, Roberts, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Wyllie, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to recede from its amendments to Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office—and has appointed as a Committee on Conference Senators Gates, Gerdes and Cohn to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

In accordance with the above report, the Speaker appointed Messrs. appointment of Messrs. Hayes, Hinkle and Bradford as such committee.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Campbell, Tyrrell and Hans as a Committee on Free Conference on Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 402f, providing that certain buildings shall be provided with fire escapes—to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Kehoe, Caminetti and Boynton as a Committee on Free Conference on Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, by amending Sections 1, 2, 3, 4, 5 and 6 thereof and by adding a new section thereto, to be numbered Section 7—to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Inman, Sutherland and Slater as a Committee on Free Conference concerning Senate Bill No. 847.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1913.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 364—An Act to amend Section 412 of the Code of Civil Procedure relating to the publication of summons when defendant is absent from State, concealed, or is a foreign corporation having no agent, etc.—report that we have met a like committee of the Senate, consisting of Senators Gerdes, Hans, and Cartwright, and we report that the Committee on Conference have been unable to agree, and we recommend that a Committee on Free Conference be appointed.

JUDSON,
BRADFORD,
WYLLIE,

Committee on Conference of the Assembly.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

In accordance with the above report, the Speaker appointed Messrs. Hinkle, Moorhouse and Shearer as such committee.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Conference, to whom was referred Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office—beg leave to report that we have met a like committee from the Senate, consisting of Senators Gerdes, Cohn and Gates, and that we are unable to agree, and we therefore respectfully recommend the appointment of a Committee on Free Conference to consider said bill.

HAYES,
HINKLE,
BRADFORD.

Committee from the Assembly.

GERDES,
COHN,
GATES.

Committee from the Senate.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

Pursuant to the above report, the Speaker appointed Messrs. Inman, Sutherland and Slater as such committee.

RESOLUTION.

The following resolution was offered:

By Committee on Rules:

Resolved, That standing Rule No. 68 of the Assembly be amended as follows:

Strike out all of said rule following the word "journals", in line 6, and insert in lieu thereof the following: "attachés when actually engaged in work for the Assembly or a member thereof, and the wife or child of a member, shall be admitted within the Assembly Chamber, except in the gallery during the sessions of the Assembly."

Mr. Brown moved the adoption of the resolution.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Smith moved a call of the House.

Motion carried.

Time, ten o'clock and thirty minutes a.m.

The Speaker directed the Sergeant-at Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—65.

At ten o'clock and forty minutes a.m., Mr. Walsh moved that further proceedings under the call of the House be dispensed with.

Motion lost.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifty minutes a.m., further proceedings under call of the House were dispensed with, on motion of Mr. Johnston.

The roll of absentees was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, and Mr. Speaker—57.

NOES—Messrs. Byrnes, Collins, Dower, Ferguson, Ford, Libby, McDonald, Polsley, Richardson, Walsh, Weldon, White, and Woodley—13.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts have had the enclosed matter under consideration, and beg to report that the following resolution be adopted:

Resolved, That the Controller be, and he is hereby, authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of one hundred fifty-two and 95-100 dollars (\$152.95) in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, the same being for the payment of the following bills attached:

R. L. Estes.....	\$1 05
John Breuner Co.....	10 00
Mrs. McCall.....	21 25
Kane & Trainor Ice Co.....	10 50
W. C. Hintze.....	3 50
Kilgore & Tracy.....	7 90
Wm. Eberhardt.....	75 65
Wahl Stationery Co.....	17 60
Sleeper & Stever.....	2 50
United States Post Office.....	3 00

\$152 95

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Polsley, Roberts, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Mr. Speaker—47.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of forty-seven (47) dollars and eighty (80) cents in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, said amount being in payment of the following bills for witness fees and expenses properly incurred in the matter of the investigation of the charges against A. J. Buckles, a judge of the Superior Court of the State of California in and for the county of

Solano, which investigation was conducted by the sub-committee of the Committee on Judiciary, pursuant to a resolution of the Assembly adopted on April 19, 1913;

Mrs. Kate Whitney -----	\$9 80
James H. Creeley -----	12 00
Edward K. Eliassen -----	12 00
Ed E. Reese -----	14 00
Total -----	<u>\$47 80</u>

have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Pears, Polsley, Roberts, Schmitt, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Welden, Wyllie, and Mr. Speaker—49.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Bush:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act authorizing the State Treasurer, upon the approval of the Governor and Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the, etc.

Referred to Committee on Introduction of Bills.

By Mr. Young:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State, in accordance with the provisions of the Constitution.

Referred to Committee on Introduction of Bills.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced, and referred as indicated:

By Mr. Kuck: Assembly Concurrent Resolution No. 39—Relative to the proposed transcontinental tour.

RESOLUTION.

The following resolution was offered:

By Mr. Hayes:

Resolved, That there is hereby appropriated out of the Contingent Fund of the Assembly the sum of \$615.00, or so much thereof as may be needed, for the purpose of purchasing boxes, packing, marking and expressing all papers and documents belonging to Assemblymen to their places of residence at the close of the session. The Sergeant-at-Arms of the Assembly shall cause this work to be done, and he shall file with the Controller of the State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant in favor of the Sergeant-at-Arms for the amount necessarily expended and the Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

PETITION.

The following petition was presented, and ordered printed in the Journal:

WHEREAS, Acting upon the suggestion of the pages of the Assembly, it has pleased the members of the Assembly of the State of California to remember the Assembly stenographers with a very beautiful gift; and

WHEREAS, The gift is highly appreciated by the said stenographers; therefore, be it *Resolved*, That the stenographers shall, and they hereby do, extend their hearty thanks to the members and to the pages; and be it further

Resolved, That we petition that a copy of this resolution be printed in the Journal, that the donors may know the kindly spirit in which the gift is received.

MABEL E. GUILD.	ANNA MARTIN.
EFFIE A. WASHBURN.	GERTRUDE HAYES.
MRS. F. H. PICK.	VERA STROUSE.
RUTH MCKOESTER.	MARY C. LISTON.
JEAN JOHNSON.	MARY M. DEITCH.
FLORENCE HOOD.	FAITH C. L. TABOR.
EVELYN M. CONNER.	L. R. BRUCE.
ELIZABETH T. LATHROP.	AGNES LOOFBURROW.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1457—An Act appropriating moneys in the "accident prevention fund" for the purpose of enforcing and promoting safety in employment and places of employment—have had the same under consideration, and respectfully report that Senate Bill No. 1457 is identical with Assembly Bill No. 1805.

AMBROSE, Acting Chairman.

Senate Bill No. 1457 read second time, and ordered on file for third reading.

Assembly Bill No. 1805 withdrawn, and ordered stricken from the file.

RE-REFERENCE OF BILL.

On motion of Mr. Alexander, Senate Bill No. 478 was re-referred to Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2122—An Act making an appropriation for the legislative printing fund.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 2122.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 2122 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 2122, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill ordered to engrossment and third reading.

Assembly Bill No. 1006—An Act making an appropriation for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

Bill read second time, on a previous day.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 1006.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1006 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1006, and do now report the same back, and recommend that it do pass as amended.

YOUNG, Chairman.

Assembly Bill No. 1657—An Act to prohibit minors under the age of twelve years to vend and sell goods, engage in, or conduct any business, and providing penalties for violation thereof.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line 2 of the title, strike out "the age of twelve years", and insert in lieu thereof the words "certain ages"; also, in line 3, after the word "business", insert the following: "in cities of certain classes."

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert in lieu thereof the following:
SECTION 1. In cities of the first, first and one half, second, second and one half, third and fourth classes it shall be unlawful for any male minor under the age of twelve years, or female minor under the age of fifteen years, to vend and sell goods, engage in, or conduct any business.

SEC. 2. Any person who, as parent, guardian or custodian of any male minor under the age of twelve years, or female minor under the age of fifteen years, who causes, allows or permits such minor to vend and sell goods, engage in or conduct any business, in cities of the first, first and one half, second, second and one half,

third and fourth classes, is guilty of a misdemeanor and shall be punished for the first offense by a fine of not more than twenty dollars, and for the second offense by a fine of not less than twenty dollars or more than fifty dollars, or by imprisonment for not more than ten days, or by both such fine and imprisonment.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

UNFINISHED BUSINESS.

Assembly Concurrent Resolution No. 31—Relative to the appointment of an advisory committee to confer with the State Board of Control regarding state roads.

The question being on the adoption of the concurrent resolution.

The roll was called, and Assembly Concurrent Resolution No. 31 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Scott, Simpson, Slater, Smith, Strine, Tulloch, Wall, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—49.

NOES—Mr. Polsley—1.

Assembly Concurrent Resolution No. 31 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 31.

Relative to the appointment of an advisory committee to confer with the State Board of Control regarding state roads.

Resolved by the Assembly, the Senate concurring, That an advisory committee consisting of two members of the Assembly, and two members of the Senate be appointed to confer with the State Engineer and the State Board of Control regarding location, construction and maintenance of state roads other than state highways constructed under and by virtue of the "State Highway Act" of California and to report back with recommendations to the forty-first session of the Legislature. The Speaker of the Assembly shall appoint the Assembly members of the committee and the President of the Senate shall appoint the Senate members of the committee.

Resolved, That the sum of fifteen hundred dollars is hereby made available for the purpose of defraying the expenses of such committee; one half of the amount to be paid from the Contingent Fund of the Assembly, and one half to be paid from the Contingent Fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the chairman of said joint committee for such expenditures as the same may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article I a new section, to be known as Section 26, relating to the rights of men.

The question being on the adoption of the constitutional amendment. The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Kingsley moved a call of the House.

Motion carried.

Time, eleven o'clock and fifty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—61.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cram.

The roll of absentees was called, and Assembly Constitutional Amendment No. 43 refused adoption by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clark, Wm. C., Dower, Ellis, Ferguson, Finnegan, Fish, Gates, Guill, Hayes, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Richardson, Roberts, Scott, Shartel, Simpson, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, and Woodley—45.

NOES—Messrs. Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Emmons, Gabbert, Green, Griffin, Hinkle, Johnson, Geo. H., Johnston, T. D., Killingsworth, Murray, Nelson, Schmitt, Shannon, Sutherland, White, Wyllie, and Mr. Speaker—21.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 995—An Act making an appropriation for office equipment for the State Board of Health.

Also: Senate Bill No. 191—An Act to authorize any county in the State which claims to have sustained a net loss in county revenue by the withdrawal of railroad property from county taxation in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, to commence suit against the State of California, for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced.

Also: Senate Bill No. 1459—An Act appropriating moneys to the use of the State Compensation Insurance Fund.

Also: Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Also: Senate Bill No. 752—An Act to make an appropriation of money for the general improvement and extension of the Lake Tahoe wagon road, a state highway.

Also: Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

Also: Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1071—An Act to appropriate \$1,500 for the payment of the claim of the Humboldt and Trinity Toll Road Company, a corporation.

Also: Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Which were re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 266—An Act appropriating twenty-five hundred dollars for the restoration and rebuilding of the old Greek chapel and Russian fort, known as Fort Ross, at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

Also: Senate Bill No. 180—An Act appropriating money to pay the claim of Thomas Nightingale against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 167—An Act to make an additional appropriation for the completion of the road from Meyers Station at the head of the Tahoe state wagon road along the west shore of Lake Tahoe, to McKinney's—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1482—An Act to provide through the State Board of Charities and Corrections for the investigation of the conditions and causes of insanity, vice and crime in this State, the collection, compilation and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention, and for the promotion of public morals, and making an appropriation therefor—which was re-referred to us from the Committee on Public Charities and Corrections, have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 291—An Act to amend Sections 276, 277, and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counsellors at law, and to add three sections to said code, to be known as Sections 276a, 276b, and 276c, relating to the same subject, and making an appropriation to carry out the purpose of this Act—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts and places in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

Also: Senate Bill No. 1664—An Act to amend Section 2 of an Act entitled "An Act to provide for consolidation of municipal corporations," approved March 11, 1909.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550a, relating to the furnishing of water for family use—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 27—Approving four certain amendments to the charter of the city of Vallejo, in the county of Solano, State of California, voted for and ratified by the qualified electors of the said city of Vallejo, at the general municipal election held therein on the 15th day of April, 1913—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

SCOTT, Chairman.

The above Senate concurrent resolution ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1291—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities and also for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections to be known as Sections 10 to 13 inclusive.

Also: Senate Bill No. 1292—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto six new sections to be known as Sections 57 to 62 inclusive.

Also: Senate Bill No. 1293—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections to be known as Sections 84 to 89, inclusive.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCOTT, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 363—An Act controlling the sanitation of oyster and other shellfish grounds and premises where oysters and other shellfish are opened, packed or prepared for the market, and controlling the sale of oysters and other shellfish for food purposes and providing a penalty for the violation thereof, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

SCHMITT, Acting Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1968—An Act to amend Section 10 of an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties,

and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

SCHMITT, Acting Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this Act into effect—have had the same under consideration, and respectfully report the same back and recommend that it do pass, and be re-referred to Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 91—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 23 and 23a of Article IV thereof, relating to the legislative department—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

CLARK, Chairman.

The above reported Assembly constitutional amendment ordered on file for adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 20, Article IV thereof, relating to the qualifications of persons holding civil office of profit under this State—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARK, Chairman.

The above Assembly constitutional amendment ordered on file for adoption.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 1326—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 64 thereof, and inserting a new section relating to joint use of irrigation works—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MURRAY, Chairman.

The reported bill ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, town or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State,

and appropriating the sum of fifty thousand dollars therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

HINKLE, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 2039—An Act to prohibit hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from allowing "tips" to be given to the employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same.

Bill read third time.

POINT OF ORDER.

Mr. Schmitt rose to the following point of order: "That the bill is improperly on file."

POINT OF ORDER NOT WELL TAKEN.

The speaker ruled the point of order not well taken.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2039 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—58.

NOES—Messrs. Fish, Ford, Gates, Nolan, Palmer, Schmitt, and Sutherland—7.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. McDonald gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2039 was this day passed.

Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1390 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser, Nelson, Peairs, Roberts, Schmitt, Shannon, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1600—An Act to amend Section 4274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1600 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Roberts, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 612—An Act to amend Section 4278 of the Political Code of the State of California, relating to the compensation of officers of counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 612 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Polsley, Roberts, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, White, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1649 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Shannon, Shartel, Slater, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2000—An Act to be known as the Corrupt Practices Act, to regulate the conduct of nominating and election campaigns and the expenditure of money therein, and prohibiting certain acts and practices therein, and prescribing punishment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Finnegan moved a call of the House.

Motion lost.

The roll of absentees was called, and Assembly Bill No. 2000 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Cary, Chandler, Clark, Wm. C., Ellis, Farwell, Finnegan, Gates, Gelder, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Palmer, Peairs, Polsley, Roberts, Smith, Strine, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—33.

NOES—Messrs. Bagby, Bowman, Brown, Bush, Byrnes, Canepa, Collins, Cram, Emmons, Ferguson, Fish, Ford, Gabbert, Green, Griffin, McCarthy, Murray, Nelson, Richardson, Schmitt, Scott, Shannon, Stuckenbruck, Sutherland, Weldon, and White—26.

NOTICE OF MOTION TO RECONSIDER.

Mr. Weldon gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2000 was this day passed.

Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape, near every window more than twelve feet from the ground, in every building, edifice or structure in the State of California; providing for the enforcing of this Act; providing for an appropriation for the same covering state buildings and institutions, and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1770 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A.,

Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Mouser, Palmer, Peairs, Polesley, Roberts, Scott, Shartel, Smith, Strine, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—Messrs. Dower, Fish, Gates, Murray, Nolan, Schmitt, and Sutherland—7.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Bloodgood:

On page 1, strike out the title after the words "An Act", and insert in lieu thereof the following: "To provide for a rope to be used as a fire escape in certain buildings; to provide for enforcing this Act; to provide an appropriation for the same covering certain state buildings; and providing penalties for the violation thereof."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 92—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 20 of Article V thereof, relating to the election of United States Senators.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 92 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Roberts, Schmitt, Shartel, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—59.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 92.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 20 of Article V thereof, relating to the election of United States Senators.

The legislature of the State of California at its regular session commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California so that Section 20 of Article V of said Constitution shall read as follows:

Section 20. United States Senators shall be elected by the people of the State in the manner provided by law.

Assembly Bill No. 1274—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners, in the matter of said regulation," approved March 14, 1907, as amended by a certain Act, approved March 19, 1909; as amended by a certain Act; approved May 1, 1911, by amending Section 9 of said Act, relating to the recording of certificates authorized under said Act, in the office of the county clerk of the county in which the holder of said certificate is a resident.

During third reading of the bill, Mr. Cram moved that the Speaker appoint Mr. Peairs a select committee of one to amend the bill as follows:

On page 6, strike out all of the words beginning with the word "January", in line 21, and ending with the word "herein", in line 23, and insert in lieu thereof the following: "October 1, 1918, in lieu of the diploma or diplomas and other requirements hereinbefore referred to and the preliminary educational requirements hereinafter".

Also: On page 13 of the printed bill, strike out all the words beginning with the word "This", in line 14, and ending with the word "conditions", in line 19.

Motion carried.

The Speaker appointed Mr. Peairs as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1274, with instructions, do now report that the instructions of the Assembly have been carried out.

PEAIRS, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1407 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsky, Richardson, Roberts, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Walsh, and Mr. Speaker—45.

NOES—Messrs. Bradford, Clarke, Geo. A., Emmons, Fish, Ford, Griffin, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kuck, Slater, and Wyllie—14.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILLS.

On motion of Mr. Benedict, Assembly Bills Nos. 98, 1886, 1885, 939, 3, 1567, 1206, 1207, 1218, 1219, and 1220 were withdrawn and ordered stricken from the file.

On motion of Mr. Bradford, Assembly Bill No. 1944 was withdrawn, and ordered stricken from the file.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Moorhouse:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Chapter 14 of the laws of the extraor-

dinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57, 59 and 86 thereof.

Referred to Committee on Introduction of Bills.

By Mr. Polsley.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act to amend Section 4275 of the Political Code, relating to counties of the forty-sixth class.

Referred to Committee on Introduction of Bills.

WITHDRAWAL OF BILLS.

Mr. Weisel asked for and was granted unanimous consent to withdraw Assembly Bill No. 1418.

Bill withdrawn, and ordered stricken from the file.

Mr. Murray asked for and was granted unanimous consent to withdraw Assembly Bill No. 37.

Bill withdrawn, and ordered stricken from the file.

Mr. Shearer asked for and was granted unanimous consent to withdraw Assembly Bill No. 449.

Bill withdrawn, and ordered stricken from the file.

SECOND READING OF SENATE BILLS.

Senate Bill No. 254—An Act establishing a state mining bureau, creating the office of state mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a state mining bureau fund for the purpose of carrying out the provisions of this Act and repealing an Act entitled "An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties, and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1893, and all Acts amendatory thereof and supplemental thereto or in conflict herewith.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 10, beginning with the word "the", strike out the balance of Section 4.

Amendment adopted.

Bill read second time.

Senate Bill No. 1715—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's Department.

Bill read second time.

Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan," shall be borne and paid by the State of California out of the general fund.

Bill read second time.

Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island straits and the straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 4, strike out the words "the toll bridge", and insert in lieu thereof the following: "a point sixty feet below the westerly line of Lawrence street, in the city of Napa".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 395—An Act to amend Section 4085½ of the Political Code of the State of California, authorizing the boards of supervisors of the several counties of this State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners," approved March 23, 1893.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin and Feather rivers, and other river channels of the State, and improving the navigability of such streams, and for acquiring land for necessary rights of way.

Bill read second time.

Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 11, after the comma (,) following the word "January", insert the following: "the twenty-second day of February,".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 12, after the comma (,) following the word "July", insert the following: "the ninth day of September,".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 10, after the comma (,) following the word "January", insert the following: "the twenty-second day of February,".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 11, after the comma (,) following the word "July", insert the following: "the ninth day of September,".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 150—An Act to amend Section 739 of the Political Code, relating to the salaries of officers connected with the Supreme Court.

During second reading of the bill, the following amendment was submitted by the committee:

On page 1, line 9, strike out the word "one", all of line 10, and in line 11 the following: "graphic reporter, twenty-four hundred dollars;"; and insert in lieu of all the above the following: "two phonographic reporters, each, three thousand dollars;".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 286—An Act to amend Section 857 of the Civil Code, relating to express trusts.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 15, strike out the words "this part", and insert in lieu thereof the following: "Division two of part one of this Code."

Amendment adopted.

AMENDMENT No. 2.

On page 1, beginning in line 19, strike out all of subdivision 5, and insert in lieu thereof the following:

"5. To convey, partition, divide, distribute or allot real property in accordance with the instrument creating the trust, subject to the limitations of the same title."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 2, line 10, after the comma (,) following the word "January", insert the following: "the twenty-second day of February,".

Amendment adopted.

AMENDMENT No. 2.

On page 2, line 11, after the comma (,) following the word "July", insert the following: "the ninth day of September,".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 256—An Act to amend Section 751½ of the Political Code of the State of California, relating to salary of the stenographer of the Supreme Court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the present Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1311—An Act to add six new sections to the Political Code, to be numbered Sections 1625, 1626, 1627, 1628, 1629 and 1630, relating to the sale and leasing of property of school districts, and to the granting of easements in such property to incorporated cities or towns.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure, relating to the report of referees.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, strike out all of lines 1 to 14, inclusive, and in lieu thereof insert the following:

"SECTION 1. The term 'compensation' as used in this Act shall mean and include the liability imposed upon any or all employers of labor to compensate their employees and the dependents of such employees for any injury sustained by the said employees by accident arising out of and in the course of their employment irrespective of the fault of either party.

The term 'employer' as used in this Act shall be construed to mean: Every person, firm, voluntary association and private corporation (including any public service corporation) who has any person in service under any appointment or contract of hire or apprenticeship, express or implied, oral or written, and the legal representatives of any deceased employer.

The term 'employee' as used in this Act shall be construed to mean: Every person in the service of an employer as defined by this Act under any appointment or contract of hire or apprenticeship, express or implied, oral or written, including aliens and also including minors.

The term 'insurance carrier' as used in this Act shall be construed to mean and include the state compensation insurance fund and any private company, corporation or mutual association authorized under the laws of this state to insure employers against liability for compensation. Whenever such insurance carrier has insured the employer against such liability, the insurance carrier shall thereby be deemed to have assumed, and insured against the liability for the additional amount of compensation imposed upon the employer by this Act and such insurance carrier shall be included within the term 'employer' as defined by this Act."

Amendment adopted.

AMENDMENT No. 2.

On page 2, strike out all of lines 1 to 31, inclusive, and in lieu thereof insert the following:

"SEC. 2. Where liability for compensation exists against an employer for the death of an employee caused by accident arising out of and in the course of the employment and such deceased employee leaves no person or persons wholly dependent upon him for support, the employer shall be liable to the state for the difference between the amount actually paid by him as compensation for such death and the amount for which the employer would have been liable if such deceased employee had left a person or persons wholly dependent upon him for support.

SEC. 3. The liability imposed upon an employer under the terms of this Act shall be enforced in the name of the state in the same manner as provided by law for the enforcement of a claim for compensation by other persons or dependents.

SEC. 4. Any amount collected under the provisions of this Act shall be paid into the state treasury for the credit of a fund to be known as the 'accidental prevention fund,' which fund is hereby created.

SEC. 5. Upon the request of the industrial accident commis-".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 591—An Act to add a new section to the Civil Code of the State of California to be numbered Section 149, relating to the creating a lien during the pendency of actions for divorce by filing a notice of *lis pendens*, and providing methods for the release thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 636½, to prevent the use or possession of lompapa nets, paranzella nets, trawls or drag nets, and providing the penalty therefor.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 4, strike out all that follows and including "6361", and insert in lieu thereof the following:

"6361. Every person who at any time shall cast, extend, set, draw, use, or continue, or assist in casting, extending, setting, drawing, using, or continuing, any paranzella or trawl net, for catching fish, shellfish, shrimp or crabs in the waters of fish and game district six or in the waters of Monterey bay shall be guilty of a misdemeanor, and upon conviction shall be punishable by a fine of not less than two hundred and fifty dollars, or by imprisonment in the county jail in the county in which the conviction shall be had, not less than one hundred and twenty-five days, or by both such fine and imprisonment; and all the fines and forfeitures imposed and collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 5, strike out the words "or have in his possession", and insert in lieu thereof the following: "or assist in casting, extending, setting, drawing, using or continuing,".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bill No. 254.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bill No. 254 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill as amended.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 254, and do now report the same back, and recommend that it do pass as amended.

YOUNG, Chairman.

Bill ordered to reprint, and on file for third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 1715, 148 and 1289.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 1715, 148 and 1289 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 1715, 148 and 1289, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 628—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués, near Stockton, California, and to provide for the government and management thereof, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 628 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Mouser, Murray, Nelson, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Smith, Sutherland, Tulloch, Weisel, White, Woodley, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 46—An Act to establish a state training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Roberts, Ryan, Scott, Shannon, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 592—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers, C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Captain, Corps of Engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 592 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1772—An Act appropriating money for the purchase of land for the Fresno State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1772 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1365—An Act to amend Sections 655, 678 and 683 of the Political Code, relating to the State Board of Control and department of accounting therein; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1365 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Mouser, Murray, Nelson, Roberts, Scott, Shannon, Smith, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912.

On request of Mr. Byrnes, the above Senate concurrent resolution was re-referred to Committee on Municipal Corporations.

Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of Richmond, in Contra Costa County,

in the State of California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the 8th day of April, 1913.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 26 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Roberts, Ryan, Scott, Shannon, Smith, Strine, Sutherland, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Senate Concurrent Resolution No. 26 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 26.

Approving a certain amendment to the charter of the city of Richmond in Contra Costa County in the State of California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the eighth day of April, 1913.

WHEREAS, The city of Richmond of the county of Contra Costa, State of California, has, and at all times mentioned herein, been, and now is, a municipal corporation of the State of California, containing a population of more than thirty-five hundred (3,500) inhabitants, and is now and has, ever since July 1st, A. D. 1909, been organized, existing and acting under a freeholders' charter, adopted under and by virtue of Section 8, Article XI, of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the 9th day of February, A. D. 1909, and approved by the legislature of the State of California the 4th day of March, A. D. 1909 (Statutes of 1909, pages 1262 to 1281 inclusive), and which charter has not been amended since its said adoption; and

WHEREAS, The legislative authority of the said city of Richmond, to wit, the council of the said city of Richmond, did by resolution numbered 452 by it passed on the 24th day of February, A. D. 1913, and approved by J. C. Owens, mayor and chief executive of the said city of Richmond on the 24th day of February, 1913, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly proposed to the qualified electors of said city, a certain amendment to said charter of the said city of Richmond; and

WHEREAS, Said proposed amendment to said charter was duly published for ten days in the *Richmond Record-Herald*, a daily newspaper printed, published and generally circulated in the city of Richmond aforesaid; and

WHEREAS, The city council of the said city of Richmond did thereafter, by ordinance duly adopted by said city council and approved by the mayor of said city, order the holding of a special municipal election in said city of Richmond on the 8th day of April, 1913, said day being not less than twenty days nor more than forty days after the completion of the publication of such proposal for ten times as aforesaid, and in said ordinance duly provided for the holding of said election; and

WHEREAS, Said ordinance was duly published five times in a daily newspaper printed, published and circulated in said city of Richmond, said publication being completed prior to said election; and

WHEREAS, All the requirements of Section 8 of Article XI of the Constitution were observed; and

WHEREAS, Said election was duly held on the 8th day of April, 1913, and at said election a majority of the qualified electors voting thereon voted in favor of the ratification of and did ratify said proposed amendment to said charter; and

WHEREAS, The said council of the said city of Richmond in accordance with the law in such case made and provided, did meet on Friday, the 11th day of April, 1913, at their usual time and place of meeting, and did duly canvass the returns of said election as certified by the election boards, and duly found, determined and declared that a majority of the qualified electors of said city voting thereon had voted for and ratified said proposed amendment to the charter of the said city of Richmond; and

WHEREAS, The said amendment so ratified by the electors of the said city of Richmond at said municipal election of April 8th, 1913, is now submitted to the legislature of the State of California for approval or rejecting as a whole without power of alteration or amendment, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, in words and figures as follows:

ARTICLE III.

Section 11. The council shall, by ordinance, provide for the assessment, levy and collection of taxes, and shall act as a board of equalization in equalizing the value of property listed upon the assessment roll. During the month of September in each year, it shall levy such tax as may be necessary to raise revenue for the maintenance of the city and the several departments during the fiscal year."

STATE OF CALIFORNIA.

CITY OF RICHMOND,

ss.

COUNTY OF CONTRA COSTA.

This is to certify that we, J. C. Owens, mayor of the city of Richmond, and A. C. Faris, clerk of the city of Richmond, have compared the foregoing proposed and ratified amendment to the charter of the city of Richmond, with the original resolution proposing such amendment and with the ordinance submitting the same to the qualified electors of the said city at a special municipal election called for that purpose on the 8th day of April, 1913, and that the foregoing is a full, true and correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding such amendment to said charter are and each of them is true.

And for and on behalf of the said city, we being hereinbefore duly authorized, we do hereby request the legislature of the State of California to adopt and approve said amendment of the said charter and to take such other and further steps and proceedings as may be necessary to perfect such approval.

In witness whereof, we have hereunto set our hands and caused our signatures authenticated by the official seal of the said city to be hereunto attached this 12th day of April, 1913.

J. C. OWENS,

Mayor of the City of Richmond.

(SEAL)

Attest: A. C. FARIS,

City Clerk of the City of Richmond and ex officio Clerk of the Council of the City of Richmond.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring therein), That the said amendment to the said charter of the said city of Richmond, hereinbefore set forth as presented and submitted to and adopted and ratified by the qualified electors of the said city of Richmond, be and the same is hereby approved for and as an amendment to and as part of said charter of the said city of Richmond.

Senate Bill No. 218—An Act to amend Section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 218 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Polsley, Richardson, Ryan, Scott, Shannon, Strine, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 220—An Act to amend Section 2939½ of the Civil Code, relating to the recording of instruments and copies of the record of such instruments.

On request of Mr. Fish, the above Senate bill was re-referred to Committee on Judiciary.

Senate Bill No. 220—An Act to amend Section 2939½ of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 220 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Strine, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 282—An Act to amend Section 339 of the Code of Civil Procedure, relating to the time of commencing certain actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 282 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Strine, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 284—An Act to amend Section 946 of the Code of Civil Procedure, relating to the release, by undertaking and appeal, of property under levy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Griffin, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 287—An Act to add a new section to the Code of Civil Procedure, to be numbered 1310, relating to the probate of wills detained beyond the jurisdiction of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 287 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Inman, Johnston, T. D., Johnstone, W. A.,

Judson, McDonald, Moorhouse, Mouser, Murray, Nelson, Polsley, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1299—An Act relating to real estate brokers in the State of California creating a board to be known as the state advertising board; providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a state advertising fund; and providing for its collection and expenditure.

During third reading of the bill, Mr. Nelson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 22, strike out the words "for legal services"; also, in line 23, the words "rendered in any real estate transaction".

Roll call regularly demanded.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Canepa moved a call of the House.

Motion lost.

The roll of absentees was called, and motion carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bradford, Brown, Byrnes, Cary, Chandler, Clarke, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Ferguson, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Johnstone, W. A., Judson, Libby, McDonald, Mouser, Nelson, Polsley, Richardson, Schmitt, Shannon, Shearer, Sutherland, Walsh, White, Woodley, and Wyllie—38.

NOES—Messrs. Beck, Bloodgood, Bowman, Bush, Canepa, Dower, Emmons, Farwell, Finnegan, Gates, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Kuck, Moorhouse, Murray, Palmer, Roberts, Ryan, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, and Mr. Speaker—35.

The Speaker appointed Mr. Nelson as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1299, with instructions, do now report that the instructions of the Assembly have been carried out.

NELSON, Select Committee.

Report of select committee and amendment adopted.

MOTION.

Mr. Bradford moved that the vote whereby the amendment by Mr. Nelson to Senate Bill No. 1299 was adopted be reconsidered.

Motion lost.

Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, lines 29 and 30, strike out the word "advertising", the comma after the word "fund", and the words "which is hereby created", and insert in lieu thereof the word "highway"; also, strike out Sections 8, 9, 10, 11, 12, 13, 14, 15 and 16.

Mr. Inman moved as a substitute that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, lines 29 and 30, strike out the word "advertising", the comma after the word "fund", and the words "which is hereby created".

Motion lost.

Motion of Mr. Johnstone lost.

Mr. Polsley moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, line 28, strike out the words and figures "ten cents (10¢)", and insert in lieu thereof the following: "ninety cents (90¢)".

Also: On page 3, line 29, strike out the words and figures "ninety cents (90¢)", and insert in lieu thereof the following: "ten cents (10¢)".

Motion lost.

Bill ordered to reprint, and on file for passage.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced, and referred as indicated:

By Mr. Canepa: Assembly Concurrent Resolution No. 40—Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco.

Read, and referred to Committee on Commerce and Navigation.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Hinkle:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreement to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Referred to Committee on Introduction of Bills.

AMENDMENT OF BILLS.

Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

During third reading of the bill, Mr. Ambrose moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 9, strike out the word "erect".

Motion carried.

The Speaker appointed Mr. Ambrose as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 513, with instructions, do now report that the instructions of the Assembly have been carried out.

AMBROSE, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Assembly Bill No. 534—An Act to amend Section 412 and Section

413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 6, strike out the word "eight", and insert in lieu thereof the word "nine".

Also: On page 1, line 7, strike out the words "one filing clerk;"

Also: On page 2, line 10, strike out the word "seven", and insert in lieu thereof the word "eight".

Also: On page 2, lines 11 and 12, strike out the words "of the filing clerk sixteen hundred dollars;"

Also: On page 2, line 16, strike out the words "of the field", and all of lines 17, 18, 19, and the word "year;" in line 20.

Also: On page 2, line 27, strike out the words "of the stenographer twelve hundred dollars;"

Motion carried.

The Speaker appointed Mr. Johnston as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 534, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

During third reading of the bill, Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

Amend the title of the printed bill as follows:

In line 3 of the title, strike out the words "water distribution", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 2.

Amend the title as follows:

In line 6 of the title, strike out the words "water distribution", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 3.

On page 1, line 4, of the printed bill, strike out the words "water distribution", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 4.

On page 1, line 5, of the printed bill, strike out the words "water distribution", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 5.

On page 2, line 1, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 6.

On page 1, of the printed bill, strike out all of line 8 following the period (.) immediately after the word "described", and also all of lines 9, 10, 11 and 12.

AMENDMENT No. 7.

On page 2, line 6, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 8.

On page 3, of the printed bill, strike out all of line 4 and the word "of" at the beginning of line 5, and insert in lieu thereof the following: "of -----county irrigation district No. ----- (stating name of county in which the district is located and the number of the proposed district)".

AMENDMENT No. 9.

On page 4, line 37, of the printed bill, strike out the word "secured", and insert in lieu thereof the word "acquired".

AMENDMENT No. 10.

On page 5, line 2, of the printed bill, strike out the words "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 11.

On page 5, line 18, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 12.

On page 5, line 29, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 13.

On page 6, line 36, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 14.

On page 7, line 4, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 15.

On page 7, line 17, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 16.

On page 8, line 21, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 17.

On page 8, line 30, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 18.

On page 8, line 31, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 19.

On page 8, line 33, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 20.

On page 8, line 35, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 21.

On page 9, line 10, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 22.

On page 9, line 15, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 23.

On page 9, line 18, of the printed bill, strike out the word "water", and insert in lieu thereof the words "county irrigation".

AMENDMENT No. 24.

On page 10, line 7, of the printed bill, strike out the word "affect", and insert in lieu thereof the word "effect".

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1753, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 983—An Act to amend section one hundred three of the Code of Civil Procedure—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1220—An Act to permit municipal corporations and counties to declare certain property sold for nonpayment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Senate Bill No. 1757—An Act to amend Section 1332 and Section 1333 of the Political Code of the State of California and to add four new sections thereto, to be numbered 1334, 1335, 1336 and 1337 relating to the election of senators in Congress—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BOHNETT, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered 550a, relating to the furnishing of water for family use—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 443—An Act making appropriation to repay to L. H. Boggs moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Also: Senate Bill No. 162—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

The above reported bills ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 943—An Act to amend Section 4272 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class (San Benito County)—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose, and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the "Public Utilities Act," by amending Sections 2, 5, 17, 42, 56, 57, 59 and 86 thereof.

An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Scott, Shannon, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Bush (by request): Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Polsley: Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Moorhouse—Assembly Bill No. 2134—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57, 59 and 86 thereof.

Bill read first time, and referred to Committee on Corporations.

By Mr. Hinkle: Assembly Bill No. 2135—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Young: Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Bill read first time, and referred to Committee on Ways and Means.

LEAVE OF ABSENCE.

Mr. Schmitt asked for and was granted leave of absence until the evening session of Thursday, May 8, 1913.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 402f, and providing that certain buildings shall be provided with fire escapes—report that we have met a like committee of the Senate, consisting of Senators Campbell, Tyrrell, and Hans, and we report that a Committee on Free Conference have agreed to recommend that the following substitute be adopted:

An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 402f, providing that certain buildings shall be provided with fire escapes.

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the Penal Code of the State of California, to be numbered 402f and to read as follows:

402f. Any building more than two stories in height used as a hotel, apartment house, lodging house, factory, hall, or place where people congregate, shall be pro-

vided with at least one fire escape of iron or other incombustible material on each exposed side of said building, conveniently accessible from each room of said building. An exposed side of a building is defined to be the front or rear thereof, or any other principal side of such building where provision can reasonably be made for descent to a place of safety in case of fire. The provisions of this Act shall not apply to buildings having a frame of steel or reinforced concrete and in which all the structural parts, including staircases and floors, are of incombustible material and the walls are of brick, stone or reinforced concrete, nor to any building situated within any incorporated city or town which is so constructed as to comply with the provisions of municipal ordinances therein relating to fire escapes. Any violation of this section by the owner, lessee or manager of any such building shall be punishable by a fine not exceeding fifty dollars, and every day that such owner, lessee or manager of said building shall fail to comply with the provisions of this section shall be deemed a separate offense.

GREEN,
CLARK,
BAGBY,

For the Assembly.

CAMPBELL,
TYRRELL,
HANS,

For the Senate.

The question being upon the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Green, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Shartel, Slater, Stuckenbruck, Walsh, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS.

At five o'clock and forty-five minutes p.m., the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Young in the chair.

CONSIDERATION OF SPECIAL URGENCY FILE.

Assembly Bill No. 1053—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1053 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Dower, Farwell, Gates, Gelder, Green, Guill, Hayes, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Shannon, Shartel, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, and Woodley—43.

NOES—Messrs. Cram, Ellis, Ford, Griffin, Wyllie, and Mr. Speaker—6

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2071 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Canepa, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Polsley, Roberts, Scott, Shannon, Shartel, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 890—An Act to amend an Act entitled “An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto,” approved March 25, 1909, by amending Section 1 of said Act so as to make said Act applicable to all jails and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 890 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, McCarthy, McDonald, Moorhouse, Mouser, Murray, Polsley, Roberts, Scott, Shearer, Slater, Stuckenbruck, Sutherland, Wall, Weisel, Woodley, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 645 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bowman, Bradford, Bush, Canepa, Clark, Wm. C., Collins, Dower, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 996—An Act to amend Section 1 of an Act entitled “An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands; to define the duties of the State Board of Fish Commissioners in relation to the control of such rights, and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches, a misdemeanor,” approved March 21, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 996 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Nelson, Palmer, Polsley, Roberts, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 321—An Act to amend an Act entitled “An Act to add a new section to the Political Code, to be known as Section 1665a, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools, in which shall be taught the French, Italian and German languages in connection with the English branches,” approved March 18, 1909, relating to cities of the first and first and one half classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 321 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Roberts, Scott, Shannon, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, and Mr. Speaker—50.

NOES—Mr. Morgenstern—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 57—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 57 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Finnegan, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Libby, Moorhouse, Murray, Nelson, Palmer, Polsley, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Wyllie—44.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bush, Canepa, Cary, Clark, Wm. C., Collins, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gelder, Inman, Johnstone, W. A., Kingsley, Kuck, Morgenstern, Mouser, Nolan, Pairs, Roberts, Shannon, Smith, Sutherland, Walsh, and Mr. Speaker—28.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brown gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 57 was this day passed.

Assembly Bill No. 1559—An Act providing for the construction of highways by the State in counties, cities and counties and cities, and providing for the payment of the expense of the construction and maintenance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1559 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bradford, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Fish, Gabbert, Gates, Guill, Hinkle, Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Roberts, Scott, Shannon, Shartel, Strine, White, Woodley, and Mr. Speaker—27.

NOES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Chandler, Clark, Wm. C., Ferguson, Finnegan, Fitzgerald, Ford, Green, Griffin, Guiberson, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, McDonald, Murray, Nelson, Nolan, Palmer, Polsley, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Wyllie—37.

NOTICE OF MOTION TO RECONSIDER.

Mr. Johnstone gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1559 was this day refused passage.

Senate Bill No. 466—An Act to amend an Act entitled “An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employ-

ment: and providing a penalty for failure, neglect or refusal of the employers to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or any other agent or any such employees to violate the provisions of this Act," approved March 22, 1911.

During third reading of the bill, Mr. Killingsworth moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 24, after the word "canning", strike out the word "or"; also, after the word "drying" strike out the word "of".

Also: On page 2, line 24, after the word "drying", insert the following: "and preparing for market".

Also: On page 2, line 25, strike out the word "fruit", and insert in lieu thereof the word "fruits".

Also: On page 2, line 25, strike out the word "vegetable", and insert in lieu thereof the word "vegetables".

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Cary, Chandler, Clark, Wm. C., Cram, Gates, Guiberson, Guill, Johnson, Geo. H., Killingsworth, Palmer, Polsley, Shearer, Strine, Sutherland, Wyllie, and Mr. Speaker—19.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Richardson, Roberts, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Tulloch, Walsh, Weisel, White, and Woodley—51.

Mr. Bagby moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 2, line 18, of the printed bill, insert after the word "week" the words "except as herein stated."

AMENDMENT No. 2.

On page 2, line 19, of the printed bill, strike out the word "females", and in lieu thereof insert "student nurses in hospitals".

AMENDMENT No. 3.

On page 2, line 20, of the printed bill, strike out the word "eight", and in lieu thereof insert the word "sixteen".

AMENDMENT No. 4.

On page 2, line 21, of the printed bill, strike out the word "twenty-four", and in lieu thereof insert the word "forty-eight".

AMENDMENT No. 5.

On page 2, line 21, of the printed bill, strike out the word "one", and in lieu thereof insert the word "two".

AMENDMENT No. 6.

On page 2, line 21, of the printed bill, strike out the word "day", and in lieu thereof insert the word "days".

AMENDMENT No. 7.

On page 2, line 21, of the printed bill, strike out the word "forty-eight", and in lieu thereof insert the word "fifty-six".

AMENDMENT No. 8.

On page 2, line 22, of the printed bill, after the word "week", insert the following: "and the employment of females in the other lines enumerated at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or forty-eight hours during any one week".

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bagby, Bowman, Cary, Emmons, Gates, Guiberson, Johnstone, W. A., Killingsworth, Shearer, Woodley, and Wyllie—11.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Peairs, Richardson, Roberts, Scott, Shannon, Shartel, Simpson, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—47.

During third reading of the bill, Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 33, strike out all of Section 3.

Motion lost.

Mr. Fish moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 26, strike out the period, and insert in lieu thereof a semicolon, and the following, to wit: *provided*, also that if any hospital which maintains a training school for nurses three fourths, as near as may be, of the entire number of nurses in training at the beginning of each school year shall by secret ballot elect to remain for said year outside the operation of this Act as it relates to the number of hours of work per day and per week, then in such case the said provisions of this Act shall not apply to such nurse in training for the year named; *provided*, further, that before any vote to remain outside the provisions of this Act shall become effective the conditions of work and living in the hospital in which the vote may be taken shall in writing be declared satisfactory by the officer who may be qualified to inspect hospital training schools."

Motion lost.

MOTIONS.

Mr. Johnson moved that further consideration of Senate Bill No. 466 be postponed until Thursday, May 8, 1913, at two o'clock p.m.

Motion lost.

Mr. Johnson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 22, after the word "week", insert a comma and the following: "except that in any laundry the hours of employment may be so arranged as not to exceed ten hours during the twenty-four hours of one day, or forty-eight hours during any one week."

Motion lost.

Mr. Guiberson moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, lines 25 and 26, strike out the words "in hospitals", and insert in lieu thereof a period.

Motion lost.

Mr. Bagby moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT NO. 1.

On page 2, line 18, of the printed bill, insert after the word "week" the words "except as herein stated".

AMENDMENT NO. 2.

On page 2, line 19, of the printed bill, after the word "females", insert the words "in any hotel".

AMENDMENT NO. 3.

On page 2, line 20, of the printed bill, strike out the word "eight", and in lieu thereof insert the word "sixteen".

AMENDMENT No. 4.

On page 2, line 21, of the printed bill, strike out the word "twenty-four", and in lieu thereof insert the word "forty-eight".

AMENDMENT No. 5.

On page 2, line 21, of the printed bill, strike out the word "one", and in lieu thereof insert the word "two".

AMENDMENT No. 6.

On page 2, line 21, of the printed bill, strike out the word "day", and in lieu thereof insert the word "days".

AMENDMENT No. 8.

On page 2, line 22, of the printed bill, after the word "week", insert the following: "and the employment of females in the other lines enumerated and at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or forty-eight hours during any one week".

Motion lost.

PREVIOUS QUESTION.

Mr. Clark moved the previous question.

Motion carried.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 466 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nolan, Peairs, Richardson, Roberts, Scott, Shannon, Shartel, Simpson, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—53.

NOES—Messrs. Bagby, Cary, Gates, Guiberson, and Wyllie—5.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Killingsworth gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 466 was this day passed.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Bohnett:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for the sum of \$268.71, said amount to pay the various bills attached, and the State Treasurer is hereby directed to pay the same.

Sleeper & Steever	\$1 75
Pacific Telephone and Telegraph Co.	2 15
Globe Express Co.	5 48
Wells Fargo & Co. Express.....	15 10
Western Union Telegraph Co.	244 23
Total	\$268 71

Resolution read, and referred to Committee on Contingent Expenses.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Polsley moved that the vote whereby Assembly Bill No. 246 was refused passage be reconsidered.

On request of Mr. Polsley, consideration of above motion was postponed until the next legislative day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 1469—An Act to amend Sections 1365 and 1366 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

Also: Senate Bill No. 252—An Act entitled, "An Act to amend Section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses."

Also: Senate Bill No. 316—An Act to repeal Section 1298 of the Civil Code, and to amend Section 1299 of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

Also: Senate Bill No. 358—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

Also: Senate Bill No. 36—An Act to amend Section 1207 of the Civil Code, relating to the recordation of certain instruments and certificates of acknowledgment, the notice such recordation shall impart, and the effect as evidence of certified copies of the same.

Also: Senate Bill No. 454—An Act to amend Section 601 of the Penal Code, relating to the malicious use of explosives and providing penalties therefor.

Also: Senate Bill No. 1297—An Act authorizing and empowering the regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California to be numbered 54c, prohibiting the use of the initiative for mercenary purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 38—Relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of dependency and delinquency, both as to cause and as to effect, and the need, if any, of amending the juvenile court law—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BENEDICT, Chairman.

The above Assembly concurrent resolution ordered on file for adoption.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and

providing a penalty for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FITZGERALD, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees and to appropriate money to carry this Act into effect—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 443—An Act making application to repay L. H. Boggs, moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2009—An Act making an appropriation to pay special premiums on livestock and poultry owned in California and exhibited at the Panama-Pacific International Exposition in the year 1915—which was re-referred to us from the Committee on Live Stock and Dairies, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor—which was re-referred to us from the Committee on Insurance, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 37—A resolution relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

CHANDLER, Chairman.

The above Assembly concurrent resolution ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 2113—An Act to provide for one day of rest in seven for employees in the State of California.

Also: Assembly Constitutional Amendment No. 56—A resolution proposing to the people of the State of California to amend Section 9 of Article I of the State Constitution, relative to curbing the one-sided power and unfair influences of special interests owning the press, newspapers, magazines or other periodicals of general circulation during political campaigns.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 689—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Assembly Bill No. 690—An Act to amend Section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class.

Assembly Bill No. 2122—An Act making an appropriation for the legislative printing fund.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Constitutional Amendment No. 91—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 23 and 23a of Article IV thereof, relating to the legislative department.

Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520 and 1521 of the Political Code of the State of California, creating a state board of education, and prescribing its powers and duties; providing for the appointment of three assistant superintendents of public instruction and defining their duties; providing for the compensation of members of the state board of education and the assistant superintendents of public instruction; providing for the publication, compilation, manufacture and distribution of state school text-books; repealing Sections 1522, 1874 and 1874a of the Political Code of the State of California, relating to the traveling expenses of the members of the state board of education, to the publication and distribution of a system of text-books, the appointment of a secretary of the state text-book committee and his compensation; and repealing all other laws or Acts relating to the publication and distribution of state text-books in conflict with this Act.

Assembly Bill No. 1806—An Act appropriating moneys to the use of the state compensation insurance fund.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 19—An Act to amend Section 3658 of the Political Code of the State of California, relating to maps for assessment purposes.

Assembly Bill No. 25—An Act appropriating two hundred thousand dollars (\$200,000) to complete the construction of the exposition building of the State of California at the Panama-California Exposition to be held in San Diego, California, during the year 1915.

Assembly Bill No. 35—An Act granting to the city of Alameda the salt marsh, tide submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof.

Assembly Bill No. 52—An Act to provide for the organization and government

of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

Assembly Bill No. 61—An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein," approved March 20, 1909.

Assembly Bill No. 97—An Act to reimburse the regents of the University of California for moneys expended by them in the construction of buildings, and providing for the completion and equipment thereof, for the Lick Observatory at Mt. Hamilton, to replace property destroyed by earthquake July 1, 1911, and making an appropriation therefor.

Assembly Bill No. 157—An Act appropriating money for repairs and improvements to buildings, structures, and equipment at the California Polytechnic School.

Assembly Bill No. 158—An Act appropriating money for extension and improvement of the heating system at the California Polytechnic School.

Assembly Bill No. 159—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Assembly Bill No. 163—An Act to amend an Act entitled "An Act to provide for the payment by the state or counties, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Assembly Bill No. 274—An Act to add a new section to the Penal Code of the State of California, to be numbered 650a, relating to exposure or threats of exposure of paroled or discharged prisoners.

Assembly Bill No. 289—An Act providing a continuous appropriation for the support and maintenance of the University of California to be an item of the General Appropriation Bill and repealing the Act entitled "An Act to provide a continuous appropriation for the support and maintenance of the University of California to be an item of the general appropriation bill," approved March 15, 1901.

Assembly Bill No. 371—An Act providing for the building of a bridge across the Colorado River, and making an appropriation therefor.

Assembly Bill No. 377—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Assembly Bill No. 537—An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Assembly Bill No. 545—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known and numbered Section 171a, relating to husband's liability for wife's torts.

Assembly Bill No. 849—An Act to authorize and empower municipal corporations which own or possess, or which may hereafter own or possess, tidal lands, or the title thereto, of any harbor or other navigable waters therein to establish harbor lines for such waters; to validate harbor lines heretofore established by such municipal corporations; to provide for the free and unobstructed navigation of such waters, and to authorize and empower such municipal corporations to provide access to such waters by public streets, highways and other public rights of way to such navigable waters and to prevent the exclusion or obstruction thereof; and to authorize and validate the filling in and improving of tidal lands between the mainland and harbor lines fixed by municipal or other authority.

Assembly Bill No. 896—An Act to amend Section 939 of the Code of Civil Procedure, relating to the time within which an appeal may be taken.

Assembly Bill No. 971—An Act to permit the consolidation of elections and to provide a procedure therefor.

Assembly Bill No. 998—An Act to add a new section to the Penal Code of the State of California, to be known as Section 375b, relating to the receptacles for gasoline and kerosene.

Assembly Bill No. 1007—An Act to provide for the reversion of unexpended balances of certain appropriations.

Assembly Bill No. 1011—An Act to make an appropriation to pay the salaries and mileage of Assemblymen for the fortieth session of the Legislature of the State of California during the sixty-fourth fiscal year.

Assembly Bill No. 1076—An Act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom.

Assembly Bill No. 1090—An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof.

Assembly Bill No. 1140—An Act to amend Section 290a of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depository or trustee or to engage in the business of banking.

Assembly Bill No. 1201—An Act to amend Section 472 and Section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Attorney General, providing for an assistant, a chief deputy, deputies, clerks, phonographic reporter and stenographers in the Attorney General's office, and fixing their salaries.

Assembly Bill No. 1259—An Act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said protection district.

Assembly Bill No. 1267—An Act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Assembly Bill No. 1371—An Act to make an appropriation for maintenance of the Lake Tahoe wagon road.

Assembly Bill No. 1401—An Act to amend Section 4075 and Section 4076 of the Political Code, relating to the presentation and form of claims against counties.

Assembly Bill No. 1459—An Act to add a new section to the Penal Code of the State of California to be numbered Section 634½, relating to the protection of fish.

Assembly Bill No. 1507—An Act to amend Section 293 of the Civil Code of the State of California, relative to prerequisite to filing articles of incorporation and amounts to be subscribed and to be fixed.

Assembly Bill No. 1509—An Act to amend Section 291 of the Civil Code of the State of California, relative to certain corporations stating further facts in articles of incorporation.

Assembly Bill No. 1523—An Act to amend Section 1083 of the Political Code, relating to the qualifications of electors.

Assembly Bill No. 1995—An Act to provide for the free home treatment of persons exposed to rabies who shall declare that it will be a hardship for them to pay for anti-rabic treatment, and prescribing the duties of the State Board of Health in certain cases, and providing for the payment, by counties, of physicians appointed to administer such treatment.

Assembly Bill No. 2025—An Act to amend Sections 2761 and 2764 of the Political Code of the State of California, relating to permanent road divisions.

Assembly Bill No. 2034—An Act creating a reclamation district to be called and known as "Reclamation District No. 1600"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Reclamation District No. 1600, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Reclamation District No. 1600.

Assembly Joint Resolution No. 18—Relative to the protection of the California beet sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

Assembly Concurrent Resolution No. 28—Relative to request of farmers of Seventeenth Senatorial District to Board of Prison Directors to be released from contracts for purchase of grain bags.

Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California, an amendment to the constitution amending Article VI thereof, by inserting therein a new section to be known as Section 4a, providing for the holding of extra sessions of the District Courts of Appeal, and the selection, designation and appointment of members of any Court of Appeal or judges of any Superior Court, to act *pro tempore* as justices of said District Courts of Appeal to hold such extra sessions thereof.

And were presented to the Governor May 2, 1913, at three o'clock p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 21—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

Assembly Concurrent Resolution No. 26—Relative to the payment of expenses incurred by the joint commission appointed to investigate the advisability of removing the Stockton State Hospital to the State Agricultural Farm.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known as Section 550, relating to the placing of fire hydrants within municipal corporations by water companies.

Assembly Bill No. 64—An Act to regulate the organization of fraternal insurance associations.

Assembly Bill No. 69—An Act to insure the better education of practitioners of chiropody, to regulate the practice of chiropody in the State of California, to provide penalties for the violation of the provisions of this Act, to create a board of examiners of chiropody, to define its duties and to authorize it to carry out the purposes of the Act.

Assembly Bill No. 90—An Act appropriating money to pay claim of Riverside County against the State of California.

Assembly Bill No. 91—An Act appropriating money for constructing, equipping and furnishing four patients' cottages at Southern California State Hospital.

Assembly Bill No. 112—An Act appropriating money for constructing a mechanical building at Santa Barbara State Normal School of Manual Arts and Home Economics.

Assembly Bill No. 131—An Act appropriating money for repairs to plumbing at the Veterans' Home of California.

Assembly Bill No. 132—An Act appropriating money for building an amusement, assembly and library building at the Veterans' Home of California.

Assembly Bill No. 135—An Act appropriating money for building a dairy and cow barns at the Veterans' Home of California.

Assembly Bill No. 144—An Act appropriating money for electrical rewiring of buildings and conduits at Napa State Hospital.

Assembly Bill No. 145—An Act appropriating money to defray the expenses of reclamation of low lands on the farm at Napa State Hospital.

Assembly Bill No. 152—An Act appropriating money for repairs and improvements at San Diego State Normal School.

Assembly Bill No. 166—An Act making an appropriation for the payment of the claim of C. A. Palmer.

Assembly Bill No. 171—An Act appropriating money to pay the cost of sewer construction in the city of Santa Barbara to connect the city system with the property of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Assembly Bill No. 172—An Act appropriating money for building and furnishing a cottage for male working patients at Agnews State Hospital.

Assembly Bill No. 196—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the "Public Utilities Act," by amending Sections 2, 5, 10, 17, 42, 56, 57, 59 and 86 thereof.

Assembly Bill No. 237—An Act to amend Section 3 of an Act entitled "An Act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions and providing penalties for the violation thereof," approved March 23, 1907, as amended April 1, 1909.

Assembly Bill No. 247—An Act making an appropriation of \$434.53 to pay the claim of Alice J. Miller against the State of California.

Assembly Bill No. 248—An Act to appropriate the sum of \$3,212.94 to pay the claim of J. Henry Russell.

Assembly Bill No. 270—An Act appropriating money for the purchase of furniture and equipment for San Diego State Normal School.

Assembly Bill No. 308—An Act to amend Section 67a of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of six additional Superior Court judges in counties of the first class and providing for their compensation.

Assembly Bill No. 315—An Act to amend Section 1515 of the Penal Code of the State of California, relating to taking authentication, and filing of transcript or testimony and recognizances in coroner's inquests, and providing for the appointment of a shorthand reporter for such purpose and for fees in payment therefor.

Assembly Bill No. 374—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation thereof," approved February 20, 1905, and amended April 14, 1911.

Assembly Bill No. 490—An Act to amend an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act,"

approved February 25, 1911, by repealing Section 16 thereof, relating to the making of contracts for county free library service between boards of supervisors and library trustees, instead of establishing a separate county free library, and by amending Section 17 thereof, relating to contracts between boards of supervisors and library trustees, and continuing in force certain contracts.

Assembly Bill No. 514—An Act to amend Section 271a of the Penal Code, relating to the abandonment of children under the age of fourteen years, and fixing a penalty therefor.

Assembly Bill No. 599—An Act declaring and establishing a state highway from the city of Bakersfield through a portion of the counties of Kern, San Luis Obispo, Santa Barbara and Ventura to the city of San Buenaventura, designated and known as the Bakersfield, Maricopa and Ventura state highway.

Assembly Bill No. 649—An Act to enlarge the powers of the board of State Harbor Commissioners, and to authorize said board to locate, construct, maintain, and operate the state railroad and railroad tracks and appurtenances through, over, under and upon state lands, and lands within its jurisdiction or the water front, and city streets, avenues, alleys, lanes, places or property, or land or property of the United States, or private property, in the city and county of San Francisco, and to obtain licenses, grants, permits or easements or rights of way therefor, and to construct tunnels, bridges, drawbridges and other appurtenances as incident thereto, and to impose tolls or compensation for and upon the use of the same and to regulate the use therefor.

Assembly Bill No. 661—An Act making an appropriation to pay the expenses of the State Banking Department.

Assembly Bill No. 693—An Act to amend an Act, entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 47 and 47½ thereof relating to the period of redemption; to certain proceedings to obtain deeds upon delinquent sales, and prescribing a limit of time within, and conditions upon, which action may be brought to set aside such deeds.

Assembly Bill No. 720—An Act to amend Section 2681 of the Political Code of the State of California, relating to who may apply to alter, discontinue or lay out roads.

Assembly Bill No. 795—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known as Section 196a, relating to the support and education of an illegitimate child.

Assembly Bill No. 847—An Act defining the term "quasi-public uses," as applied to grants, leases, or approval of leases, heretofore or hereafter made by the State, of tide or submerged lands.

Assembly Bill No. 886—An Act to amend Section 1054 of the Code of Civil Procedure of the State of California, relating to the extension of time in which an act is to be done.

Assembly Bill No. 887—An Act to amend Section 956 of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Assembly Bill No. 888—An Act to amend Sections 658, 659 and 660, Code of Civil Procedure of the State of California, relating to motions for new trial, and to repeal Section 661, relating to records on appeal.

Assembly Bill No. 889—An Act to amend Section 631, Code of Civil Procedure of the State of California, relating to waiver of jury trial.

Assembly Bill No. 891—An Act to amend Section 963 of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

Assembly Bill No. 892—An Act to add three new sections to the Code of Civil Procedure of the State of California to be designated Sections 950, 951 and 952, relating to records on appeal.

Assembly Bill No. 894—An Act to repeal Sections 950, 951, 952, 953, 953a, 953b and 953c of the Code of Civil Procedure of the State of California, relating to papers on appeal.

Assembly Bill No. 895—An Act to amend Section 1027 of the Code of Civil Procedure of the State of California, relating to costs on appeal.

Assembly Bill No. 954—An Act permitting school districts to construct sidewalks and to pave, curb or gutter, any street or alley in any incorporated city, or town, lying adjacent to or upon the property of any such school district, and providing for the payment thereof.

Assembly Bill No. 955—An Act permitting counties to construct sidewalks, and to pave, curb or gutter any street in any incorporated city or town, lying adjacent to or upon the property of any such county and providing for the payment thereof.

Assembly Bill No. 956—An Act permitting the boards of supervisors to construct and keep in repair bridges connecting any streets in any incorporated city when the costs thereof will exceed the sum of one thousand dollars, and providing for the payment of costs and expenses thereof.

Assembly Bill No. 958—An Act to amend Section 367e of the Penal Code of the

State of California, relating to the duties of drivers and persons in charge of vehicles when the same collide with a person, or another vehicle containing another person, and prescribing a penalty for the failure to perform such duty.

Assembly Bill No. 1118—An Act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 653c, relating to blacklisting.

Assembly Bill No. 1137—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, and December 24, 1911, by amending Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 12a, 14, 15, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 34, 35, 37, 41, 42, 43, 44, 47, 48, 49, 50, 60, 61, 64, 65, 66, 67, 68, 80, 82, 83, 84, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 105, 106, 121, 123, 124, 127, 128, 130, 131, 133, 134, 136, 137, 138, 139 and 145 thereof and by repealing Sections 13, 18, 33, 100, 104 and 143 thereof and by adding new sections thereto to be numbered Sections 12b, 12c, 21a, 31a, 54, 55, 56, 61a, 107, 130a, 135a, 136a and 136b and by repealing Section 135 thereof and adding a new section thereto to be numbered Section 135, all relating to the definition and regulation of the business of banking.

Assembly Bill No. 1272—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 2648, relating to county government.

Assembly Bill No. 1280—An Act making an appropriation for furniture, carpets, fixtures and other accessories for the use of the Supreme Court and for the Clerk of the Supreme Court.

Assembly Bill No. 1296—An Act conferring authority on the Railroad Commission to prevent gas and water corporations from extending their services beyond their reasonable capacity.

Assembly Bill No. 1297—An Act to amend Section 3653 of the Political Code of the State of California, relating to certified copies of assessment books to be furnished cities, towns and irrigation districts on request.

Assembly Bill No. 1394—An Act to add a new section to the Political Code, to be numbered Section 3804b, relating to the cancellation of erroneous assessments.

Assembly Bill No. 1578—An Act to amend Section 224 of the Civil Code, relating to the adoption of children and the consent necessary thereto.

Assembly Bill No. 1896—An Act to amend Section 374½ of the Penal Code of the State of California, relating to the pollution of streams.

Assembly Bill No. 1949—An Act amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

And were presented to the Governor May 3, 1913, at three o'clock p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California amending Sections 17 and 19 of Article V of the Constitution of the State of California, relating to the state executive officers, the salaries thereof and the formation of the Governor's cabinet.

Assembly Bill No. 2069—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign born resident of this State, and providing punishment therefor, and providing for disposition of such shotgun or rifles.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1006—An Act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 344—An Act making an appropriation of one thousand dollars to pay the claim of A. E.

Smith of Modoc County against the State of California, exempting this Act from the provisions of Section 672 of the Political Code and prescribing the duties of the Controller and Treasurer of the State in relation thereto—and was presented to the Governor May 6, 1913, at three o'clock p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 24—An Act appropriating money for building and furnishing a nurses' home for women at Agnews State Hospital.

Assembly Bill No. 140—An Act appropriating money for the purchase of bakery, kitchen and dining-room equipment at Napa State Hospital.

Assembly Bill No. 141—An Act appropriating money for the construction and equipment of farm dormitories and sheds at Napa State Hospital.

Assembly Bill No. 143—An Act appropriating money for the construction of dairy buildings at the Napa State Hospital.

Assembly Bill No. 153—An Act appropriating money for the improvement of the grounds at San Diego State Normal School.

Assembly Bill No. 178—An Act appropriating money for constructing and equipping a laundry at Southern California State Hospital.

Assembly Bill No. 179—An Act appropriating money for constructing and furnishing a nurses' cottage at Southern California State Hospital.

Assembly Bill No. 180—An Act appropriating money for building a concrete reservoir at Southern California State Hospital.

Assembly Bill No. 182—An Act appropriating money for the purchase of water stock for the use of Southern California State Hospital.

Assembly Bill No. 188—An Act appropriating money for construction and equipment of dairy buildings at the farm at Stockton State Hospital.

Assembly Bill No. 519—An Act appropriating money for the purchase of school equipment for the California Institution for the Deaf and the Blind.

Assembly Bill No. 521—An Act appropriating money for repairs and improvements at the California Institution for the Deaf and the Blind.

Assembly Bill No. 1168—An Act making an appropriation to pay the claim of McNear Company, a corporation, against the State of California, for rent of the armory building at Petaluma, California.

Assembly Bill No. 1372—An Act to make an appropriation for changing the state road known as Emigrant Gap so as to eliminate the grade crossing over the railroad track near Summit Station.

Assembly Bill No. 1481—An Act to appropriate the sum of fifty dollars and two cents to pay the claims of the State Board of Health.

And were presented to the Governor May 5, 1913, at three o'clock p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled:

Assembly Joint Resolution No. 1—Relative to requesting Congress of the United States to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of President and Vice President of the United States by a direct vote of the people.

Assembly Joint Resolution No. 13—A joint resolution asking the Congress of the United States to enact the Hamill bill (H. R. 9242) known as "the straight pension" bill for the pensioning of civil service employees of the United States Post Office Department.

Assembly Joint Resolution No. 24—Relative to banking and currency reform.

Assembly Bill No. 94—An Act to amend Section 1 of an Act entitled "An Act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway in whole or in part, in the State of California, and presenting penalties for violation of this Act," approved April 21, 1911.

Assembly Bill No. 114—An Act appropriating money for the purchase and installation of a gas plant at Mendocino State Hospital.

Assembly Bill No. 115—An Act appropriating money for the completion of a dam and reservoir at Mendocino State Hospital.

Assembly Bill No. 653—An Act to amend Section 1616 of the Penal Code of the State of California, relating to care of female prisoners and insane patients.

Assembly Bill No. 167—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 628g, relating to shipping or transporting abalones out of this State, and prescribing a penalty for depositing for shipment or transportation, or shipping or transporting any abalone beyond the confines of the State.

Assembly Bill No. 195—An Act making an appropriation to pay the claim of the town of Suisun City against the State of California.

Assembly Bill No. 754—An Act to amend Section 14 of an Act entitled "An Act to create a fireman's relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 20, 1905.

Assembly Bill No. 758—An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment for offenses under the same.

Assembly Bill No. 776—An Act appropriating money to provide a cash revolving fund for the use of the State Engineer, and defining its use and the liability therefor.

Assembly Bill No. 785—An Act appropriating money to pay the deficiency in the appropriation for contingent and traveling expenses of the Department of Engineering for the sixty-first fiscal year.

Assembly Bill No. 1109—An Act to amend Sections 1 and 7 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and to add a new section thereto to be designated as Section 3a, relative to the duties and powers of the commissioner and his appointees.

Assembly Bill No. 1179—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Assembly Bill No. 1314—An Act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose.

Assembly Bill No. 1374—An Act making an appropriation for the contingent expenses of the Department of Engineering.

Assembly Bill No. 1384—An Act to amend an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and amended February 27, 1893, by amending Section 10 thereof.

Assembly Bill No. 1514—An Act to repeal an Act entitled "An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom," approved March 11, 1897, and to provide for the disposition of the money in the fund created by said Act.

Assembly Bill No. 1735—An Act to amend Sections 1230 and 1235 of the Political Code, relating to the challenging of voters.

And were presented to the Governor May 2, 1913, at three o'clock p.m.

MOORHOUSE, Chairman.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes p.m., on motion of Mr. Bloodgood, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Thursday, May 8, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish,

Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser, the further reading was dispensed with.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Alexander:

SALINAS, CALIFORNIA, May 7, 1913.

To the Legislature of the State of California:

The merchants of Salinas do most emphatically protest against the proposed legislation presented by committee substitute for Senate Bill 1486, introduced by Senator Carr.

This bill, if enacted into law, directly favors the large catalogue houses of Chicago and will in time wipe every town and village from off the map of California.

Farmers' Mercantile Co., by Chas. R. Milander, Mngr.; Logan's Music Store, per R. W. Logan, H. Tubbs, Shelton & Archer, Anderson & Dougherty, Wahnlist, Cornett Co., Ford and Sanborn Co., by D. A. Madeira, Gen'l Mgr.; Porter & Irvine, Hughes Bros., F. A. Hitchcock, J. H. Menke, C. D. Duncan, G. Michael, J. B. Scott, C. Sieghold, J. A. Anderson, S. Bullene, L. Hertz, John Fonza, J. E. Steinbeck.

Also:

LEGISLATURE TO SET ASIDE WATER LOTS FOR AQUATIC SPORTS.

WHEREAS, The proposed extension of the Belt Railroad across the water lots of Jefferson street to the United States Army transport docks will wipe out the boat clubs at the foot of Van Ness avenue by reason of their being shut off from open water; and

WHEREAS, It is the sentiment of the majority of the people of San Francisco that a site be set aside for the use of the San Francisco yachting, swimming and boating public, such sentiment having been shown at the recent bond election for an aquatic park by the more than majority vote therefor; and

WHEREAS, In the cove at the foot of Van Ness avenue there are between two and three blocks of land hereinafter described, which, being submerged and owned by the State of California, and not now being used; and

WHEREAS, The State of California, through its Harbor Commission at San Francisco, has set aside certain water lots and mooring facilities in said cove aforesaid for the use of the fisherman; and

WHEREAS, Said water lots owned by the State are available for said yachting, swimming and boating purposes; now, therefore, be it

Resolved by the Board of Supervisors of the City and County of San Francisco, That the State of California, through its Legislature and through the State Board of Harbor Commissioners at San Francisco, be requested to set aside for the use of the yachting, swimming and boating public of San Francisco, and for the use of bona fide amateur yachting, swimming and boating clubs of San Francisco, the water lots owned by the State of California and bounded by Jefferson, Lewis, Hyde and Polk streets, San Francisco.

Adopted May 5, 1913.

AYES—Supervisors Bancroft, Caglieri, Andrew J. Gallagher, Giannini, Hayden, Hilmer, Hocks, Jennings, Koshland, Mauzy, McLeran, Murdock, Murphy, Nolan, Payot, Vogelsang—16.

By Mr. Finnegan:

NEVADA CITY, CALIFORNIA, May 5, 1913.

Hon. Geo. B. Finnegan, Sacramento, Cal.:

Regarding petition mailed you on 18th ult. concerning pending legislation affecting mining and signed by 175 persons of Nevada City would ask that you present same to Committee on Mines and Mining and have it also inserted in the record.

A. D. FOOTE,
W. W. WAGGONER,
CHAS. C. DERBY.

Also:

NEVADA CITY, CALIFORNIA, May 5, 1913.

Hon. Geo. B. Finnegan, Sacramento, Cal.:

Request that you present resolution of Chamber of Commerce of 16th ultimo sent you anent pending mining legislation to Committee on Mines and Mining and have same put in the record.

S. LEE LEUTER, President.
W. M. RICHARDS, Secretary pro tem.

Also:

GRASS VALLEY, CALIFORNIA, May 5, 1913.

Hon. Geo. B. Finnegan, Sacramento, Cal.:

Referring to our letter of the sixteenth April regarding mining legislation which is now pending the mining interests of this section would like you to place our letter with the Committee on Mines and Mining and have it made a part of the official records.

E. F. TAYLOR,
President Chamber of Commerce.

Also:

GRASS VALLEY, CALIFORNIA, May 5, 1913.

Hon. Geo. B. Finnegan, Sacramento, Cal.:

Concerning petition sent you on April 17th regarding mining legislation which is pending and signed by the leading business men of this city, kindly place the same with the Committee on Mines and Mining and have it made a part of the official records.

FRED J. THOMAS.
A. S. GILL.
J. L. BROOKS.

Also:

CHAMBER OF COMMERCE,
CITY OF GRASS VALLEY, April 16, 1913.

Hon. George B. Finnegan, Sacramento, California.

DEAR SIR: At a special meeting of the directors of the Grass Valley Chamber of Commerce on this date a resolution was adopted endorsing your bill in reference to mine inspection, amended, however, as suggested by the California Miners' Association.

As the matter is of very grave importance to our section we would be pleased to have you give your careful consideration to these suggested changes in the bill.

Very truly yours,

ALBERT H. MOOSER, Secretary.

Also:

GRASS VALLEY, CALIFORNIA, April 16, 1913.

Hon. George B. Finnegan, Assemblyman Ninth District, Sacramento, California.

DEAR SIR: We, the undersigned, would respectfully call to your attention the recommendations made by the Committee on Legislation of the California Miners' Association, relative to pending legislation affecting the mining industry.

We endorse the recommendations made by this committee as being for the best interests of our community and would respectfully request that you give consideration to them.

We consider the bills covered by the recommendations, as presented to your honorable body, to be a menace to the mining industry, in that they will cause, if passed, an additional handicap to mines now in operation and will tend to hinder the inauguration of new projects, especially by individual enterprise.

A. D. Foote, civil engineer; D. E. Matterson, contractor; Carl P. Jones, physician and surgeon; John T. Jones, physician and surgeon; John Hicks, water collector; Henry James, mining; A. B. Champion, accountant; B. Opie; E. C. Griller, mine manager; Alpha Hardware and Supply Co., hardware merchants; Geo. W. Stan, mining superintendent; W. J. Teupel, assistant Citizens' Bank; Benj. Hall, cashier Citizens' Bank; J. M. Thomas, agent Citizens' Bank; Arthur B. Foote, mining engineer; C. H. Taylor; F. J. Thomas, mining secretary; J. C. Conaway,

major; J. L. Brooks, hardware merchant; Clinch Mercantile Co.; Thos. Ingram; John E. Carter, mining engineer; Geo. Mainhart, mining superintendent; Arthur L. Gill, merchant; Fred M. Miller, civil and mining engineer; F. R. Hull, manager Holbrooke Hotel.

Also:

NEVADA CITY, CALIFORNIA, April 16, 1913.

Hon. George B. Finnegan, Assemblyman Ninth District, Sacramento, California.

DEAR SIR: We, the undersigned, would respectfully call to your attention the recommendations made by the Committee on Legislation of the California Miners' Association, relative to pending legislation affecting the mining industry.

We endorse the recommendations made by this committee, as being for the best interests of our community and would respectfully request that you give consideration to them.

We consider the bills covered by the recommendations, as presented to your honorable body, to be a menace to the mining industry, in that they will cause, if passed, an additional handicap to mines now in operation and will tend to hinder the inauguration of new projects, especially by individual enterprise.

A. D. Foote, civil engineer; Fred F. Cassidy, merchant; Chas. C. Derby, mining engineer; E. M. Rector, banker; W. F. Englebright, mining engineer; F. J. Sloat, mine operator; W. W. Martin, foundry business; J. F. Littlefield, mining operator; J. M. Hadley, real estate; Geo. Scarfe, manager P. G. and E. Co.; Ralph W. Gaylord, merchant; E. J. Morgan, assistant cashier Citizens' Bank; Benj. Hall, president Pioneer Reduction Co.; B. S. Rector, National Hotel Annex; F. M. Grissel, merchant; S. Lee Leiter, merchant; Arthur K. Doe, mine operator; Emil J. Ott, assayer; George A. Legg, merchant; H. N. Beard, merchant; F. T. Nilon, attorney-at-law; R. J. Bennett, druggist; E. J. Rector; C. A. Grissel, merchant; W. H. Landrigan, mine operator; J. B. Grissel, stage agent; H. Dickerman, druggist; A. H. W. Harting, watchmaker; E. A. Granger, hotel keeper; Jacob Wheeler, merchant; C. L. Muller, physician; R. E. Tremoureux, mining engineer; Chas. T. Law, mining engineer; Wm. Reynolds, printer; Geo. H. Calanan, mechanic; Geo. A. Grissel, merchant; A. H. Tickell, physician; Frank R. Porter, mining; John Werry, manager P. G. and E. Co.; O. D. Woodman, mine operator; W. W. Waggoner, hydraulic engineer; John A. Bunting, mine operator; H. R. Hoskins, mining secretary; Chas. A. Graham, miner; Henry Goering, mine operator; E. B. Miller, operator; G. L. Beedle, clerk; L. H. Watson, miner; J. Williams, miner; C. B. Whitwell, mining engineer; Geo. M. Carey, miner; E. L. Klinker; Geo. M. Carey; E. C. Klinker, mine superintendent; Al Waters, superintendent mill; C. L. Hurst, merchant; Arthur W. Hoge, mine operator; Henry Walsh, miner; John D. Solari, miner; W. Lorse, teacher; H. L. Cook, manager Western Union Telegraph Co.; E. A. Moore, photographer; W. I. Austin, mining engineer; L. T. Solari, miner; H. J. Bottomly, builder; W. T. Robinson, gunsmith; P. M. Epperson, merchant; Gove C. Celio, traveling man; C. P. Loughridge, railroad superintendent; T. T. Hughes, engineer; Jos. E. Huy, hotel clerk; Earl E. Johnston, accountant Pacific G. and E. Co.; Geo. B. Weeks, speculator; W. B. Celio, merchant; Wm. Richards, railroad agent; J. F. Dolan, line chief P. G. and E. Co.; C. H. Mallen, mine superintendent; A. J. Bovey, merchant; F. S. Morgan, mine operator; F. W. Powell, merchant; C. R. Murchie, merchant; T. M. Sharp, merchant; J. M. Foley, merchant; J. M. O'Connell, merchant; R. Hays, cigar manufacturer; N. J. Rahr, painter; W. T. Du Bois, water company manager; Wm. Floyd; David Harris, merchant; D. A. Dailey, merchant; T. W. Sigourney, merchant; Dr. J. R. Ivey, dentist; Edw. V. Conroy, merchant; Chas. Steffen, barber; F. T. Smith, tailor; Wm. Holmes, harnessmaker; H. C. Schroeder, assessor; W. E. Johnston, florist; A. Olsen, hotel man; E. B. Powers, mine operator; B. Lutz, shoemaker; Sherman W. Marsh; Mary C. Derby, housewife; Grace M. Nilon, housewife; Mabel Bradley Legg, housewife; Nellie Joyce Leiter, merchant; May I. Ogden; Belle Morton Tickell; Susan G. Rector; Gertrude M. Monro, clerk; Mrs. H. F. Legg, housewife; Thos. V. Reeves, mining engineer; Wilson T. Lindley, mining engineer; Willard Veale, clerk; Edwin E. Stone, clerk; E. W. Schmidt, merchant; W. J. Reynolds, barber; C. E. Hughes, confectioner; E. J. Baker; Geo. Harvey, druggist; M. H. White, clerk; E. W. Badger, county probation officer; R. W. Snell, butcher; Ben Daniels, butcher; Chas. Guenther, miner; A. M. Holmes, business manager; I. C. Lindley, attorney; W. S. Partridge, railroad conductor; G. A. Gray, undertaker; C. R. Gray, jeweler; L. Housman, mine owner; Geo. E. Johnston, merchant; W. F. Sharp, clerk; C. F. Scheemer, plumber; F. B. Lord, mining; E. N. Mitchell, mining; J. M. Walling, attorney; J. A. Curnow, clerk; W. L. Carter, clerk; F. E. Tuck, teacher; L. Woodbury, manager Rainbow mine; Frank W. Taylor, merchant; Wm. H. Murchie, miner; Wm. Farris, mining engineer; C. J. Graham, mine superintendent; I. W. Carson, cyanide foreman; F. Bastian, master mechanic; G. Walling, lumberman; David D. Muir, machinist; Jas. A. Richards, blacksmith; Jas. H. Bonney, machinist; Jos. Eichel, blacksmith helper; Charles Mitchell, tool sharpener; Clifford Vincent, blacksmith helper; William Thoman, mechanic; Chas. Ninnis, brakeman; W. H. Ninnis, brakeman; D. B. Marsh, miner; E. Garibaldi; R. Kramer; Thos. A. Gill, miner.

Also.

GRASS VALLEY, May 3, 1913.

Mr. Geo. B. Finnegan.

DEAR SIR: We, the undersigned members of Grass Valley Miners' Union No. 90, W. F. M., thank you for all that you have done for the laboring class of the State of California and hope that you are successful in getting your bills through the Assembly and Senate at this session.

J. H. Pascoe, Wm. Gilbert, Thos. Hallo, J. C. Williams, Jno. Temby, R. D. Gluyas, Thos. Crase, Wm. Trathen, Jos. G. Gregor, Jno. Morthey, J. G. Allen, Jno. Wellington, Wm. T. Wasley, Jno. Richards, W. O. Guy, Thos. Roach, John Bone, John C. Kemp, Thos. Bone, Thomas Kelleher, Wm. T. Kitchen, Jas. N. Richards, Wm. Dunstan, Wm. Foote, Chas. V. Coombs, Rob. Quick, Sr., William Allen, Ed Gribben, Frank Kelly, Olif Kitts, Lester Knickey, Chas. Henwood, Sr., Frank Gill, Bill Farrell, Chas. Knuckey, Frank S. Cowden, H. V. Bennetts, Simon Bartel, Simon Crase, Al Burton, Ernst Angove, James Crase, Jas. Cann, Ed Rodgers, Ben Sincos, John J. Stevens, Pasq Pellegrine, Wm. J. Scandling, W. J. Allen, R. I. Quick, Wm. E. Sukey, J. Chellev, Pt. Carlyon, E. H. Crase, S. J. Clark, William Berriman, Ed Benny, Geo. Joergenson, Wm. Goldsworthy, Jerome Geromini, Wm. Edwards, P. J. Heleys, Robt. Jeffry, Sam Heast, James E. Eddy, W. J. Davey, Ernst H. Crase, Wm. Pollard, C. F. Pincert, Thos. J. Opie, Thos. Nash, Jas. Murrish, John Merrifield, Thos. Lanyon, John D. May, J. Low, J. C. Martin, E. H. Roscorla, Chas. Bell, William Bennetts, Geo. Whiling, Thos. F. Sullivan, Harry Seymour, T. H. Wills, Jas. B. Green, Geo. Trebilcox, I. M. Wilhelm, Sol. Truscott, John G. Sutherland, Thomas Rodda, A. B. Martin, William J. Coombs, John T. Bradley, William F. Barry, Wm. Temby, Phil Dowd, J. C. Nelson, W. E. Frye, Philip Roscorla, Wm. Reese, T. J. Steward, J. A. Thomas, W. Tamblin, Ed. Veale, John Wheelhan, Ed Walch, John J. Riley, P. A. Kelly, Jos. Thomas, Peter O'Neil, Dan Breen, Robt. Tonkin, Sam Deeble, Wm. E. Harris, Jno. Eddy, Thos. Rowe, Geo. Bennetts, Fred Wasley, Richard Hales, M. McBride, Clarence Briggs, Henry James, Fred Trebilcox, Dave Richards, J. T. Wasley, Thos. Peadon, Fred Poodgers, George Hosking, A. Cook, Henry Bastian, Ed Norris, Wm. Uren, William Hooper, Ed. Aunger, Louis Wales, George Chinn, Roy Smith, Art Helling, R. F. Seymore, Jno. Fawcett, Andy Larkin, Wm. H. Berriman, Jos. Crase, Henry Vincent.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 346—An Act to amend Section 4255 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Also: Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Also: Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Also: Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity State Highway in Trinity County, and to provide for the construction of bridges along said highway to be located at Mad River and the South Fork of Trinity River along said highway, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Also: Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

Also: Assembly Bill No. 2105 (committee substitute for Assembly Bill No. 1480)—An Act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Act known as the Public Utilities Act of the State of California, approved December 23, 1911.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 330—An Act to amend Section 980 of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in each county, providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The above bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 451—An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof.

Also: Committee Substitute for Senate Bill No. 588—An Act to amend Sections 1, 2, 3, 4, 6, 8 and 9 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, and repealing conflicting Acts.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1661—An Act making an appropriation for expenses connected with an incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

Also: Senate Bill No. 1662—An Act making an appropriation for expenses connected with and incidental to the sale outside of the State of certain bonds of the State; and for expenses connected with and incidental to the payment of such bonds and the interest thereon outside of the State.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1727—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at Los Angeles, and making an appropriation therefor.

Also: Senate Bill No. 7—An Act providing for the construction and equipment of a class room building on the campus of the University of California at Berkeley and making an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 1218—An Act to amend an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911; by amending Sections 1, 3, and 4 of said Act, and adding sixteen new sections to said Act to be designated as Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 16½, 17, 18 and 19; creating a drainage district to be known as Sacramento and San Joaquin Drainage District, appointing of a reclamation board, providing for the management and control of said district and defining the powers and duties of the reclamation board and the State Engineer, the acquisition of rights of way and property by said drainage district, the reclamation and protection of the lands therein which are subject to overflow from the Sacramento and San Joaquin rivers and their tributaries and control of the floods thereof; the making of assessments; also defining the rights and powers of certain municipal corporations, levee, drainage and protection districts therein, and making an appropriation to pay the expenses of the State Engineer and the reclamation board; also providing for the approval and creation of plans of reclamation, and the examination of the security afforded to bonds of reclamation and drainage districts and others; to prevent the diversion of the waters of any stream into the Sacramento and San Joaquin rivers; to prevent the construction of and to require the removal or regulation of obstructions in streams, by-passes and overflow channels; to repay money contributed for the purchase of rights of way for enlargement of the outlet of the Sacramento River and making an appropriation for carrying out the purposes of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1770—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are operated other than as common carriers; and prohibiting the construction of any more such lines for such purposes for any distance whatsoever across, along, over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing liens to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Also: Senate Bill No. 1763—An Act to declare certain contracts, combinations, arrangements and conspiracies between common carrier railroads and pipe lines for the transportation of crude oil, and pipe lines constructed for the transportation of crude oil, petroleum or the products thereof, to be in restraint of trade and unfair practices, contrary to public policy as tending to monopoly, and requiring such pipe lines to either become common carriers and public utilities or to procure license and pay fees, and fixing penalties for violations, and authorizing certain court proceedings.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1749—An Act to amend Section 1196 of the Political Code, relating to providing and printing ballots for elections.

Also: Senate Bill No. 1774—An Act to confer upon the Industrial Accident Commission all of the duties, liabilities, authority, powers and privileges conferred and imposed by law upon the Industrial Accident Board, abolishing the Industrial Accident Board and providing for a transfer of its funds to the credit of the Industrial Accident Commission.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1765—An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Also: Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 977—An Act to amend Section 633 of the Civil Code, relating to building and loan associations.

Also: Senate Bill No. 1089—An Act providing for the organization and management of mutual workmen's compensation insurance, companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

Also: Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 64—An Act to provide one additional judge of the Superior Court of the county of Riverside.

Also: Senate Bill No. 1622—An Act to amend Section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Also: Senate Bill No. 288—An Act to amend Section 1665a, of the Political Code, relating to the establishment of cosmopolitan schools, in cities of certain classes.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1370—An Act to authorize the payment of the claim of Western Fuel Company against the State of California and making an appropriation therefor out of the San Francisco Harbor Funds.

Also: Senate Bill No. 678—An Act appropriating money to pay the claim of Johan Alfred Matsson, against the State of California.

Also: Senate Bill No. 158—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Also: Senate Bill No. 980—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Also: Senate Bill No. 976—An Act to amend sections six hundred and thirty-seven and six hundred and thirty-eight of the Civil Code, relating to building and loan associations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1294—An Act providing for the designation of money in the state treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1770 read first time, and referred to Committee on Corporations.

Senate Bill No. 1765 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 1749 read first time, and referred to Committee on Elections.

Senate Bill No. 1774 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 1171 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 977 read first time, and referred to Committee on Building and Loan Associations.

Senate Bill No. 1089 read first time, and referred to Committee on Insurance.

Senate Bill No. 1169 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 64 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1622 read first time, and referred to Committee on Judiciary.

Senate Bill No. 288 read first time, and referred to Committee on Education.

Senate Bill No. 1370 read first time, and referred to Committee on Claims.

Senate Bill No. 678 read first time, and referred to Committee on Claims.

Senate Bill No. 158 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 980 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 976 read first time, and referred to Committee on Building and Loan Associations.

Senate Bill No. 1294 read first time, and referred to Committee on Banking.

Senate Bill No. 1763 read first time, and referred to Committee on Corporations.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

WHEREAS, There has been an unprecedented demand for copies of bills and other printed matter during the present session of the Legislature; and

WHEREAS, Many requests have already been received for the chaptered laws;
Resolved, That the Chief Clerk be, and he is hereby, authorized and empowered to have sufficient copies of chapters and other printed matter published to meet the demand.

Read, and referred to Committee on Rules.

AMENDMENT OF BILLS.

Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520, 1521 and 1522 of the Political Code of the State of California, relating to the State Board of Education.

During third reading of the bill, Mr. Wyllie moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1 of the printed bill, strike out all of lines 1, 2, 3 and 4; also, on page 2, lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, and substitute in lieu thereof the following:

"SECTION 1. Section 1517 of the Political Code is hereby amended to read as follows:

1517. There is hereby created a state board of education to consist of a superintendent of public instruction and four other members, who shall be appointed by the governor and shall hold office for a term of four years; *provided*, that those members first appointed hereunder shall be appointed within thirty days after the taking effect of this Act. One shall be appointed to serve for a term of one year; one for a term of two years; one for a term of three years and one for a term of four years. Thereafter all appointments shall be for a period of four years, except that the governor shall fill any vacancy by appointment for the unexpired term.

No appointive member of the state board shall during his term of office hold any salaried educational position."

Also: On page 2 of the printed bill, line 19, after the word "instruction", strike out the comma; also the words "unless the board,"; also, in line 20, strike out the words "otherwise choose" and the comma (,).

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Alexander, Bagby, Bowman, Bradford, Brown, Cary, Chandler, Dower, Ellis, Finnegan, Ford, Gelder, Griffin, Guiberson, Guill, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Libby, Murray, Nelson, Palmer, Polsley, Shannon, Shearer, Simpson, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Wyllie—34.

NOES—Messrs. Ambrose, Bloodgood, Bohnett, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Green, Hinkle, Inman, Johnstone, W. A., Kingsley, McDonald, Morgenstern, Mouser, Peairs, Roberts, Smith, Strine, Sutherland, Walsh, Woodley, and Mr. Speaker—30.

The Speaker appointed Mr. Wyllie as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 836, with instructions, do now report that the instructions of the Assembly have been carried out.

WYLLIE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

During third reading of the bill, Mr. Kuck moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 3, Section 2, line 21, of the printed bill, strike out the period after the word "policy" and insert in lieu thereof the following: "in excess of the dividends paid upon similar policies as shown by the past experience of the company."

Motion carried.

The Speaker appointed Mr. Kuck as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 897, with instructions, do now report that the instructions of the Assembly have been carried out.

KUCK, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

RECONSIDERATIONS.

In accordance with the notice given by Mr. McDonald on a previous day, Mr. Johnston moved that the vote whereby Assembly Bill No. 2039 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bush, Collins, Fish, Ford, Libby, McCarthy, McDonald, Murray, Palmer, Richardson, and Ryan—11.

NOES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Shartel, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—48.

Bill ordered transmitted to the Senate.

In accordance with the notice given by Mr. Killingsworth on a previous day, Mr. McDonald moved that the vote whereby Senate Bill No. 466 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bowman, Gates, Guiberson, Libby, and Palmer—5.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Brown, Bush, Byrnes, Canepa, Cary, Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Shannon, Shartel, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—55.

Bill ordered transmitted to the Senate.

HON. H. S. BENEDICT IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. H. S. Benedict, Assemblyman from the Sixty-third District, in the chair.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Polsley moved that the vote whereby Assembly Bill No. 246 was refused passage be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Alexander, Ambrose, Guill, Johnson, Geo. H., Moorhouse, Murray, Polsley, Shannon, Tulloch, Weldon, and Wyllie—11.

NOES—Messrs. Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Morgenstern, Mouser, Nelson, Nolan, Slater, Sutherland, Walsh, White, and Woodley—36.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Slater:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco, the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same.

Referred to Committee on Introduction of Bills.

By Mr. Brown:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An act to amend Section 13 of an Act entitled "An Act to amend an Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed, approved March 31, 1891, and giving to lot owners authority to sell and convey title to lots in such cemeteries.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 172—An Act to provide for the survey, location and construction of a State highway from a point known as the Oregon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woodville Creek with said North Yuba River, thence following the right hand or north bank of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

GABBERT, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Also: Assembly Bill No. 1125—An Act to provide for the survey, location and construction of a state highway connecting the western end of the present Trinity state highway in Trinity County with the road system of Humboldt County and making an appropriation therefor.

Which were re-referred to us from the Committee on Roads and Highways, have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 716—An Act to establish a state school to train persons for practical service in governmental work of city, county and state, and to make an appropriation therefor—which was re-referred to us from the Committee on Civil Service, have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2135—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose—have had the same under consideration, and respectfully report the same back, and recommend that committee substitute for same do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1123—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco, to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto, etc.

Also: Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Also: Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the, etc.

Also: Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Also: Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1248—An Act to establish a state censor committee to censor moving picture films and to regulate the use thereof in the State of California—which was re-referred to us from the Committee on Public Morals, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CHANDLER, Chairman.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of fifty thousand dollars therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an assembly hall at the Stockton State Hospital.

Assembly Bill No. 1484—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and

accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report and providing for the punishment for the violation thereof.

And report that the same have been correctly re-engrossed.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2293, 2295, 2295a and 2300, and by repealing Section 2303 thereof.

Assembly Bill No. 1650—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for the investigation of its prevalence and making an appropriation therefor.

Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the objects and changing the name of the California Institution for the Deaf and the Blind.

And report that the same have been correctly engrossed.

AMBROSE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act." approved March 18, 1905—have had the same under consideration, and respectfully report that Senate Bill No. 1169 is identical with Assembly Bill No. 1328.

AMBROSE, Acting Chairman.

Senate Bill No. 1169 ordered on file.

Assembly Bill No. 1328 withdrawn, and ordered stricken from the file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce—have had the same under consideration, and respectfully report that Senate Bill No. 1171 is identical with Assembly Bill No. 1330.

AMBROSE, Acting Chairman.

Senate Bill No. 1171 ordered on file.

Assembly Bill No. 1330 withdrawn, and ordered stricken from the file.

RECESS.

At twelve o'clock m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Young in the chair.

INTRODUCTION OF CONCURRENT AND JOINT RESOLUTIONS.

The following concurrent resolution was introduced, and referred as indicated:

By Mr. Farwell: Assembly Concurrent Resolution No. 41—Relative to investigation of certain conditions in Kern County.

Read, and referred to Committee on County Government.

By Mr. Clark: Assembly Joint Resolution No. 36—Requesting the President of the United States to propose to the governments of the

world the negotiation of an international congress for the conservation of wild life to be held during the session of the Panama-Pacific International Exposition.

Read, and referred to Committee on Federal Relations.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 2009—An Act making an appropriation to pay special premiums on live stock and poultry owned in California and exhibited at the Panama-Pacific International Exposition in the year 1915.

Bill read second time.

Assembly Bill No. 1071—An Act to appropriate \$1,500.00 for the payment of the claim of the Humboldt and Trinity Toll Road Company, a corporation.

Bill read second time.

Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Bill read second time.

Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

Bill read second time.

Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1968—An Act to amend Section 10 of an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' " approved February 20, 1889.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

Strike out all of the last line of the printed title, and insert in lieu thereof the following: "the State of California, approved February 20, 1889, amended, approved March 7, 1911."

Amendment adopted.

AMENDMENT No. 2.

On page 1 of the printed bill, strike out all of line 8, and insert in lieu thereof the following: "February 20, 1889, approved March 7, 1911, is hereby amended to read as follows:."

Amendment adopted.

AMENDMENT No. 3.

On page 2 of the printed bill, strike out all of lines 2, 3, 4, 5 and 6, after the period in line 2, and insert in lieu thereof the following: "Any and all enforced

absence caused by the carrying out of the provisions of this Act shall be counted as daily attendance within the meaning of Section 1532, Division 4, of the Political Code."

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 2009, 1071, 2118 and 2127.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 2009, 1071, 2118 and 2127 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 2009, 1071, 2118 and 2127, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to engrossment and third reading.

HON. L. D. BOHNETT IN THE CHAIR.

At one o'clock and fifty minutes p.m., Hon. L. D. Bohnett, Assemblyman of the Forty-fourth District, in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Farwell moved a call of the House.

Motion carried.

Time, two o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

MESSRS. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Dower, Ellis, Emmons, Farwell, Ferguson, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Wyllie—53.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Johnston.

The roll of absentees was called, and Assembly Bill No. 1550 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gelder, Green, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Shartel, Shearer, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, and White—47.

NOES—Messrs. Alexander, Cary, Guiberson, Johnson, Geo. H., Johnston, T. D., Simpson, Stuckenbruck, and Wyllie—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 689—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 689 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Griffin, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and White—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1482—An Act to amend an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, by adding two new sections thereto, to be known as Sections 3a and 3b, relating to the investigation of the conditions and causes of pauperism, divorce, insanity, immorality and crime in this State, the collection, compilation, and distribution of statistics and other information regarding the same, the recommendation of legislation for their reduction and prevention and for the promotion of public morals and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1482 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Cram, Ellis, Emmons, Farwell, Ferguson,

Ford, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Shartel, Slater, Smith, Strine, Sutherland, Weisel, and Weldon—42.

NOES—Messrs. Griffin, Johnson, Geo. H., Killingsworth, Murray, Palmer, Schmitt, Simpson, Stuckenbruck, Walsh, and Wyllie—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 690—An Act to amend Section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 690 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Ford, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Roberts, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 15—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans, and half-orphans, and for the education of such persons and other worthy persons under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor; authorizing and empowering the maintenance of funds therefor in the county and state treasuries, to be derived from taxation and private benefaction, to be known as a "children's relief fund" and as a "scholarship fund"; making appropriations for a campaign to secure private benefactions, and for the disposition of "transfer and collateral inheritance taxes" therefor, authorizing gifts, bequests and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the Superior Court and board of supervisors in relation to such persons and such funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 15 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Cary, Chandler, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Roberts, Shartel, Smith, Weisel, and Weldon—42.

NOES—Messrs. Murray, Shearer, Simpson, and Stuckenbruck—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2121 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Cary, Chandler, Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Schmitt, Shannon, Shearer, Slater, Smith, Stuckenbruck, Tulloch, Weisel, Woodley, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2102—An Act repealing an Act entitled “An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance and to make appropriation therefor,” approved March 15, 1911; repealing an Act entitled “An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway;” which became a law under constitutional provision without the Governor’s approval March 12, 1901; providing for the location, survey, construction, improvement and maintenance of a state highway from Osgood Station on the Lake Tahoe wagon road, El Dorado County, in a general southeasterly direction to Independence, Inyo County; also, from the Calaveras Big Tree Grove, located in Calaveras County, easterly along what has been known as the “Big Tree and Carson Valley Turnpike” to a point on the wagon road near the Junction of Silver Creek near the east fork of Carson River, said highway to be named the Alpine-Inyo State Highway; and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2102 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Collins, Cram, Ellis, Ferguson, Ford, Gates, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Wyllie—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1437 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Morgenstern,

Mouser, Murray, Peairs, Roberts, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Weisel—49.

NOES—Messrs. Chandler, Polsley, Weldon, White, and Wyllie—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1022—An Act to provide for the development of a water supply, the construction of a pumping plant, tank, distribution system, and all appurtenances and accessories of a water supply and distribution system, on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Assembly Bill No. 605—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Assembly Bill No. 1023—An Act to provide for repairing, altering, enlarging, furnishing, and refitting state normal school buildings at Chico, California, and making an appropriation therefor.

On request of Mr. Guill, the above Assembly bills were withdrawn and ordered stricken from the file.

Assembly Bill No. 2122—An Act making an appropriation for the legislative printing fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2122 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Murray, Peairs, Polsley, Roberts, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, White, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

Pursuant to his notice given on a previous day, Mr. Johnstone moved that the vote whereby Assembly Bill No. 1559 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Canepa, Cary, Chandler, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guilberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Roberts, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, and Wyllie—43.

NOES—Messrs. Polsley, Shearer, and Simpson—3.

Assembly Bill No. 1559—An Act providing for the construction of highways by the State in counties, cities and counties and cities,

and providing for the payment of the expense of the construction and maintenance thereof.

During consideration of the bill, Mr. Johnstone moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, lines 1 and 2, strike out the semicolon after the word "county", and the words "or the governing body of any town".

Also: On page 3, line 9, strike out after the word "county", and the words "or city".

Also: On page 3, line 16, strike out before the word "county", the words "and paid by the city or".

Also: On page 3, line 17, strike out after the first word "the", the words "city or".

Also: On page 3, line 27, strike out after the words "of the", the words "city or".

Also: On page 3, line 33, strike out after the words "to the", the words "city or".

Also: At the end of Section 5, insert a new section to read as follows:

"SEC. 6. The board of supervisors of any county may not, under the provisions of this Act, petition for the improvement of any highway, the estimated cost of which by the county surveyor or engineer of said county, shall exceed the sum of fifty thousand dollars, unless the same shall have been submitted to the electors of the county and approved. The board of supervisors is hereby authorized to issue bonds under the laws of this state for the construction of such highways and the approval of such bond issue by the electors shall authorize the board of supervisors to proceed with the construction of such highways under the provisions of this Act."

Also: Renumber Sections 6 and 7 as numbers 7 and 8.

Motion carried.

The Speaker appointed Mr. Johnstone as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1559, with instructions, do now report that the instructions of the Assembly have been carried out.

JOHNSTONE, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1006—An Act making an appropriation for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1006 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, and Woodley—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 364—An Act to amend Section 4236 of the Political Code—report that we have

met a like committee of the Senate, consisting of Senators Wright, Breed and Juilliard, and we report that the Free Conference Committee agreed upon and recommend the following amendments to Senate Bill No. 364:

AMENDMENT No. 1.

On page 5, line 12, strike out the words "nine hundred", and also the words "and fifty" on line 14, and insert in lieu thereof the following: "one thousand and twenty".

AMENDMENT No. 2.

On page 5, line 17, after the word "annum", insert the following: "and traveling expenses incurred in the discharge of his official duties not exceeding three hundred dollars per annum".

AMENDMENT No. 3.

On page 6, line 24, strike out the words "three hundred and fifty" and insert in lieu thereof the following: "eight hundred".

AMENDMENT No. 4.

On page 8, line 19, strike out the words "in counties of this class" and all of lines 22 and 23, and insert in lieu thereof the following: "three thousand dollars per annum, in full of all compensation in both civil and criminal cases;".

WRIGHT,
BREED,
JUILLIARD,
Senate Committee.
HINKLE,
SHEARER,
MOORHOUSE,
Assembly Committee.

Mr. Hinkle moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Roberts, Schmitt, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Wyllie—49.

NOES—None.

SECOND READING OF SENATE BILLS.

Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

Bill read second time.

Senate Bill No. 1459—An Act appropriating moneys to the use of the workman's compensation insurance fund.

Bill read second time.

Senate Bill No. 180—An Act appropriating money to pay the claim of Thomas Nightingale against the State of California.

Bill read second time.

Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 550a, relating to the furnishing of water for family use.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 7, strike out the word "property", and insert in lieu thereof the following: "curbline, or if there be no curbline then up to the property".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 8, strike out the words "without charge, unless", and insert in lieu thereof the word "if".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 11, strike out the word "different", and insert in lieu thereof the word "such".

Amendment adopted.

AMENDMENT No. 4.

On page 2, line 2, strike out the words "reasonable distance", and insert in lieu thereof the words "four hundred feet".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1664—An Act to provide for the consolidation of municipal corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1291—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities and also for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections to be numbered 10 to 13, inclusive.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1292—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto six new sections to be numbered 57 to 62, inclusive.

Bill read second time, and ordered on file for third reading.

Senate Bill 1293—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto six new sections to be numbered 84 to 89, inclusive.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 291—An Act to amend Sections Nos. 276, 277 and 279 of the Code of Civil Procedure relating to the admission and license of attorneys and counselors at law, and to add three sections to said code, to be known as Sections 276*a*, 276*b* and 276*c*, relating to the same subject, and making an appropriation to carry out the purposes of this Act.

During second reading of bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 8, of printed bill, strike out the words "for at least three years".

Amendment adopted.

AMENDMENT No. 2.

On page 3, line 4, of printed bill, strike out the words "in whole or".

Amendment adopted.

AMENDMENT No. 3.

On page 3, line 6, of printed bill, strike out the period after the word "applicants", and in lieu thereof insert a semicolon and add thereafter the following: "*provided, however,* that the results of all examinations conducted by the board of law examiners shall be subject to review by the supreme court at its discretion".

Amendment adopted.

Bill read second time.

Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose, on the southern arm of San Francisco Bay, and to prescribe their powers and duties, and to fix their compensation and the compensation of their employees, and to appropriate money to carry this Act into effect.

Bill read second time.

Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Bill read second time.

Senate Bill No. 752—An Act to make an appropriation of money for the general improvement and extension of the Lake Tahoe wagon road, a state highway.

Bill read second time.

Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 266—An Act appropriating \$2,500 for the restoration and rebuilding of the old Greek chapel and Russian fort, known as Fort Ross, at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

Bill read second time.

Senate Bill No. 167—An Act to make an appropriation for the completion of the road from Meyer's Station at the head of the Tahoe state wagon road along the west shore of Lake Tahoe, to McKinney's.

Bill read second time.

Senate Bill No. 1326—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to

provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 64 thereof, and inserting a new section, relating to joint use of irrigation works.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1220—An Act to permit municipal corporations and counties to declare certain property sold for non-payment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 983—An Act to amend Section 103 of the Code of Civil procedure, relating to justices of the peace.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 25, of the engrossed bill, strike out the words "four thousand", and insert in lieu thereof the words "three thousand six hundred".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1757—An Act to amend Section 1332 and Section 1333 of the Political Code of the State of California, and to add four new sections thereto, to be numbered 1334, 1335, 1336 and 1337, relating to the election of Senators in Congress.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In the last line of the title, strike out the period and insert in lieu thereof the following: "and to repeal an Act entitled 'An Act providing for placing the names of candidates for United States senator in congress upon the official ballot at general elections, for counting, canvassing and making returns of the votes therefor, providing the method of notifying the legislature of the results of such election, and defining the duties of certain officers in relation thereto,' approved April 7, 1911."

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 4, strike out the word "Section".

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 8, strike out the word "Section".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 15, strike out the word "Section".

Amendment adopted.

AMENDMENT No. 5.

On page 2, line 4, strike out the word "Section".

Amendment adopted.

AMENDMENT No. 6.

On page 2, line 8, strike out the word "Section".

Amendment adopted.

AMENDMENT No. 7.

On page 2, line 15, strike out the word "Section".

Amendment adopted.

AMENDMENT NO. 8.

On page 2, below line 17, insert the following:

"SEC. 3. An Act entitled 'An Act providing for placing the names of candidates for United States senator in congress upon the official ballot at general elections, for counting, canvassing and making returns of the votes therefor, providing the method of notifying the legislature of the results of such election, and defining the duties of certain officers in relation thereto.' approved April 7, 1911, is hereby repealed."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 943—An Act to amend Section 4272 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1469—An Act to amend Section 1366 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 252—An Act to amend Section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 316—An Act to repeal Section 1298 of the Civil Code, and to amend Section 1299 of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 358—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 36—An Act to amend Section 1207 of the Civil Code, relating to the recordation of certain instruments and certificates of acknowledgment, the notice such recordation shall impart, and the effect as evidence of certified copies of the same.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 454—An Act to amend Section 601 of the Penal Code, relating to the malicious use of explosives, and providing penalties therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1297—An Act authorizing and empowering the Regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 443—An Act making application to repay L. H. Boggs, moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Bill read second time.

Mr. Sutherland moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 579, 1459, 180, 1600, 752, 266, 167, 1531 and 443.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Mr. Bohnett in the chair.

Senate Bills Nos. 579, 1459, 180, 1600, 752, 266, 167, 1531 and 443 considered.

Mr. Sutherland moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Mr. Bohnett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 579, 1459, 180, 1600, 752, 266, 167, 1531 and 443, and do now report the same back, and recommend that they do pass.

BOHNETT, Chairman.

Bills ordered on file for third reading.

Mr. Sutherland moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bill No. 291.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Mr. Bohnett in the chair.

Senate Bill No. 291 considered.

Mr. Sutherland moved that the committee do now rise and report in favor of the passage of the bill as amended.

Motion carried.

IN ASSEMBLY.

Mr. Bohnett in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 291, and do now report the same back, and recommend that it do pass as amended.

BOHNETT, Chairman.

Bill ordered to reprint, and on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 191—An Act providing that the State Board of Equalization shall determine the net loss in county revenue sustained by any county of the State by the withdrawal of railroad property

from county taxation, in accordance with the provisions of Section 14 of Article XIII of the Constitution of the State of California, and providing for the payment of such loss by the State, when no objection is made to the amount thereof, and making an appropriation for the payment of such loss and to authorize any county in the State which claims to have sustained any such net loss in county revenue, and which said county has objected to the amount of such net loss as determined by the State Board of Equalization, to commence suit against the State of California for the recovery of such loss, prosecute such suit to final judgment, regulating the procedure to be followed in such suits, the time within which such suits must be commenced, and providing for the payment of any judgment recovered in such suits, and repealing an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of Section 14 of Article XIII of the Constitution of this State," approved April 26, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 191 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Shannon, Shartel, Slater, Strine, Sutherland, Tulloch, and Weldon—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 809—An Act to amend Section 737 of the Political Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 809 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Griffin, Guill, Hayes, Hinkle, Inman, Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Shannon, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, and Weldon—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 254—An Act establishing a state mining bureau, creating the office of state mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a state mining bureau fund for the purpose of carrying out the provisions of this Act and repealing an Act entitled

"An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties, and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1893, and all Acts amendatory thereof and supplemental thereto or in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 254 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Roberts, Shannon, Shartel, Sutherland, Tulloch, Weisel, and Weldon—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 27—An Act approving four certain amendments to the charter of the city of Vallejo, in the county of Solano, State of California, voted for and ratified by the qualified electors of the said city of Vallejo, at the general municipal election held therein on the 15th day of April, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Concurrent Resolution No. 27 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Shannon, Slater, Sutherland, Tulloch, and Weisel—44.

NOES—None.

Senate Concurrent Resolution No. 27 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 27.

Approving four certain amendments to the charter of the city of Vallejo, in the county of Solano, State of California, voted for and ratified by the qualified electors of the said city of Vallejo, at the general municipal election held therein on the 15th day of April, 1913.

WHEREAS, The city of Vallejo, in the county of Solano, State of California, contains a population of over ten thousand inhabitants and has been ever since the year of 1911 and is now, organized and acting under a freeholders' charter adopted under and by virtue of Section 8, Article XI, of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the 21st day of February, 1911, and approved by the legislature of said State of California on the 11th day of March, 1911 (Statutes of 1911, pages 1958 to 2031, inclusive); and

WHEREAS, The city council of said city of Vallejo, did, by resolution adopted by said city council on the 10th day of March, 1913, and approved by the mayor of said city on the 10th day of March, 1913, and pursuant to said Section 8, Article XI, of said Constitution of the State of California, duly propose to the qualified electors

of said city of Vallejo, five certain amendments, to the charter of said city to be submitted to said qualified electors at a general municipal election to be held in said city on the 15th day of April, 1913; and

WHEREAS, Said five proposed amendments were and each of them was, published for ten (10) times in a daily newspaper printed and published in said city, and of general circulation therein, to wit: *The Vallejo Daily Times*, said publication ending on the 28th day of March, 1913; and

WHEREAS, Thereafter the city council of said city, did, by ordinance which was duly adopted on the 8th day of April, 1913, and approved by the mayor on the 8th day of April, 1913, order the holding of a general municipal election in said city of Vallejo on the 15th day of April, 1913, which last named date was at least twenty (20) days after the publication of said proposed amendments, which had been published ten times as aforesaid, and did provide in said ordinance for the submission of said five proposed amendments to the said charter to the qualified electors of said city for their ratification at said general municipal election, which said ordinance was published as required by law and the charter of said city, prior to the time appointed for the holding of such election in *The Vallejo Evening Chronicle*, a daily newspaper printed and published in said city; and

WHEREAS, At said election a majority of the qualified electors voting thereon, voted in favor of the ratification of and did ratify four of said five proposed amendments, to wit: numbers one, two, four, and five, thereof, but did not ratify number three of said proposed amendments; and

WHEREAS, The city council of said city at a regular meeting thereof, held within four days after said election, duly canvassed the returns of said election and duly found, determined and declared that a majority of such qualified electors voting thereon, had voted for and ratified each of said four of said proposed amendments, and rejected said number three; and

WHEREAS, The mayor and city clerk of said city did, on the 19th day of April, 1913, duly certify to the submission to the qualified electors of said city of said five proposed amendments to said charter and to the ratification of said four of such amendments, and did further certify to a copy of said four proposed amendments authenticated by the seal of said city of Vallejo, which said certificate is in the words and figures following, to wit:

STATE OF CALIFORNIA, }
COUNTY OF SOLANO, } ss.
CITY OF VALLEJO. }

We, the undersigned, W. J. Tormey, mayor of the city of Vallejo, State of California, and Alf. E. Edgecombe, city clerk of said city, do hereby certify and declare as follows:

That the city of Vallejo, in the county of Solano, State of California, contains a population of over ten thousand inhabitants, and has ever since the year 1911, and is now organized and acting under a freeholders' charter, adopted under and by virtue of Section 8 of Article XI, of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city, at an election held for that purpose on the 21st day of February, 1911, and approved by the legislature of the state aforesaid, on the 11th day of March, 1911;

That the city council of the said city of Vallejo did by resolution adopted by said city council on the 10th day of March, 1913, and approved by the mayor of said city, on the 10th day of March, 1913, pursuant to Section 8 of Article XI of the Constitution of said State of California, duly propose to the qualified electors of said city five certain amendments to the charter of such city to be submitted to said qualified electors at a general municipal election to be held in said city on the 15th day of April, 1913, and that the four of said amendments ratified as hereinafter set forth were and are in words and figures following, to wit:

CHARTER AMENDMENT NUMBER ONE.

That Subdivision (2) of Section 7 of Article IV, of the charter of the city of Vallejo, relating to petition for recall, be amended so as to read as follows:

Petition for recall.

(2) A petition signed by qualified electors equal to twenty (20) per centum of the entire vote cast for all candidates for the office of mayor at the last preceding general municipal election at which a mayor was elected, demanding an election of a successor of the officer sought to be removed, shall be addressed to the council and presented to the city clerk. The petition may request that such election shall be held at a special municipal election or at the next general municipal election.

CHARTER AMENDMENT NUMBER TWO.

That Subdivision (39) of Section 49 of Article IX, of the charter of the city of Vallejo, relating to public entertainments, be amended, so as to read as follows:

Public entertainments, promotion and advertising.

(39) To appropriate and spend money from the funds of the city for any or all of the following purposes:

(a) Reception and entertainment of public guests.

- (b) Assistance of public celebrations held by the city at large.
- (c) To aid in or carry on the work of inducing immigration, manufactories or other industries to the city.
- (d) To exhibit manufactured and other products of the city.
- (e) Generally for the purpose of advertising and promoting the interests of the city.

Provided, however, that the aggregate expenditures for all of said purposes shall not exceed in any fiscal year the sum of ten (10) cents on each one hundred (\$100) dollars valuation of the assessable property of the city of Vallejo.

CHARTER AMENDMENT NUMBER FOUR.

That Article XIII, of the charter of the city of Vallejo, relating to the initiative, be amended so as to read as follows:

ARTICLE XIII.

The Initiative.

Perliminaries to filing petition.

Section 99. (1) The qualified electors of the city shall have power to propose by petition, and to adopt at the polls any ordinance which may be enacted under this charter. Such ordinance may be proposed by the filing with the city clerk a petition setting forth said ordinance in full signed by qualified electors of the city as many in number as hereinafter required, of the entire vote cast for all candidates for the office of mayor at the last preceding general municipal election.

Before any petition for such submission of a proposed ordinance shall be submitted for signatures, an affidavit in triplicate by or on behalf of its proponents shall be filed with the city clerk containing the following: three copies of the proposed ordinance; a statement in not more than two hundred (200) words, giving the proponents reasons for the adoption of such ordinance; a statement of the intention to secure the submission of said ordinance to a vote of the electors by an initiative petition; and the address of the party making such affidavit. The council shall have five (5) days after the day of filing of such affidavit in which to formulate and send by registered mail to the address given in such affidavit a statement in not more than two hundred (200) words of the reasons why such proposed ordinance should not be adopted. These reasons for and against the adoption of the proposed ordinance shall be printed as a part of each individual certificate forming a part of the petition. The council shall also give a list of not more than three (3) places where copies of the individual certificates shall be deposited to receive signatures. These places shall be the city hall, public library, and the U. S. post office.

Upon expiration of the five (5) days last mentioned, the clerk shall cause to be published once a week for two (2) successive weeks, in one or more daily newspapers, a notice substantially in the following form:

NOTICE OF PETITION TO INVOKE INITIATIVE.

Notice is hereby given that copies of individual certificates forming a petition to invoke the initiative to secure the adoption of an ordinance entitled (give name and purpose of proposed ordinance) will be deposited at the city hall, public library and U. S. postoffice to receive signatures. Registered voters who believe that said ordinance should be adopted may call at any one of the places above mentioned between the hours of 10 a.m., and 8 p.m., from (date) to (date) and sign a copy of said petition; and those registered voters in favor of upholding the council in their refusal to adopt said ordinance may also call at any of the places above mentioned and sign a petition in opposition to its adoption.

The statement filed with me giving grounds for such adoption is as follows:
(Copy of statement).

The statement filed with me justifying the council in its refusal to adopt the ordinance is as follows:
(Copy of statement).

(Signed) _____, Clerk.

Dated _____.

FORM AND CONDITION OF PETITIONS.

(2) The initiative petition shall consist of individual certificates signed by qualified electors of the city, as many in number as hereinafter required. The form and conditions of each certificate and mode of certification and verification shall be substantially as follows:

(Individual Certificate.)

Petitions to the council relating to a proposed ordinance to:

(The above heading must be printed in a type of a 24-point roman face, caps and lower case.)

(Here insert purport of ordinance.)

COUNCIL'S REASONS FOR
NOT ADOPTING ORDINANCE.
(Here insert such reasons.)

PROPOSER'S REASONS
FOR ADOPTING ORDINANCE.
(Here insert such reasons.)

I, the undersigned, certify that I hereby join in a petition to the council requiring that it forthwith submit to the vote of the electors of the city of Vallejo, at a special

municipal election (or general municipal election), that certain proposed ordinance entitled (here insert title of ordinance), to a copy of which this certificate is attached; unless said ordinance be passed by the council, without alteration, when and as provided in the charter of the city of Vallejo.

I further certify: That I have read the proposed ordinance and the above official reasons for and against the adoption of said ordinance and am in favor of its adoption; that I am a qualified elector of the city of Vallejo, State of California; that I am not at this time a signer of any other like certificate; that I reside at No. _____

_____ street, between _____ street and _____ street, in said city; and that my occupation is _____.

(Signed) _____.

STATE OF CALIFORNIA, }
COUNTY OF SOLANO, } ss.
CITY OF VALLEJO. }

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) _____.

Subscribed and sworn to before me this _____ day of _____, 19____.

(Signed) _____.

Verification Deputy (or Notary Public).

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____, at No. _____ street, Vallejo, California.

(Below and on the same sheet of paper shall be printed the following):

I, the undersigned, hereby join in a petition to the council requiring that it shall not submit to the vote of the electors of the city of Vallejo, at a special municipal election (or general municipal election), that certain proposed ordinance entitled (here insert title of ordinance), to a copy of which this certificate is attached; that said ordinance shall not be adopted by the council, with or without alteration, when and as provided in the charter of the city of Vallejo.

I further certify: That I have read the proposed ordinance and the above official reasons for and against the adoption of said ordinance and am opposed to its adoption; that I am a qualified elector of the city of Vallejo, State of California; that I am not at this time a signer of any other like certificate; that I reside at No. _____

_____ street, between _____ street and _____ street, in said city; and that my occupation is _____.

(Signed) _____.

STATE OF CALIFORNIA, }
COUNTY OF SOLANO, } ss.
CITY OF VALLEJO. }

_____, being duly sworn, deposes and says: That he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) _____.

Subscribed and sworn to before me this _____ day of _____, 19____.

(Signed) _____.

Verification Deputy (or Notary Public).

The petition of which this certificate forms a part shall, if found insufficient, be returned to _____, at No. _____ street, Vallejo, California.

The provisions of Subdivision 4 of Section 7 of this charter, applying to recall petitions, shall apply to petitions filed under this article.

Copies prepared after the foregoing form shall be deposited by the clerk at all of the places mentioned in the "Notice of Petition to Invoke Initiative" on or before ten a.m. of the first day following the first publication of said notice and allowed to remain there until 8 p.m. of the twentieth day thereafter, whereupon the clerk shall promptly collect all copies of the certificates and place same on file in the office of the council. It shall be unlawful for any signatures to be added to the petitions after the expiration of the time last mentioned. Within ten days after the date of filing such petitions, the clerk shall examine, and from the records of registration ascertain the total number of registered voters who have signed both the petitions for and against the proposition to invoke the initiative to secure the adoption of the ordinance.

Any signer of a petition may file with the clerk a verified revocation of his signature to such petition before the report of the clerk is presented to the legislative body, and such signature shall be cancelled by the clerk.

As soon as the clerk has completed his examination he shall report to the legislative body at its next regular meeting, in writing, the number of signatures received for and against the adoption of the proposed ordinance at each place where copies of the individual certificates were deposited, also the total number received, respectively, in the entire municipality.

Twenty per cent petition.

(3) If it is found that the total number of registered voters who signed the petition for the adoption of the proposed ordinance is less than twenty (20) per cent of the entire number of voters voting at the last regular municipal election, for all the candidates for the office of mayor, or the number of such signatures is less than the number of signatures petitioning against the adoption of the ordinance, then no further proceedings shall be taken hereunder.

If it is found that the total number of registered voters who signed the petition for the adoption of the proposed ordinance exceeds the total number who signed the petition against its adoption, and also exceeds in number twenty per centum of the entire vote cast at the last general municipal election for the office of mayor, then the legislative body shall forthwith call a special election to be held not less than thirty-five nor more than forty days after the date of the attachment of the certificate of sufficiency to the petition accompanying the ordinance, unless some general or special municipal election occurs not earlier than twenty (20) days and not later than ninety (90) days after the city clerk shall have attached such certificate of sufficiency, in which latter event said measure shall be voted on at such special or general municipal election, and unless the council shall have, prior to the time of calling such election, passed said ordinance without alteration. If the number of signatures of registered voters upon the petition against the adoption of the proposed ordinance shall have exceeded the number of signatures for the adoption of the ordinance, then the council shall not adopt the ordinance until the same shall have been submitted to a vote of the electorate at a subsequent election held under the provisions of this article.

Expense of printing.

(4) The expense of printing the petition shall be borne by the proponents of the ordinance; *provided, however*, that in the event of the final adoption of the ordinance by the electorate the said expense of printing shall be refunded from the general fund of the city.

Soliciting, signing and circulation.

(5) No person shall solicit for signers to the petitions on or about the premises where said petitions have been deposited to receive signatures.

No individual certificate shall bear the signature of more than one signer, and petitions shall not be circulated in any manner or removed from the designated places where they have been deposited to receive signatures.

Measures to be mailed to voters.

(6) Whenever any ordinance is required under the initiative or referendum provisions of this charter to be submitted to the voters of the city at any election, the council shall cause the ordinance, together with such arguments for and against it as may have been printed on the individual certificates constituting the initiative or referendary petition to be printed, and it shall be the duty of the city clerk to enclose a printed copy thereof in an envelope with a sample ballot and mail the same to each voter, at least five (5) days prior to the election. The council may cause said ordinance to be printed once in a newspaper of general circulation published in the city one week preceding the date of such election.

Election.

(7) The ballots used when voting upon such proposed ordinance shall set forth in full the title of the proposed ordinance and shall state the general nature of the proposed ordinance and shall contain the words "For the Ordinance" and "Against the Ordinance." If a majority of the qualified electors voting on said proposed ordinance shall vote in favor thereof, such ordinance shall take effect five (5) days after the declaration of the official canvass.

Several ordinances at one election.

(8) Any number of proposed ordinances under the initiative and any number of ordinances under the referendum may be voted upon at the same election, in accordance with the provision of this article.

Limit to special elections.

(9) There shall not be held under this article, more than one special election in any period of six months.

Competing and conflicting measures—Repeal.

(10) When there are two or more ordinances proposed to secure the same general purpose, the council shall so declare, and shall have the ballot so printed that the voter (first) can choose between any ordinance or none, and (second) can express his preference for any one. If a majority of the votes on the first question is affirmative, then the ordinance receiving the highest number of votes shall become law, and the others shall fail of passage. In case two or more ordinances are tied for the highest vote, they shall be resubmitted at the next ensuing general municipal election. If there is a conflict between two or more ordinances adopted at the same

election, then the ordinance receiving the highest affirmative vote shall prevail. No ordinance approved by the electorate under the provisions of this charter shall be amended or repealed except by vote of the electorate unless such ordinance shall otherwise provide.

Election is mandatory.

(11) If any ordinance proposed by initiative petition or upon which a referendum vote is requested by petition, in accordance with the provisions of this charter, be not submitted to the voters at or within the time elsewhere specified in this charter, such petition shall remain in force until such ordinance has been submitted to a vote, and no bond issue or other ordinance proposed by the council shall be submitted to the voters unless at the same election, or prior thereto, there shall be submitted to the voters the ordinance or ordinances upon which a vote is requested by petition if any vote be so requested and upon which a vote has not been taken at or within the time elsewhere specified in this charter. This section is prohibitory and mandatory.

Substantial compliance.

(12) A substantial compliance with the provisions of this article shall be sufficient for the holding of an election hereunder and the approval or rejection of any measure submitted thereat.

Further regulations.

(13) The council shall, by ordinance, make such further regulations as may be necessary to carry out the provisions of this article, and to adopt the provisions of Article III thereto.

CHARTER AMENDMENT NUMBER FIVE.

That Subdivision (1) of Section 100 of Article XIV, of the charter of the city of Vallejo, relating to mode of protesting ordinances, be amended so as to read as follows:

ARTICLE XIV.

THE REFERENDUM.

Mode of protesting against ordinances.

Section 100. (1) No ordinance passed by the council shall go into effect before thirty days from the time of its final passage except when otherwise required by the general laws of the state or by the provisions of this charter respecting street improvements, and except the ordinance making the annual tax levy, and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and is passed by a unanimous vote of the council; *provided*, that no grant of any franchise shall be construed to be an urgency measure, but all franchises shall be subject to the referendum vote provided in Section 101. If during said thirty days a petition signed by qualified electors of the city equal in number to at least twenty per centum of the entire vote cast for all candidates for the office of mayor at the last preceding general municipal election, at which a mayor was elected, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance, and if the same be not entirely repealed, the council shall submit the ordinance to the vote of the electors of the city, either at the next general municipal election or at a special election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof.

That said four proposed amendments were, and each of them was, published for ten (10) times in a daily newspaper printed and published in said city and of general circulation therein, to wit *The Vallejo Daily Times*, and that said publication ended on the 28th day of March, 1913:

That thereafter, the city council of said city did, by Ordinance No. 122 N. S., which was duly adopted on the 8th day of April, 1913, and approved by the mayor on the 8th day of April, 1913, order the holding of a general municipal election in said city of Vallejo, on the 15th day of April, 1913, which last named date was at least 20 days after the publication of said proposed amendments which had been published ten (10) times as aforesaid, and did provide in said ordinance for the submission of said five proposed amendments, to the city charter to the qualified electors of said city for their ratification at said general municipal election, which said ordinance was passed and approved as aforesaid and was published as required by law and the charter of said city:

That at said election a majority of the qualified electors voting thereon, voted in favor of the ratification and did ratify each and all of said five proposed amendments to the charter of said city of Vallejo, except such proposed amendment number three; and that said proposed amendment number three, did not receive a majority of the votes of the qualified electors voting thereon in favor of the ratification of said proposed amendments at said election;

That the city council of said city of Vallejo, at a regular meeting, and within four days after said election, and within the time and in the manner required by law and the charter of said city, duly canvassed the returns of said election, and duly found, determined and declared that a majority of such qualified electors voting thereon had voted for and ratified each and all of the said four proposed amendments to said charter;

We do further hereby certify and declare that the copy of said proposed amendments to the charter of the city of Vallejo hereinbefore set forth is a full, true and correct copy of the said four certain proposed amendments to the charter of the city of Vallejo, which were, in the manner prescribed by law, submitted to the qualified electors of said city for their ratification and by them ratified at a general municipal election duly called and held in said city on the 15th day of April, 1913.

In witness whereof, We have hereunto set our hands and affixed the corporate seal of the city of Vallejo, this 19th day of April, 1913.

W. J. TORMEY,

Mayor of the City of Vallejo.

ALF. E. EDGCUMBE,

City Clerk of the City of Vallejo.

[SEAL.]

AND WHEREAS, The said four amendments so ratified as hereinbefore set forth have been duly presented and submitted to the legislature of the State of California, for approval or rejection without power of alteration or amendment, in accordance with said Section 8 of Article XI, of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of said State of California, the Assembly concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein), That the said four amendments to the said charter of said city of Vallejo, hereinbefore set forth as presented, and as submitted to, and adopted and ratified by the qualified electors of said city be, and the same are hereby approved as a whole for, and as amendments to the said charter of the city of Vallejo.

Senate Bill No. 1715—An Act to amend Section 2086 of the Political Code of the State of California, relating to salaries in the Adjutant General's Department.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1715 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, Libby, McCarthy, Moorhouse, Mouser, Nolan, Palmer, Pears, Polsley, Richardson, Roberts, Shannon, Slater, Sutherland, Woodley, and Wyllie—45.

NOES—Messrs. Murray and Tulloch—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 148—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Seannell" and "Dennis Sullivan" shall be borne and paid by the State of California out of the general fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 148 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Hayes, Inman, Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Roberts, Slater, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1289—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channels of the Sacramento, San Joaquin and Feather rivers, and other river channels of the State, and improving the navigability of such streams, and for acquiring land for necessary rights of way.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1289 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dover, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guilberson, Guill, Hayes, Hinkle, Inman, Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Roberts, Shannon, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, Woodley, and Wyllie—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 395—An Act to amend Section 4085½ of the Political Code of the State of California, authorizing the boards of supervisors of the several counties of this State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

During third reading of the bill, Mr. Guill moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 4, strike out everything after the numerals "4085½", and insert in lieu thereof the following:

"On the application of any individual, association or corporation interested, the board of supervisors of any county of this state may, by ordinance, declare all, or any portion of any slough, lake, pond, reservoir, river or stream, except those portions which do lie within or run through cultivated lands lying within the county, in which fish have been placed or may exist, and which has not been declared by law to be navigable, and which, in fact, is not navigable for commercial purposes, to be a public highway for the purpose of fishing in said slough, lake, pond, reservoir, river or stream, or any part thereof, and the same shall thereupon become and be a public highway for such purpose, subject only to the reservations hereinafter contained. In case any owner of land adjacent to or across which such slough, lake, pond, reservoir, river or stream flows or lies within does not consent to the use of the slough, lake, pond, reservoir, river or stream for such purpose with the right to pass along the banks or borders for the purpose of fishing and grant the same to the county by suitable instrument in writing, on application, the board of supervisors may contract for and purchase any and all such rights; or if the same cannot be purchased at a satisfactory price the attorney general upon application by the board of supervisors of any county shall begin action in the name of the people of the State of California, in the manner directed by title seven, part three of the Code of Civil Procedure. The county making such application shall pay one half of the purchase price of said right of way and the State of California shall pay one half of the purchase price of said right of way.

Motion carried.

The Speaker appointed Mr. Guill as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 395, with instructions, do now report that the instructions of the Assembly have been carried out.

GUILL, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California relating to insane persons.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, of the title, strike out the period following the word "persons", and in lieu thereof insert a semicolon and the following: "providing for the establishment of psychopathic wards in county hospitals and for the appointment of physicians and nurses in connection therewith, and making an appropriation therefor."

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 206, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 961 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Richardson, Roberts, Shannon, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, and Weisel—51.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 517—An Act to amend Section 459 of the Penal Code of the State of California defining burglary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 517 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guberson, Guill, Hayes, Hinkle, Inman, Judson, Libby, Moorhouse, Mouser, Murray, Palmer, Polsley, Roberts, Shartel, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Wyllie—47.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1299—An Act relating to real estate brokers in the State of California creating a board to be known as the state advertising board; providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a

state advertising fund; and providing for its collection and expenditure.

During third reading of the bill, Mr. Brown moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 5, line 11, strike out the word "six", and insert in lieu thereof the word "four".

Motion carried.

The Speaker appointed Mr. Brown as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1299, with instructions, do now report that the instructions of the Assembly have been carried out.

BROWN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1513—An Act to amend Section 1243 of the Code of Civil Procedure of the State of California, relating to the county in which all proceedings under Title VII of Part III of the Code of Civil Procedure may be commenced and tried.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1513 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Nolan, Palmer, Polsley, Roberts, Shannon, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 701—An Act to amend Section 602 of the Code of Civil Procedure of the State of California, relating to grounds on which challenges for cause may be made to jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 701 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nolan, Palmer, Polsley, Roberts, Shannon, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Woodley, and Wyllie—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 177—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 1596a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 177 refused passage by the following vote:

AYES—Messrs. Brown, Collins, Ellis, Ferguson, Finnegan, Ford, Hayes, Kingsley, Mouser, Tulloch, Walsh and Woodley—12.

NOES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Canepa, Cary, Chandler, Cram, Farwell, Fish, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Morgenstern, Murray, Nolan, Palmer, Polsley, Roberts, Slater, Stuckenbruck, Sutherland, Wall, Weisel, and Wyllie—37.

NOTICE OF MOTION TO RECONSIDER.

Mr. Slater gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 177 was this day refused passage.

Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1538 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Shannon, Slater, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 593—An Act to amend Section 3456, 3457, 3465 and 3480 of the Political Code of the State of California relating to the reclamation districts and their management, and providing for the issuance and sale of bonds by such reclamation districts and the levying of assessments to pay such bonds and other liabilities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 593 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Shannon, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Wyllie—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 742—An Act to amend Sections 2, 12 and 55 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to proceedings to effect local improvement and adding a new section thereto to be num-

bered Section 3a, relating to the payment by the city of a portion of the cost of the improvement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 742 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Shannon, Slater, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Wyllie—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1026—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1026 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Shannon, Shearer, Slater, Sutherland, Tulloch, Walsh, Weisel, and Wyllie—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1109—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provisions for fire drills in certain schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1109 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Palmer, Polsley, Shannon, Shearer, Slater, Sutherland, Tulloch, Walsh, Weisel, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 359—An Act to amend Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, succession and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to estab-

lish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 359 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Fish, Ford, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Slater, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Wyllie—50.

NOES—Mr. Ferguson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 617—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 617 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Shannon, Slater, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Wyllie—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1088—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 8, 9, 14, 18, 21, 22 and 23, and adding thereto two new sections, to be numbered 23a and 24a, all relating to revenue and taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1008 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Fish, Ford, Gabbert, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Shannon, Slater, Smith, Sutherland, Tulloch, Walsh, Woodley, and Wyllie—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. McDonald moved that the rules be suspended and Senate Bill No. 1413 taken up for consideration.

Motion lost.

Senate Bill No. 376—An Act to amend Section 3491 of the Political Code of the State of California, relating to reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 376 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Fish, Gabbert, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Shannon, Shartel, Simpson, Slater, Smith, Tulloch, Wall, Walsh, and Wyllie—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1185—An Act to amend Section 4131 of the Political Code of the State of California, relating to the duties of county recorders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1185 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Fish, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Weldon, Woodley, and Wyllie—46.

NOES—Messrs. Ford, McDonald, and Walsh—3.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bradford gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1185 was this day passed.

Senate Bill No. 866—An Act to amend Sections 368, 699 and 2501 of the Political Code, relating to the appointment of certain executive

officers of the State, and to the powers, duties, appointment and number of port wardens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 866 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Fish, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McDonald, Moorhouse, Morgens-tern, Mouser, Palmer, Polsley, Richardson, Roberts, Shannon, Shartel, Simpson, Slater, Sutherland, Wall, Walsh, and Weisel—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1736—An Act to amend an Act entitled “An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts,” approved December 24, 1911, by amending Section 3 of said Act.

During third reading of the bill, Mr. Beck moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 4, line 20, Section 3, strike out the word “each”, and insert in lieu thereof the word “the”.

Also: On page 4, line 21, Section 3, strike out the words “or part thereof”, and insert the letter “s” after the word “corporation”.

Motion carried.

The Speaker appointed Mr. Beck as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1736, with instructions, do now report that the instructions of the Assembly have been carried out.

BECK, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Assembly Concurrent Resolution No. 39—Relative to the proposed transcontinental tour under the auspices of the Indiana Automobile Manufacturers' Association—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BROWN, Chairman.

Mr. Brown moved the adoption of the report and resolution.

A *viva voce* vote was taken, the report and resolution adopted, and ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 39.

Relative to the proposed transcontinental tour under the auspices of the Indiana Automobile Manufacturers' Association.

WHEREAS, It is announced that the Indiana Automobile Manufacturers' Association is planning a transcontinental tour to the Pacific coast, starting from the city of Indianapolis on July 1, 1913; and

WHEREAS, Such transcontinental tour is being arranged on a magnificent scale and will be in the nature of a pathfinding tour of the proposed ocean to ocean highway; and

WHEREAS, Because of the publicity attending such a tour and because of the public interest aroused through its promotion by the united action of the automobile manufacturers of the State of Indiana, the accomplishment of the tour will give great impetus to the movement for a permanent ocean to ocean highway; and

WHEREAS, The State of California is vitally interested in such a highway which will cross its entire breadth, opening up as it will a new avenue to the State's wonderful resources, linking anew the Atlantic and the Pacific, and ever encouraging the "star of empire" on its westward way; therefore,

Resolved by the Assembly, the Senate concurring, That cordial approval of the plan and purpose of said transcontinental tour as arranged by the Indiana Automobile Manufacturers' Association be and is hereby heartily expressed; and further

Resolved, That the citizens of the State of California be and are hereby requested to extend warm welcome and hospitality to the members of the tour and to furnish them all information and guidance necessary to make their trip across the State of California as enjoyable as possible; and further

Resolved, That a copy of this resolution be sent to the Hon. John Guy Moniham of Indianapolis, Indiana; to the Hoosier Motor Club of Indianapolis; and to the Indiana Automobile Manufacturers' Association.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same.

An Act to amend Section 13 of an Act entitled "An Act to amend an Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed, approved March 31, 1891, and giving to lot owners authority to sell and convey title to lots in such cemeteries.

BOHNETT, Chairman.

Mr. Bohnett moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Murray, Palmer, Polsley, Richardson, Roberts, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, White, Woodley, and Wyllie—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Slater: Assembly Bill No. 2137—An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco, the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Brown: Assembly Bill No. 2138—An Act to amend Section 13 of an Act entitled "An Act to amend an Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by a deed, approved March 31, 1891, and giving to lot owners authority to sell and convey title to lots in such cemeteries.

Bill read first time, and referred to Committee on Judiciary.

MOTION.

Mr. Sutherland moved that Senate messages be now taken up and read.

Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference on Senate Bill No. 364—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 602—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Chico and providing for a commission to select and acquire by donation said site and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Also: Senate Bill No. 170—An Act to make an appropriation for the location and survey of a proposed highway from Tahoe City, Placer County, along the northern border of Lake Tahoe, to the western boundary of the State of Nevada at Crystal Bay, in Placer County.

Also: Senate Bill No. 341—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving and dredging the channel of San Rafael Creek.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Also: Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide for maintenance of county highways improved under bond issues in the counties of the State and empowering the boards of supervisors to levy taxes therefor," approved May 1, 1911.

Also: Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

Also: Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Also: Assembly Bill No. 79—An Act to amend Section 607e of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2032—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

Also: Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in the adoption of Assembly Committee Substitute for Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services—and respectfully request your honorable body to recede from the adoption of said substitute.

We refused to concur on the ground that the Assembly has no authority to adopt a committee substitute for a Senate bill.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendment to Senate Bill No. 868?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—Mr. Inman—1.

NOES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Chandler, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guiberson, Guill, Johnson, Geo. H., Johnstone, W. A., Judson, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Roberts, Schmitt, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Walsh, Weisel, Weldon, and Wyllie—44.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Ambrose, Weldon and Shartel a Committee on Conference to meet with a like committee from the Senate to consider Senate Bill No. 868.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Also: Senate Bill No. 589—An Act to amend Section 4021 of the Political Code, relative to elective county and township officers.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 18—Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1768—An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserve for commercial purposes."

Also: Senate Bill No. 1669—An Act enabling the expenditure of moneys appropriated by an Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made by John Bidder, lieutenant colonel, corps of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, corps of engineers, of the United States Army, and printed with the annual report of the chief engineer of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work," approved March 10, 1909, by removing certain conditions contained in and stipulated by said Act.

Also: Senate Bill No. 938—An Act to amend Section 863 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Also: Senate Bill No. 1776—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1216—An Act to amend Section 4239 of the Political Code of the State of California, relating to officers and salaries, fees and compensation thereof, in counties of the tenth class.

Also: Senate Bill No. 1037—An Act to amend Sections 5 and 22 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, said amendments relating to the commitment of dependent or delinquent persons, and to orders made by the court.

Also: Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1094 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 589 read first time, and referred to Committee on Elections.

Senate Concurrent Resolution No. 18 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1768 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1669 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 938 read first time, and referred to Committee on County Government.

Senate Bill No. 1776 read first time, and referred to Committee on Insurance.

Senate Bill No. 1126 read first time, and referred to Committee on Public Morals.

Senate Bill No. 1216 read first time, and referred to Committee on County Government.

Senate Bill No. 1037 read first time, and referred to Committee on Public Charities and Corrections.

Senate Bill No. 1367 read first time, and referred to Committee on Medical and Dental Laws.

AMENDMENT OF BILL—(OUT OF ORDER).

Assembly Bill No. 322—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 306, prohibiting the sale, furnishing or giving away of morphine, codeine, heroin, opium or cocaine, or the salts, compounds or preparations of any thereof, and providing a penalty for its violation.

During third reading of the bill, Mr. Weldon moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 3, after the word "another," strike out the words "person for", and insert in lieu thereof the following: "mistaking such other for".

Also: On page 1, line 4, strike out the words "guilty of a felony", and insert in lieu thereof the following: "is punishable by imprisonment in the state prison not exceeding two years, or by imprisonment in the county jail not exceeding one year or by fine not exceeding \$1000, or both such fine and imprisonment".

Motion carried.

The Speaker appointed Mr. Weldon as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1645, with instructions, do now report that the instructions of the Assembly have been carried out.

WELDON, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

BILL RECALLED FROM SENATE.

Mr. Farwell moved that Assembly Bill No. 15 be recalled from the Senate for the purpose of further consideration.

Motion carried.

RECONSIDERATION.

In accordance with notice given by Mr. Weldon on a previous day, Mr. Finnegan moved that the vote whereby Assembly Bill No. 2000 was refused passage be reconsidered.

On request of Mr. Finnegan, consideration of above motion was postponed until the next legislative day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1765—An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading:

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Concurrent Resolution No. 40, relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

INMAN, Chairman.

The above reported Assembly concurrent resolution ordered on file for adoption.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 1089—An Act providing for the organization and management of mutual workmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 1763—An Act to declare certain contracts, combinations, arrangements and conspiracies between common carrier railroads and pipe lines for the transportation of crude oil, and pipe lines constructed for the transportation of crude oil, petroleum or the products thereof, to be in restraint of trade and unfair practices, contrary to public policy as tending to monopoly, and requiring such pipe lines to either become common carriers and public utilities or to procure license and pay fees, and fixing penalties for violations, and authorizing certain court proceedings.

Also: Senate Bill No. 1770—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are operated other than as common carriers; and prohibiting the construction of any more such lines for such purposes

for any distance whatsoever across, along, over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing lines to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FISH, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 2134—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57, 59 and 86 thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISH, Chairman.

The above reported bill ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Banking, to whom was referred Senate Bill No. 1294—An Act providing for the designation of money in the state treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBERTS, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Concurrent Resolution No. 18—Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CHANDLER, Chairman.

The above reported Senate concurrent resolution ordered on file for adoption.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 1621—An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistants thereto, and making an appropriation therefor; and to repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax deputy, prescribing his duties, and making an appropriation therefor," approved March 20, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SUTHERLAND, Chairman.

The above reported bill ordered on file for second reading.

UNFINISHED BUSINESS—(OUT OF ORDER).

Assembly Bill No. 2085—An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate name of each.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2085 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bradford, Cary, Farwell, Ferguson, Finnegan, Gelder, Hayes, Hinkle, Inman, Judson, Killingsworth, Kuck, Libby, Morgenstern, Mouser, Murray, Palmer, Pears, Shannon, Shearer, Simpson, Slater, Walsh, Weisel, Woodley, and Wyllie—30.

NOES—Messrs. Alexander, Benedict, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Cram, Dower, Ellis, Emmons, Fish, Gabbert, Gates, Guill, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., McDonald, Moorhouse, Polsley, Richardson, Roberts, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weldon, and White—31.

RECESS.

At five o'clock and twenty-five minutes p.m., on motion of Mr. Brown, the Assembly was declared at recess until seven o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At seven o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Young in the chair.

Assembly Bill No. 1577—An Act to create a state school insurance fund and to provide for the insurance of all properties belonging to school districts.

Bill read third time.

SPEAKER PRO TEM. IN THE CHAIR.

At eight o'clock p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

PREVIOUS QUESTION.

At eight o'clock and thirty minutes p.m., Mr. Johnstone moved the previous question.

Motion carried.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1577 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Brown, Cary, Chandler, Ellis, Finnegan, Gabbert, Guiberson, Guill, Judson, Kingsley, Kuck, Moorhouse, Nelson, Polsley, Roberts, Stuckenbruck, Tulloch, Weisel, Woodley, and Wyllie—22.

NOES—Messrs. Bloodgood, Bradford, Bush, Byrnes, Canepa, Dower, Emmons, Farwell, Ferguson, Fish, Ford, Green, Griffin, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., McDonald, Morgenstern, Murray, Nolan, Palmer, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Smith, Sutherland, Wall, Walsh, and Weldon—34.

HON. H. S. BENEDICT IN THE CHAIR.

At eight o'clock and thirty minutes p.m., Hon. H. S. Benedict, Assemblyman from the Sixty-third District, in the chair.

Assembly Bill No. 2067—An Act providing how workingmen may pay fines imposed for delinquencies at the rate of not less than two dollars a week.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2067 refused passage by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Brown, Canepa, Cary, Ellis, Emmons, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Guill, Judson, Kingsley, Kuck, McDonald, Moorhouse, Polsley, Richardson, Scott, Shannon, Tulloch, Weisel, and Woodley—26.

NOES—Messrs. Bagby, Bowman, Bush, Byrnes, Ferguson, Green, Griffin, Guiberson, Hayes, Inman, Johnston, T. D., Libby, Morgenstern, Murray, Nolan, Palmer, Schmitt, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Walsh, Weldon, and Wyllie—25.

Assembly Bill No. 621—An Act to amend Section 190 of the Penal Code of the State of California, relating to capital punishment.

During third reading of the bill, Mr. Johnston moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, after the word life, insert the following: "and shall not be subject to parole".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Pending the announcement of the vote, Mr. Ellis moved a call of the House.

Motion lost.

The roll of absentees was called, and Assembly Bill No. 621 refused passage by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bohnett, Brown, Bush, Cary, Clark, Wm. C., Ellis, Emmons, Farwell, Finnegan, Gabbert, Gelder, Hinkle, Kingsley, McDonald, Moorhouse, Morgenstern, Nelson, Richardson, Roberts, Ryan, Scott, Shannon, Walsh, Weisel, Weldon, Woodley, and Wyllie—29.

NOES—Messrs. Bowman, Bradford, Byrnes, Canepa, Chandler, Clarke, Geo. A., Dower, Ferguson, Fitzgerald, Ford, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Kuck, Libby, Murray, Nolan, Palmer, Polsley, Schmitt, Shearer, Slater, Smith, Stuckenbruck, Sutherland, and Wall—30.

Assembly Bill No. 2069—An Act to prohibit hunting, pursuing, taking, catching, killing or destroying any wild bird or animal, either game or otherwise, and to prohibit the owning or possession of any shotgun or rifle by any unnaturalized foreign-born resident of this State and providing punishment therefor, and providing for disposition of such shotguns or rifles.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Shannon moved a call of the House.

Motion carried.

Time, ten o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A.,

Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnson, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Nolan, Palmer, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—61.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Shannon.

The roll of absentees was called, and Assembly Bill No. 2069 passed by the following vote:

AYES—Messrs. Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Collins, Dower, Ferguson, Fitzgerald, Gabbert, Gelder, Guill, Hayes, Inman, Johnston, T. D., Judson, Killingsworth, Kuck, Libby, McDonald, Morgenstern, Murray, Nelson, Nolan, Richardson, Roberts, Ryan, Scott, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—45.

NOES—Messrs. Ambrose, Benedict, Brown, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Finnegan, Green, Guiberson, Hinkle, Kingsley, Moorhouse, Palmer, Polsley, Schmitt, and Shannon—18.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1190—An Act providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such incorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses to do so.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1190 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gelder, Guill, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Nolan, Roberts, Ryan, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1737—An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1737 passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Roberts, Ryan, Schmitt, Shannon, Smith, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION.

Senate Concurrent Resolution No. 18—Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

The question being on the adoption of the Senate concurrent resolution.

The roll was called, and Senate Concurrent Resolution No. 18 finally adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Guiberson, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Woodley—56.

NOES—Mr. Clark, Wm. C.—1.

SENATE CONCURRENT RESOLUTION NO. 18.

Relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

Resolved by the Senate, the Assembly concurring, That the fortieth session of the Legislature of the State of California adjourn *sine die* at twelve o'clock m., Monday, May 12, 1913.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

Resolved, That the Assembly consider no Assembly bills during the fortieth session of the California Legislature after three o'clock p.m. Friday, May 9, 1913, except by vote of two thirds of the members present.

Resolution read, and on motion adopted.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 2134—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57, 59 and 86 thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2135—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreement to pay commission on the sale of certain bonds of the State of California and appropriating money for such purpose.

During second reading of the bill, the following substitute was submitted by the committee:

Assembly Bill No. 2139 (Committee Substitute for Assembly Bill No. 2135)—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commission on the sale of certain bonds of the State of California, and appropriating money for such purpose.

The roll was called, and substitute adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Gabbert, Gelder, Guiberson, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Murray, Nelson, Pelsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Tulloch, Walsh, Weisel, and Woodley—45.

NOES—None.

Bill read first time, and ordered on file.

Assembly Bill No. 1123—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 9, strike out the dash, and insert in lieu thereof the word "four".

Amendment adopted.

Bill read second time.

Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

Bill read second time.

Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Bill read second time.

Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

Bill read second time.

Assembly Bill No. 1125—An Act to provide for the survey, location and construction of a state highway connecting the western end of the present Trinity state highway in Trinity County with the road system of Humboldt County, and making an appropriation therefor.

Bill read second time.

Assembly Bill No. 2012—An Act to provide a State highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Bill read second time.

Assembly Bill No. 716—An Act to establish a state school to train persons for practical service in governmental work of city, county and State, and to make an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. There is hereby established for the State of California a school which shall be known as the California civil service training school. The purpose of this school shall be to give a practical, thorough and efficient training in all branches of state, county and municipal service and thereby to develop trained experts for public work and properly to qualify aspirants for the profession of the state civil service.

SEC. 2. Upon this Act becoming effective the governor shall appoint a director of the civil service training school. Said director shall be a civil executive officer and shall receive a salary of eight thousand dollars per annum, payable at the same time and in the same manner as other state officers.

SEC. 3. The California civil service training school shall be located at or near the site of the state university, but shall, to the extent practicable and as soon as practicable, maintain a branch school in or near the city of Los Angeles. Working arrangements may be made with other educational institutions in or near the city of Los Angeles to lessen the expense of the branch school. The work of the branch school shall be under the director of the civil service training school. The director shall be allowed the expenses necessary for traveling and maintenance in connection with the supervision and direction of the branch school at Los Angeles.

SEC. 4. The work of said school shall be under the control of the director and his staff of instructors. The director shall have power to organize and carry forward the civil service training school under this Act, to prescribe the standards of admission, the length of curriculum and to establish such forms and courses of study as will give to the students of said school the most practical and thorough knowledge of the duties and law of the various civil offices in the state, county and municipal governments, and the most efficient methods of carrying on the public business. To this end, the director shall appoint his staff of experts, teachers, lecturers and necessary employees, and, with the consent of the governor, shall fix the salary of each. The work of the school shall be based on the laboratory method. As a part of the work of organization, the director shall first make investigation of such governmental work and training for such service, both in the United States and in Europe, as shall have a bearing upon and value in connection with the civil service training school herein created. The expenses of such investigations shall be paid from the moneys herein appropriated.

SEC. 5. To those completing the prescribed course, which shall not be less than two years nor more than three years, at the option of the director, there shall be issued a certificate of graduation, signed by the governor and the director.

SEC. 6. The California civil service school is a technical school, and its director and teaching staff shall not be subject to the provisions of any civil service law requiring civil service examinations for appointment.

SEC. 7. The sum of twenty thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated for the purposes of organizing, equipping and maintaining the California civil service training school, and to pay the salaries of experts, teachers, lecturers and employees for the sixty-fifth and sixty-sixth fiscal years.

SEC. 8. The civil service training school may be made an integral part of the University of California by the action of the board of regents of the University of California, upon the adoption of such plan of arrangement with the governor of the state and the director of the school, as shall carry out the essential purposes of this bill.

SEC. 9. Any appropriation, gift, or other fund, or unexpended balance or balances thereof, set apart for the civil service training school, shall, upon such incorporation of this school into the University of California, become a part of the funds of the University of California, to be used solely for the purposes of the civil service training school.

Amendment adopted.

Bill read second time.

Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Bill read second time.

Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2126—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 1248—An Act to establish a state censor committee to censor moving-picture films and to regulate the use thereof in the State of California.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

In line 2 of the title of the printed bill, strike out the word "committee", and insert in lieu thereof the word "commission".

AMENDMENT No. 2.

Strike out everything after the enacting clause, and insert in lieu thereof the following:

SECTION 1. This Act shall be known as the "Motion Picture Censor Act" and it shall apply to the films, reels, motion pictures, exhibitors and exchanges herein described and to the commission herein referred to.

SEC. 2. (a) The term "commission" when used in this Act means the motion picture censor commission of the State of California as hereinafter created and more specifically described.

(b) The term "censor" when used in this Act means one of the members of the commission.

(c) The term "film" when used in this Act means any transparent or translucent substance or material possessing a surface upon which there are a number or series of regularly spaced photographs, pictures, illustrations or delineations which, being exhibited under suitable conditions, one after another, in a given sequence or a definite or particular order of succession, may simulate or produce the appearance or movement or motion in, or of, the said photographs, pictures, illustrations or delineations, or of the component parts thereof.

(d) The term "reel" when used in this Act means any quantity of film which constitutes in itself a continuous whole, or any portion or film jointed together, or any quantity of film commonly or customarily bought, sold, rented, leased, loaned, exchanged, vended or exhibited as a unit.

(e) The term "motion picture" when used in this Act means any photograph, picture or delineation produced or caused through the agency, or by the aid, of any film.

(f) The word "exhibit" when used in this Act means to display, disclose, show, expose, manifest, produce, represent, or bring into view, or to permit or cause to be displayed, disclosed, shown, exposed, manifested, produced, represented or brought into view.

(g) The term "person" when used in this Act includes an individual, a firm, a co-partnership and a corporation.

(h) The term "exhibitor" when used in this Act means any person who exhibits any film or motion picture.

(i) The term "exchange" when used in this Act means any person other than an exhibitor who buys, sells, rents, leases, exchanges or vends films.

(j) The expression "new reels" or duplicates thereof is understood to mean reels issued or released any time after ten days prior to the time this Act becomes a law.

SEC. 3. There is hereby created a commission to be known as the "moving picture censor commission" of the State of California. The commission shall consist of three members who shall be appointed by the governor from the state at large and shall serve at the pleasure of the governor. The principal office of the commission shall be in Sacramento. The annual salary of each member of the commission shall be twenty-four hundred dollars, payable in equal monthly installments and they shall be paid, in addition, all necessary traveling expenses incurred in the performance of their duties.

SEC. 4. The commission shall have the power to employ a secretary, a projecting machine operator and one additional person, if needed to enforce the provisions of this Act, who shall hold office during the pleasure of the respective board. The secretary and all other employees of the commission shall receive such compensation as may be fixed by the commission and the commission may prescribe the duties of any and all of its employees. The salaries of the censors and of all employees of the commission shall be paid from the motion picture censor fund, hereinafter provided, and they shall be paid in the same manner as are the salaries of other state officers. All expenses incurred by the commission pursuant to the provisions of this Act, including the actual and necessary traveling and other expenses and disbursements of the censors and their employees, incurred while on the business of the commission, shall be paid from such moving picture censor fund after being approved by the commission, upon claims therefor to be audited by the board of control.

(b) A majority of the censors shall constitute a quorum for the transaction of any business for the performance of any duty or for the exercise of any power of the commission except as otherwise provided in this Act. No vacancy in the commission shall impair the right of the remaining censors to exercise all the powers of the commission as a commission or a board. The act of the majority of the commission shall be deemed to be the act of the commission.

SEC. 5. The censors and the employees of the commission shall, when in the performance of their official duties, upon demand, have the right of free access to any place, room, building or theater, in the State of California at which is held or given any public exhibition or entertainment or performance at which motion picture films are exhibited; and it shall be unlawful for any person to deny any censor or any employee of the commission free access to such place, room, building or theater, or to interfere with or molest any censor or any employee of the commission in the exercise of said right.

SEC. 6. It shall be the duty of the censors to examine and censor all films manufactured or produced in or brought into the State of California for exhibition, and either to approve and pass, or to reject and forbid the exhibition of every such film; *provided*, that the action of the commission in passing and approving or in rejecting and forbidding the exhibition of any film or reel shall apply in the same manner and with equal force to all duplicates, counterparts or copies of any particular film upon which action is had by the commission; *provided, also*, that the commission may approve and pass any film subject to such decisions, amplifications or alterations as they in their discretion may direct and require to be made, and attach the seal or tag of this commission hereinafter provided for to such film or reel or the duplicate thereof and after the portion of such reel of duplicate or counterpart objected to is cut out and retained in the possession of the commission; and it shall be unlawful for any person to exhibit any film which has been approved and passed by the commission subject to such excision, amplification or alteration without first making or causing such excision, amplification or alteration to be made; *provided*, that the commission may in its discretion accept the decision in any particular case of any municipal, state, national or international bureau or commission in favor of any film or moving picture, and the commission by a unanimous vote of its members may in its discretion work in conjunction with like or similar censor boards or commissions of other states as a national censor congress and the action of such congress in approving films shall be considered as the action of the commission, a certificate of this commission given and the seal or tag of the commission attached thereto and have the same force and effect as if approved by the commission in separate session, but such co-operation shall continue only at the pleasure of the commission and may be discontinued at any time upon the vote of the majority of the commission; *provided, also*, that no film or reel shall in any case be rejected by the commission unless the same shall have been viewed by at least two of its members.

SEC. 7. It shall be unlawful for any person to exhibit any film, reel or motion picture in the State of California unless and until the same shall have been passed by the commission and the mark or seal attached.

SEC. 8. (a) It shall be the duty of the commission to adopt an appropriate seal or tag which may be employed or used as a token or sign to indicate the approval by the commission of any film, and the said seal or tag shall be exhibited immediately preceding and in the same manner, and as conspicuously as the exhibition of any film which has been approved and passed by the commission, and it shall be unlawful for any person to refuse, neglect or fail to exhibit the said seal or tag in the manner herein provided.

(b) When any film shall have been approved and passed by the commission, the secretary of the commission shall, upon demand, issue to the owner, renter, lessee, or custodian of said film a permit or certificate in manner and form to be prescribed and adopted by the commission, each of which said certificates or permits shall bear a serial number peculiar to itself, and shall also bear the name of or title or description of the film or reel in reference to or in connection with which it is issued and the date upon which it was approved by the commission and a notation designating or indicating the number of linear feet contained in the said film or reel, and the said certificate or permit when signed by the secretary or some other

person designated by the commission shall constitute full and proper authorization and permission, and the only lawful authorization and permission to exhibit the seal or tag provided for in this section, in connection with the film or reel referred to in the said certificate or permit; *provided*, that whenever any film or reel shall not have been actually and literally examined and censored by the commission but shall have been automatically approved and passed by reason of the approval of some other board or commission as provided for in this Act, or by reason of the action of the commission in approving a duplicate, counterpart or copy of any film as provided for in this Act, then the secretary shall issue and there shall be required, a separate certificate or permit for each separate film, and the issuance of the permit for one film or reel shall not be authority for exhibiting the seal or tag heretofore provided for, in connection or conjunction with any duplicate, counterpart or copy thereof.

(c) It shall be unlawful for any person to exhibit the aforesaid seal or tag in connection or conjunction with any film or reel without first obtaining from the secretary or other proper officer or employee of the commission a certificate or permit as herein provided, and the said certificate or permit shall at all times be attached to the film or reel for which it was issued, in such manner that it can readily be inspected or examined by any member or other employee of the commission or boards upon demand at any time or at any place where the said film or reel may happen to be in the State of California.

(d) It shall be unlawful for any person to refuse, neglect or fail to permit any employee of the commission upon demand to examine any film or reel in the possession or custody of said person for the purpose of ascertaining whether a certificate or permit has been issued as herein provided and a seal or tag attached thereto.

SEC. 9. The commission shall charge and the secretary or some other person designated by the commission shall collect the following fees from the exchange controlling the reel or film to be censored: for each certificate or permit issued under the provisions of this Act, a sum equal to one tenth (1-10) of one per cent per linear foot for each and every linear foot of film contained in the film or reel named or designated in the said certificate or permit for all original new reels, and one twentieth (1-20) of one cent per linear foot for all duplicates thereof; and for reels issued or released more than ten days prior to the time this Act becomes a law, one twentieth (1-20) of one cent per linear foot. All fees charged and collected under this section shall be paid, at least once each month, into the state treasury to the credit of a fund to be known as the "motion picture censor fund" which is hereby created.

SEC. 10. It shall be unlawful for any exchange to sell, lease, rent, give, loan or vend any film or reel to any exhibitor in the State of California unless and until the said film or reel has first been approved and passed by the commission; *provided*, that the neglect or failure of any exchange to comply with this or any other section of this Act shall not excuse any exhibitor from compliance with all of the terms of this Act.

SEC. 11. It shall be unlawful for any person to exhibit any motion picture of any human figure in such detail as to offend public morality or decency; or of any lewd or lascivious or sensual act; or of any other matter or thing of an obscene, indecent, immoral or suggestive nature, or offensive to the moral sense or against public policy; or of any murder, suicide, robbery, hold-up, shooting, stabbing, clubbing or beating of any human being wherein such acts or any of them are shown in greswome detail or in a revolting manner, or in any manner objectionable to the moral sense; or of any act of brutality, cruelty or barbarity shown in greswome detail or in a revolting or disgusting or horrible manner.

SEC. 12. Every person who, either individually or acting as the agent or representative of another, violates any provision of this Act, or fails to observe, obey, or comply with any order, rule, direction, demand or requirement made by the commission under authority granted in this Act, or any part or portion of such order, rule, direction, demand or requirement, or who procures, aids or abets any person in the violation of this Act or in his failure to obey, observe or comply with such order, rule, direction, demand, or requirement or any part or portion thereof shall be guilty of a misdemeanor and punishable by a fine not less than fifty dollars for the first offense, two hundred and fifty dollars for the second offense, and by imprisonment not less than one year for any further offense.

SEC. 13. For the purpose of inaugurating the work of the commission the sum of five thousand (\$5,000) dollars is hereby appropriated out of the moneys of the state treasury not otherwise appropriated, to be paid into the motion picture censor fund. All fines imposed and collected under the provisions of this Act shall be paid into the motion picture censor fund.

SEC. 16. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to reprint, engrossment and third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1292—An Act providing for an investigation of the prevalence of venereal diseases in the State of California, and making an appropriation therefor—which was re-referred to us from the Committee on Public Morals, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Bill read second time.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 729—An Act to provide for a state exhibit at the Panama-California Exposition to be held in San Diego, California, during the year 1915, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Bill read second time.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 2125—An Act appropriating money to pay the claim of Frank P. Cady against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

NOLAN, Chairman.

Bill re-referred to Committee on Ways and Means.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Senate Bill No. 1037—An Act to amend Sections 5 and 22 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, said amendments relating to the commitment of dependent or delinquent persons, and to orders made by the court—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1669—An Act enabling the expenditure of moneys appropriated by an Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made by John Bidder, lieutenant colonel, corps of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, corps of engineers, of the United States Army, and printed with the annual report of the chief engineer of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work," approved March 10,

1909, by removing certain conditions contained in and stipulated by said Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

INMAN, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Senate Bill No. 589—An Act to amend Section 4021 of the Political Code, relating to elective county and township officers.

Also: Senate Bill No. 1749—An Act to amend Section 1196 of the Political Code, relating to providing and printing ballots for elections.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BOHNETT, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2125—An Act appropriating money to pay the claim of Frank P. Cady against the State of California—which was re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Bill read second time.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 342—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 158—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Also: Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 980—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 1776—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 2126—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907 and April 21, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCHMITT, Acting Chairman.

The above reported bill ordered on file for second reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 716 and 1123.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Mr. Benedict in the chair.

Assembly Bills Nos. 716 and 1123 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills as amended.

Motion carried.

IN ASSEMBLY.

Mr. Benedict in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 716 and 1123, and do now report the same back, and recommend that they do pass as amended.

BENEDICT, Chairman.

Bills ordered to engrossment and third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills Nos. 2129, 2012, 1125, 2128, 2136, 2132, 1292, 729 and 2125.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Mr. Benedict in the chair.

Assembly Bills Nos. 2129, 2012, 1125, 2128, 2136, 2132, 1292, 729 and 2125 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Mr. Benedict in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 2129, 2012, 1125, 2128, 2136, 2132, 1292, 729 and 2125, and do now report the same back, and recommend that they do pass.

BENEDICT, Chairman.

Bills ordered to engrossment and third reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1071—An Act to appropriate \$1500 for the payment of the claim of the Humboldt and Trinity Toll Road Company, a corporation.

Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Assembly Bill No. 2009—An Act making an appropriation to pay special premiums on live stock and poultry owned in California and exhibited at the Panama-Pacific International Exposition in the year 1915.

Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Also: Assembly Concurrent Resolution No. 37—A resolution relative to the adjournment *sine die* of the fortieth session of the Legislature of the State of California, and fixing the date for said adjournment.

Also: Assembly Concurrent Resolution No. 38—Relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of dependency and delinquency, both as to cause and as to effect and the need, if any, of amending the juvenile court law.

Also: Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California amending Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 23 and 23a of Article IV and Sections 2 and 4 of Article V of the Constitution of the State of California, relating to a merging of the two houses of the Legislature into one house of representatives, which shall be called the Senate of the State of California; the eligibility to office; the terms of office; the senatorial districts; the duties, powers, privileges and compensation of the members thereof.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 254—An Act to provide for the organization of the state produce exchange commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the state brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "state produce exchange fund," and providing for the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act.

Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

Assembly Bill No. 1234—An Act to provide for the establishment and main-

tenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Assembly Bill No. 1657—An Act to prohibit minors under the age of twelve years to vend and sell goods, engage in, or conduct any business, and providing penalties for violations thereof.

Also: Assembly Concurrent Resolution No. 39—Relative to the proposed trans-continental tour under the auspices of the Indiana Automobile Manufacturers' Association.

Also: Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 20, Article IV thereof, relating to the qualifications of persons holding civil office of profit under this State.

Also: Assembly Concurrent Resolution No. 40—Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520 and 1521 of the Political Code of the State of California, creating a state board of education, and prescribing its powers and duties; providing for the appointment of three assistant superintendents of public instruction and defining their duties; providing for the compensation of members of the state board of education and the assistant superintendents of public instruction; providing for the publication, compilation, manufacture and distribution of state school text-books; repealing Sections 1522, 1874 and 1874a of the Political Code of the State of California, relating to the traveling expenses of the members of the state board of education, to the publication and distribution of a system of text-books, the appointment of a secretary of the state text-book committee and his compensation; and repealing all other laws or Acts relating to the publication and distribution of state text-books in conflict with this Act.

Assembly Bill No. 1684—An Act to amend the title and an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

Assembly Bill No. 1770—An Act to provide for a rope to be used as a fire escape in certain buildings; to provide for enforcing this Act; to provide an appropriation for the same covering certain state buildings; and providing penalties for the violation thereof.

Assembly Bill No. 1990—An Act to add a new section to the Penal Code of the State of California, to be numbered 650b and relating to remuneration for time lost to prisoners of the State who have been improperly or unjustly incarcerated.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

AMENDMENT OF BILL—(OUT OF ORDER).

Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

During third reading of the bill, Mr. Bohnett moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 6, line 11, strike out the period after the word "paid", and insert in lieu thereof a semicolon and the following: "*provided, however,* that the board of supervisors may, in its discretion, determine and fix a date for the earliest maturity of the principal of such bonds not more than ten years from the date of the issue of such bonds, but, in this event, the whole amount of such indebtedness must be made payable in equal annual parts in not to exceed forty years from the time of contracting the same."

AMENDMENT No. 2.

On page 7, line 5, strike out the period after the word "levy", and insert in lieu thereof a semicolon and the following: "*provided, however,* that if the maturity of the indebtedness created by the issue of such bonds be made to begin more than one year after the date of such issue, such tax shall be levied and collected at the time and in the manner aforesaid each year, sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof on or before maturity."

AMENDMENT No. 3.

On page 8, line 34, strike out the words "county irrigation", and insert in lieu thereof the word "water".

AMENDMENT No. 4.

On page 8, line 34, strike out the word "water", and insert in lieu thereof the words "county irrigation".

Motion carried.

The Speaker appointed Mr. Bohnett as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1753, with instructions, do now report that the instructions of the Assembly have been carried out.

BOHNETT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

RECONSIDERATION.

Pursuant to his notice given on a previous day, Mr. Brown moved that the vote whereby Assembly Bill No. 57 was passed be reconsidered.

On request of Mr. Brown, consideration of above motion postponed until the next legislative day.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bloodgood gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 961 was this day refused passage.

NOTICE OF MOTION TO RECONSIDER.

Mr. Slater gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 621 was this day refused passage.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Bohnett:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of L. B. Mallory, Chief Clerk, for the sum of two hundred and

eighty dollars and twenty cents (\$280.20) out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, being in payment of the following bills attached:

<i>A. A. Van Voorhies & Co.—</i>			
1 gross shoe laces-----	\$0 55		
2 gross shoe laces, at 70 cents-----	1 40		
			\$1 95
<i>W. F. Purnell—</i>			
1 ream No. 7½ ruled and numbered typewriter paper-----		2 25	
<i>The Wholesale Typewriter Company—</i>			
Rent of 22 typewriters for four months, at \$3 each			
per month -----	\$264 00		
Rent of 2 typewriters for 2 months, at \$3 each per			
month -----	12 00		
			276 00
			\$280 20

Resolution read, and referred to Committee on Contingent Expenses.
By Mr. Bohnett:

Resolved. That the State Controller be, and he is hereby, directed to draw his warrant in favor of L. B. Mallory, Chief Clerk, for the sum of eighty-eight dollars and fifty-five cents (\$88.55) out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, being in payment of the Assembly's portion (one half) of the following bills attached:

<i>H. S. Crocker Company—</i>			One half.
1 case paper towels (4/15/13)-----	\$12 50		
1 case paper towels (4/29/13)-----	12 50		
1 case paper towels (5/8/13)-----	12 50		
	\$37 50	\$18 75	
<i>Sacramento Glass and Crockery Company—</i>			
6 dozen water glasses, at 85c-----	\$5 10	5 10	2 55
<i>W. F. Purnell—</i>			
4 gross No. 808 Mikado pencils-----	\$20 00		
2 gross No. 151 blue pencils-----	12 00		
1½ gross No. 1929 penholders -----	6 30		
½ gross Esterbrook No. 1 penholders-----	1 50		
3 gross Eagle draughting pencils -----	12 00		
1 gross No. 976 blue pencils-----	4 50		
		56 30	28 15
<i>Schwabacher-Frey Stationery Company—</i>			
1 gross Edwards' 8-oz. paste-----	\$33 00		
8 dozen pints Edwards' paste-----	26 00		
4 dozen quarts Edwards' paste-----	19 20		
		78 20	39 10
		\$177 10	\$88 55

Resolution read, and referred to Committee on Contingent Expenses.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

MR. SPEAKER: In voting, as well as fighting against Senate Bill No. 466—known as an Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or any other agent of any such employer to violate the provisions

of this Act, approved March 22, 1911—I did so conscientiously. I am a fruitgrower, as well as an employer of female help, to a large extent. I have given this matter years of study, and am in a position to know that any law that will prohibit female workers to exercise their own judgment as to the hours of work in the "preparation of fruit and vegetables for shipment," will be disastrous to the fruit and vegetable interests of California.

Staring defeat in the face, I was forced to vote "aye" for the purpose of reconsideration of said bill.

To-day, the sponsor of the companion bill in the Assembly (while I was not in my seat) moved that consideration of Senate Bill No. 466 be dispensed with.

Another process of "gag rule" has been handed out during the present session, and for the *second time* I have felt the "sting."

This bill was on the third-reading file for more than three weeks, but the author of same allowed it to sleep until Senate Bill No. 466 (companion) reached the Assembly Chamber. The delay, I am forced to believe, was for the purpose of eliciting sympathy.

My antagonism to said bill was in the interest of the fruit growers of California, as well as to those who are desirous of earning an honest living.

I could not, without offending my own conscience, vote for the bill.

W. S. KILLINGSWORTH, SR.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 961—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending Section 7 of said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 961 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bohnett, Bradford, Brown, Bush, Chandler, Emmons, Fitzgerald, Gabbert, Gelder, Hayes, Inman, Kuck, Moorhouse, Polsley, Richardson, Roberts, Scott, Stuckenbruck, Weisel, and Woodley—22.

NOES—Messrs. Bagby, Bloodgood, Bowman, Canepa, Cary, Clark, Wm. C., Dower, Ellis, Ferguson, Hinkle, Johnston, T. D., Killingsworth, Nolan, Ryan, Schmitt, Shannon, Tulloch, and Walsh—18.

MOTION.

Mr. Bohnett moved that the Assembly adjourn until Friday, May 9, 1913, at nine o'clock a.m.

Mr. Libby moved as a substitute that the Assembly adjourn until Friday, May 9, 1913, at nine o'clock and thirty minutes a.m.

Substitute motion carried.

ADJOURNMENT.

At eleven o'clock and fifteen minutes p.m., on motion of Mr. Libby, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Friday, May 9, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker.—80.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hayes, the further reading was dispensed with.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Birdsall, Curtin and Strobridge as a Committee on Free Conference on Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office—to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced:

By Mr. Brown:

ASSEMBLY CONCURRENT RESOLUTION No. 42.

Resolved by the Assembly, the Senate concurring, That the following special joint rule be adopted:

SPECIAL JOINT RULE No. 1.

After three o'clock in the afternoon of Friday, May 9, 1913, except by a two-thirds vote of the members elected to the House or Senate, as the case may be, no Assembly bill shall be passed by the Assembly except county government bills, revenue and taxation bills and Assembly bills in conference, and no Senate bills shall be passed by the Senate except county government bills, revenue and taxation bills and Senate bills in conference, except by a two-thirds vote of the House.

This special joint rule shall not apply to bills that have been delayed by notice of reconsideration. That no business affecting bills except as to bills previously

passed by both houses be transacted by either house after twelve o'clock midnight of Sunday, May 11, 1913, and that both houses adjourn not later than midnight of Sunday, May 11, 1913, until nine-thirty a.m. of Monday, May 12, 1913.

Concurrent resolution read. Mr. Brown moved that the rules be suspended and concurrent resolution taken up for consideration.

Motion carried.

The roll was called, and Assembly Concurrent Resolution No. 42 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, White, Wyllie, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 2125—An Act appropriating money to pay the claim of Frank P. Cady against the State of California, and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 729—An Act to provide for a state exhibit at the Panama-California Exposition to be held in San Diego, California, during the year 1915, and making an appropriation therefor.

Assembly Bill No. 1125—An Act to provide for the survey, location and construction of a state highway connecting the western end of the present Trinity state highway in Trinity County with the road system of Humboldt County and making an appropriation therefor.

Assembly Bill No. 1292—An Act providing for an investigation of the prevalence of venereal diseases in the State of California and making an appropriation therefor.

Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Assembly Bill No. 2126—An Act to amend section sixteen of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

Assembly Bill No. 2133—An Act to amend section four thousand two hundred and seventy-five of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Assembly Bill No. 2134—An Act to amend Chapter XIV of the laws of the extraordinary session of the Legislature of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57, 59 and 86 thereof.

Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Assembly Bill No. 1968—An Act to amend Section 10 of an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled "An Act to encourage and provide for a general vaccination in the State of California, approved February 20, 1889," amended, approved March 7, 1911.

And report that the same have been correctly engrossed.

MOORHOUSE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basketball courts and tennis courts and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May, 9, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2137—An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco, the library commonly denominated the "Sutro library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May, 9, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred re-engrossed Assembly Bill No. 508—An Act to create the California highway commission, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said commission, its officers and employees, to provide the compensation of such officers and employees, and making certain acts a misdemeanor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GABBERT, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis, under the direction of the State Board of Health; defining its powers and duties, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1234 passed by the following vote:

AYES—Messrs Beck, Bohnett, Bowman, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson,

Kingsley, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Shearer, Simpson, Slater, Smith, Strine, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1385 passed by the following vote:

AYES—Messrs. Beck, Bohnett, Bowman, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, McDonald, Morgenstern, Mouser, Palmer, Peairs, Polsley, Roberts, Ryan, Shearer, Simpson, Slater, Strine, Sutherland, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 254—An Act to provide for the organization of the state produce exchange commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the state brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "state produce exchange fund," and providing for the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 254 passed by the following vote:

AYES—Messrs. Alexander, Beck, Bohnett, Bowman, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Simpson, Slater, Strine, Weisel, Woodley, Wyllie, and Mr. Speaker—43.

NOES—Messrs. Johnstone, W. A., Polsley, and Shearer—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2066—An Act to establish courts of special claims in cities of the first class and cities of the first and one half class, to fix the jurisdiction of said courts, to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, to fix their

compensation, and to prescribe certain rules of practice in said courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2066 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Peairs, Roberts, Ryan, Slater, Strine, Weisel, and Mr. Speaker—42.

NOES—Messrs. Griffin, Guill, Johnson, Geo. H., and White—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 736 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Simpson, Strine, Walsh, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1650—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1650 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Byrnes, Canepa, Chandler, Clark, Wm. C., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., McDonald, Moorhouse, Mouser, Murray, Palmer, Peairs, Roberts, Schmitt, Simpson, Slater, Smith, Strine, Sutherland, Wall, Weldon, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to Senate.

Assembly Concurrent Resolution No. 35—An Act relative to the Governor making temporary appointments to fill vacancies that may happen in the representation of the State of California in the Senate of the United States.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 35 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson,

Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, McDonald, Moorhouse, Mouser, Nelson, Peairs, Roberts, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Weldon, and Mr. Speaker—41.

NOES—Messrs. Polsley and Schmitt—2.

Assembly Concurrent Resolution No. 35 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 35.

Relative to the Governor making temporary appointments to fill vacancies that may happen in the representation of the State of California in the Senate of the United States.

Resolved by the Assembly, the Senate concurring, That the Governor of the State of California, as the executive of the State, is hereby empowered to make temporary appointments to fill any and all vacancies that may happen in the representation of the State of California in the Senate of the United States and in that behalf to make temporary appointments until the people fill the vacancies by election, as the Legislature may direct. Whenever such vacancy exists, whether or not there has been such temporary appointment, such vacancy shall be filled by the people at the next general election.

Assembly Concurrent Resolution No. 36—Relative to granting to the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fortieth session of the Legislature of the State of California the privilege to absent themselves from the state for a period of more than sixty days.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 36 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, McDonald, Moorhouse, Mouser, Peairs, Roberts, Ryan, Schmitt, Slater, Strine, Tulloch, Wall, Walsh, and Mr. Speaker—43.

NOES—None.

Assembly Concurrent Resolution No. 36 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 36.

Relative to granting to the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fortieth session of the Legislature of the State of California the privilege to absent themselves from the State for a period of more than sixty days.

Resolved by the Assembly of the State of California, the Senate concurring, That leave of absence from the State for a longer period than sixty days, during their term of office, is hereby granted to his Excellency, Hiram W. Johnson, Governor of the State of California, Lieutenant Governor A. J. Wallace, of the State of California, and the following members of the Assembly and Senate of the fortieth session of the Legislature of the State of California, said leave of absence to take effect after the adjournment of said session:

Alexander, John K.; Ambrose, Thomas L.; Bagby, Henry C.; Beck, George; Benedict, Henry S.; Bloodgood, F. H.; Bohnett, L. D.; Bowman, D. D.; Bradford, Hugh B.; Brown, Henry Ward; Bush, William B.; Byrnes, Charles W.; Canepa, Victor J.; Cary, L. B.; Chandler, W. F.; Clark, William C.; Clarke, Geo. A.; Collins, William M.; Cram, James E.; Dower, Will A.; Ellis, William H.; Emmons, Elijah A.; Farwell, Lyman; Ferguson, Daniel; Finnegan, George B.; Fish, Howard J.; Fitzgerald, George; Ford, John J., Jr.; Gabbert, Thomas G.; Gates, Egbert J.; Gelder, George; Green, A. B.; Griffin, J. J.; Guiberson, J. W.; Guill, John H., Jr.; Hayes, D. R.; Hinkle, E. C.; Inman, J. M.; Johnson, George H.; Johnston, T. D.; Johnstone, W. A.; Judson, Fred E.; Killingsworth, W. S.; Kingsley, C. W.; Kuck, Arthur G.; Libby, G. W.; McCarthy, Wm. C.; McDonald, Walter A.; Moorhouse, H. W.; Morgenstern, Alfred; Mouser, Frank H.; Murray, J. A.; Nelson, H. C.; Nolan, Edward J. D.; Palmer, James M.; Peairs, Howard A.; Polsley, Harry; Richardson, I. A.; Roberts, W. A.; Ryan, James J.; Schmitt, Milton L.; Scott, Wm. S.; Shannon, Arthur L.; Shartel, A. F.; Shearer, William B.; Simpson, William E.; Slater, H. W.; Smith, Frank M.; Strine, John H.; Stuckenbruck,

J. W.; Sutherland, W. A.; Tulloch, David W.; Wall, W. C.; Walsh, Edward P.; Weisel, Hans V.; Weldon, T. J.; White, C. William; Woodley, Frank E.; Wylie, G. W.; Young, C. C.

SENATORS.

Anderson, John N.; Avey, J. L.; Beban, D. J.; Benson, Frank H.; Birdsall, E. S.; Boynton, A. E.; Breed, A. H.; Brown, William E.; Bryant, E. F.; Butler, Edwin M.; Caminetti, A.; Campbell, A. E.; Carr, William J.; Cartwright, Geo. W.; Cassidy, John J.; Cogswell, Prescott F.; Cohn, P. C.; Curtin, J. B.; Finn, Thos. F.; Flint, William R.; Gates, Lee C.; Gerdes, Fred C.; Grant, Edwin E.; Hans, Geo. J.; Hewitt, Leslie R.; Jones, Herbert C.; Juilliard, L. W.; Kehoe, William; Larkins, E. O.; Lyon, Henry H.; Mott, D. W.; Owens, James C.; Regan, D. P.; Rush, Benjamin F.; Sanford, J. B.; Shanahan, T. W. H.; Strobridge, Ed. K.; Thompson, Newton W.; Tyrrell, Edward J.; Wright, Leroy A.

Assembly Bill No. 2009—An Act making an appropriation to pay special premiums on live stock and poultry owned in California and exhibited at the Panama-Pacific International Exposition in the year 1915.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2009 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bush, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Nelson, Peairs, Polesley, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Wylie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1071—An Act to appropriate \$1,500 for the payment of the claim of the Humboldt and Trinity Toll Road Company, a corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1071 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kuck, Libby, Moorhouse, Mouser, Nelson, Palmer, Peairs, Polesley, Ryan, Schmitt, Shearer, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2118 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hinkle,

Inman, Judson, Libby, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Strine, Stuckenbruck, Walsh, Weisel, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2127 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Slater, Strine, Stuckenbruck, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2125—An Act appropriating money to pay the claim of Frank P. Cady against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2125 refused passage by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bohnett, Cary, Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guill, Hinkle, Johnson, Geo. H., Judson, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Ryan, Schmitt, Shartel, Simpson, Slater, Strine, Tulloch, Weisel, and Mr. Speaker—39.

NOES—Messrs. Bloodgood, Brown, Chandler, Emmons, Guiberson, Inman, Kingsley, Kuck, Murray, Roberts, Shannon, Stuckenbruck, and Weldon—13.

Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2129 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, White, Wyllie, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter

into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2132 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McCarthy, Moorhouse, Mouser, Peairs, Roberts, Ryan, Schmitt, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—53.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State, in accordance with the provisions of the Constitution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2136 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shartel, Simpson, Slater, Sutherland, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2128 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Palmer, Peairs, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, and Mr. Speaker—54.

NOES—Messrs. Guiberson, Polsley, Weldon, and Wyllie—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2021 refused passage by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bowman, Bush, Byrnes, Canepa, Dower, Emmons, Farwell, Ferguson, Ford, Green, Hayes, Johnson, Geo. H., Johnston, T. D., McCarthy, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Schmitt, Shearer, Simpson, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—40.

NOES—Messrs. Bloodgood, Chandler, Clarke, Geo. A., Cram, Gabbert, Gates, Johnstone, W. A., Kuck, Mouser, Roberts, and Mr. Speaker—11.

NOTICE OF MOTION TO RECONSIDER.

Mr. Mouser gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2012 was this day refused passage.

Assembly Bill No. 1125—An Act to provide for the survey, location and construction of a state highway connecting the western end of the present Trinity state highway in Trinity County with the road system of Humboldt County, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1125 refused passage by the following vote:

AYES—Messrs. Beck, Benedict, Bowman, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ford, Green, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kuck, Murray, Nelson, Peairs, Polsley, Roberts, Scott, Shartel, Simpson, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, and Wyllie—33.

NOES—Messrs. Alexander, Chandler, Ferguson, Gabbert, Johnson, Geo. H., Moorhouse, Slater, and Mr. Speaker—8.

Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2133 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Green, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Morgenstern, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Shartel, Shearer, Slater, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—42.

NOES—Mr. Bloodgood—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 56—A resolution proposing to the people of the State of California, to amend Section 9 of Article I of the State Constitution, relative to curbing the one-sided power and unfair influences of special interests owning the press, newspapers, magazines or other periodicals of general circulation during political campaigns.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 56 refused adoption by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Ellis, Farwell, Peairs, Woodley, and Wyllie—9.

NOES—Messrs. Alexander, Bohnett, Bowman, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Inman, Johnson, Geo. H., Judson, Libby, Mouser, Palmer, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Walsh, and Mr. Speaker—33.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California, amending Sections 17 and 19 of Article V of the Constitution of the State of California, relating to the state executive officers, the salaries thereof and the formation of the Governor's cabinet.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 58 refused adoption by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bohnett, Farwell, Hinkle, Judson, Peairs, Scott, Smith, and Tulloch—11.

NOES—Messrs. Alexander, Benedict, Bloodgood, Bowman, Brown, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ferguson, Fish, Gates, Gelder, Green, Guiberson, Hayes, Johnson, Geo. H., Johnstone, W. A., Kuck, Libby, Morgenstern, Mouser, Murray, Palmer, Schmitt, Shannon, Simpson, Slater, Stuckenbruck, Weisel, Weldon, Wyllie, and Mr. Speaker—33.

NOTICE OF MOTION TO RECONSIDER.

Mr. Shannon gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2125 was this day refused passage.

Assembly Constitutional Amendment No. 91—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 23 and 23a of Article IV thereof, relating to the legislative department.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 91 refused adoption by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bush, Canepa, Cram, Ellis, Farwell, Ford, Gabbert, Gates, Guiberson, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Kuck, Moorhouse, Morgenstern, Palmer, Peairs, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Walsh, Weldon, White, Woodley, Wyllie, and Mr. Speaker—37.

NOES—Messrs. Bagby, Bradford, Brown, Byrnes, Chandler, Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Gelder, Guill, Hinkle, Johnson, Geo. H., Judson, Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Polsley, Richardson, Roberts, Simpson, Slater, Sutherland, Tulloch, and Weisel—30.

Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 20 of Article IV thereof, relating to the qualifications of persons holding civil office of profit under this State.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 95 refused adoption by the following vote:

AYES—Messrs. Byrnes, Canepa, Ford, Gelder, Green, Johnson, Geo. H., Johnston, T. D., Libby, McCarthy, McDonald, Murray, Nelson, Nolan, Palmer, Polsley,

Richardson, Schmitt, Scott, Shannon, Shartel, Simpson, Wall, Walsh, Weldon, and White—25.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Peairs, Roberts, Ryan, Slater, Strine, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—39.

Assembly Bill No. 1684—An Act to amend Section 2 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1684 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Slater, Strine, Sutherland, Wall, Weisel, Weldon, and Mr. Speaker—54.

NOES—Messrs. Murray and Shannon—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 17 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Kuck, Libby, McCarthy, Murray, Nelson, Nolan, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Sutherland, Wall, Walsh, Weldon, White, Wyllie, and Mr. Speaker—54.

NOES—Messrs. Bloodgood, Finnegan, Judson, and McDonald—4.

Assembly Concurrent Resolution No. 17 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 17.

A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the state vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

Resolved by the Assembly, the Senate concurring, That the legislature of the State of California, at its regular session, commencing on the sixth day of January,

one thousand nine hundred and thirteen, two thirds of all the members elected to each house concurring, hereby recommend that the electors of the state vote at the next general election upon the proposition to call a convention to revise the state constitution, such proposition to read as follows:

SECTION 1. Two thirds of the members elected to each branch of the legislature for the fortieth session of the legislature of the State of California, commencing on the sixth day of January, one thousand nine hundred and thirteen, do hereby recommend to the electors of the state to vote at the next general election for or against a convention for the purpose of revising the constitution of the state. Such vote to be taken for the reason that two thirds of the members of each branch of the legislature, at said regular fortieth session, deem it necessary to revise such constitution. At such next general election the ballot used shall, in addition to the other names and matters required by law to be printed thereon, contain the words "For the convention," and the words "Against the convention," written or printed thereon in a suitable place, with the appropriate space for each elector to designate his intention with respect to such proposition. The election officers at each and every voting precinct in the state shall make and ascertain, and make returns of the number of votes cast in favor of a convention, and the number of votes cast against a convention, as aforesaid, in like manner and with the same particularity as other votes are required by law to be counted and returned, and an abstract thereof shall be transmitted by each and every county clerk of the state, and each and every registrar of voters in any county, or city and county, of the state, to the secretary of state, in the same manner, and within the same time, that votes for state officers are now by law required to be transmitted.

SEC. 2. The secretary of state shall have authority to compel the mailing of such returns and when received, shall prepare and lay before the governor of the state a complete abstract of the whole number of votes cast "for" and "against" a convention. If it shall appear from the returns of the county clerks and registrar of voters that a majority of the electors voting at such general election on the proposition for a convention shall have voted in favor of calling such convention, it shall be the duty of the governor to forthwith issue his proclamation, announcing the fact that such convention has been called; and thereupon, it shall be the duty of the legislature at its session next after such election, to provide by law for the election of delegates to such convention, and for the holding thereof at the state capitol. Such convention to meet within three months from the date of the election calling it, and shall continue in session until it shall have completed the work of revision, and provided for submitting the same to the electors for approval or rejection.

NOTICE OF MOTION TO RECONSIDER.

Mr. Clark gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Concurrent Resolution No. 17 was this day adopted.

Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under title sixteen thereof to be numbered 681, prohibiting the use of cruel and unusual punishments in state prisons and reformatory institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 7 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Nelson, Pairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—47.

NOES—Messrs. Bowman, Chandler, and Ferguson—3.

Title read and approved.

Bill ordered transmitted to the Senate.

HOOR OF RECESS EXTENDED.

Mr. Bohnett moved that the hour of recess be extended until three o'clock p.m. of this day.

Motion carried.

NOTICE OF MOTION TO RECONSIDER.

Mr. Schmitt gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 1684 was this day passed.

Assembly Bill No. 2074—An Act to amend Sections 1, 4 and 6 of an Act entitled “An Act to enforce the educational right of children and providing penalties for the violation of the Act, approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.”

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2074 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Chandler, Clark, Wm. C. Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Nelson, Palmer, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Sutherland, Weisel, Weldon, and Mr. Speaker—48.

NOES—Mr. Alexander—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 881—An Act to amend Sections 1917, 1918, 1919 and 1920 of the Civil Code, and to add a new section to said code, to be designated as Section 1921, relating to the loan of money, and the rate of interest to be allowed and charged therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 881 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gelder, Guiberson, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Mouser, Nelson, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Woodley—46.

NOES—Mr. Schmitt and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau, for the purpose of regulating barbers and their occupation, and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants, and necessary clerical, expert and other assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1487 passed by the following vote:

AYES—Messrs. Alexander, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Wm. C., Collins, Dower, Ellis, Farwell, Fish, Gabbert, Gates, Guiberson, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—48.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 667—An Act to amend Sections 1, 2, 6 and 16, and repealing Section 17 of an Act entitled “An Act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds,” approved April 27, 1911, relating to the validity, effect and enforcement of local improvement bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 667 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Gabbert, Gates, Gelder, Guiberson, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Sutherland, Walsh, Weisel, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 743—An Act to amend an Act entitled “An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the ‘Railroad Commission Fund,’ and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled ‘An Act to amend the Railroad Commission Act by amending Section 15 thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof, relating to free and reduced-rate transportation for freight and passengers,’ approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act,” by amending Section 47 thereof, so as to provide that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county, city and county, incorporated city or town, or municipal water district for the taking in eminent domain proceedings of any existing public utility or lands, property and rights of any character whatsoever connected with such existing public utility, or any part or portion thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 743 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Gelder, Guiberson, Johnston, T. D., Judson, Kuck, McCarthy, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Schmitt, Scott, Shannon, Slater, Smith, Sutherland, Tulloch, Weisel, Weldon, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1278—An Act to amend Section 453a of the Political Code of the State of California, in relation to the funds in the state treasury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1278 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Farwell, Fish, Gabbert, Gates, Gelder, Guiberson, Guill, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Sutherland, Tulloch, Weisel, Weldon, White, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1667 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Gelder, Guill, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Moorhouse, Mouser, Nelson, Polsley, Scott, Shannon, Slater, Tulloch, Weisel, White, Woodley, and Mr. Speaker—42.

NOES—Messrs. Guiberson, Schmitt, Stuckenbruck, and Weldon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill 2053—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the

assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2053 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Collins, Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Libby, McCarthy, McDonald, Moorhouse, Mouser, Polsley, Ryan, Scott, Slater, Stuckenbruck, Walsh, Weisel, Woodley, and Mr. Speaker—42.

NOES—Messrs. Guiberson and Schmitt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. L. D. BOHNETT IN THE CHAIR.

At twelve o'clock and forty minutes p.m., Hon. L. D. Bohnett, Assemblyman from the Forty-fourth District, in the chair.

Assembly Bill No. 232—An Act entitled an Act to regulate the operation of steam boilers, creating a board of inspectors thereof, providing for their registration and making an appropriation for the purpose of carrying out the object of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 232 refused passage by the following vote:

AYES—Messrs. Bohnett, Byrnes, Canepa, Collins, Finnegan, Ford, Gelder, Inman, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Nolan, Ryan, Scott, Shannon, Tulloch, and Weisel—19.

NOES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Cary, Clarke, Geo. A., Dower, Emmons, Ferguson, Fish, Gabbert, Gates, Griffin, Guiberson, Guill, Johnson, Geo. H., Judson, Killingsworth, Kuck, Murray, Nelson, Polsley, Schmitt, Shearer, Weldon, White, and Woodley—29.

Assembly Bill No. 2110—An Act to amend Sections 1, 2, 8, and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2110 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bush, Byrnes, Canepa, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Johnston, T. D., Judson, Kingsley, Kuck,

Libby, McDonald, Morgenstern, Mouser, Nelson, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and White—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assmblly Bill No. 1469—An Act to standardize and regulate the branding and sale of commercial feeding stuffs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1469 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, Kuck, Morgenstern, Mouser, Roberts, Ryan, Scott, Sutherland, Weisel, Woodley, and Mr. Speaker—37.

NOES—Messrs. Dower, Guiberson, Guill, Libby, McDonald, Murray, Palmer, Polsley, Schmitt, Shannon, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, and Weldon—16.

Assembly Bill No. 1345—An Act to amend Section 1 of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1345 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Canepa, Cary, Chandler, Clark, Wm. C., Clarke Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Hayes, Hinkle, Johnston, T. D., Judson, Killingsworth, Kingsley, McDonald, Morgenstern, Mouser, Murray, Palmer, Roberts, Ryan, Scott, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—43.

NOES—Messrs. Guiberson, and Schmitt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 992—An Act to amend Sections 1560 and 1564 of the Political Code, relating to teachers' institutes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 992 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Mouser, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Woodley—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1334—An Act to amend Sections 339 and 340 of the Code of Civil Procedure of the State of California, relating to time of commencing actions other than for the recovery of real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1334 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, McDonald, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, and Woodley—43.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California defining the powers and duties of boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 614 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, McDonald, Moorhouse, Mouser, Nolan, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, and Woodley—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1052—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to provide sheets of certain dimensions and individual towels for the guests of such hotel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1052 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Killingsworth, Kingsley, Libby, McDonald, Mouser, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Sutherland, Tulloch, Weisel, Weldon, and Woodley—45.

NOES—Messrs. Clarke, Geo. A., Cram, Dower, Fish, Gates, Johnstone, W. A., Slater, and Stuckenbruck—8.

TITLE AMENDED.

The following amendment to the title was submitted by Mr. Gelder:

On page 1, line 5 of the title, strike out the period after the word "hotel", and insert in lieu thereof a comma and the words "and providing a penalty".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 305—An Act to amend Section 869 of the Penal Code of the State of California, relative to the taking, filing and authentication of testimony and proceedings on examination in criminal cases and to provide for the fees in payment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 305 refused passage by the following vote:

AYES—Messrs. Alexander, Bohnett, Brown, Bush, Byrnes, Canepa, Cary, Cram, Dower, Farwell, Gabbert, Green, Kingsley, Mouser, Richardson, Roberts, Ryan, Schmitt, Scott, Stuckenbruck, Sutherland, Tulloch, and Woodley—23.

NOES—Messrs. Bagby, Beck, Bloodgood, Bowman, Chandler, Clarke, Geo. A., Emmons, Ferguson, Finnegan, Fish, Gates, Gelder, Guiberson, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, Moorhouse, Palmer, Polsley, Shannon, Slater, Weisel, and Weldon—27.

Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing a means for the abatement of such nuisance, and collecting the cost of removing such weeds from the owners of abutting land.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2104 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Ferguson, Finnegan, Ford, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Mouser, Palmer, Richardson, Roberts, Ryan, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Wylie—42.

NOES—Messrs. Bush, Canepa, Dower, Emmons, Schmitt, and Shannon—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1119 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Cram, Ellis, Ferguson, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Mouser, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Wylie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 957—An Act to amend Section 435 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 957 passed by the following vote:

AYES—Messrs. Alexander, Bloodgood, Bohnett, Bowman, Bradford, Brown, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Wylie—46.

NOES—Messrs. Bush, Canepa, Ford, Schmitt, Shannon, and Walsh—6.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Nolan gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 957 was this day passed.

Assembly Bill No. 2029—An Act to amend Section 2978 of the Political Code, relating to who shall constitute the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2029 refused passage by the following vote:

AYES—Messrs. Alexander, Beck, Bradford, Bush, Ford, Gabbert, Gates, Gelder, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Polsley, Ryan, Scott, Simpson, Slater, Stuckenbruck, Walsh, White, and Wyllie—24.

NOES—Messrs. Bloodgood, Bohnett, Bowman, Canepa, Cary, Cram, Ellis, Farwell, Ferguson, Finnegan, Guill, Johnston, T. D., Killingsworth, Kuck, Nelson, Nolan, Palmer, Roberts, Schmitt, Sutherland, Tulloch, Weisel, and Weldon—23.

Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the object and changing the name of the California Institution for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1811 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Mouser, Murray, Nolan, Palmer, Polsley, Ryan, Schmitt, Scott, Slater, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1491 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, McDonald, Murray, Nelson, Nolan, Palmer, Polsley, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Wyllie—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 841—An Act to amend Section 2641 of the Political Code, relating to road districts, road commissioners and road engineer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 841 passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Ryan, Schmitt, Shannon, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and White—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 29—An Act to amend Sections 2643, 2651, 2654 and 2655 of the Political Code of the State of California, relating to the levy and apportionment of road tax, and to the acquisition, construction and maintenance of roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 29 passed by the following vote:

AYES—Messrs. Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Fitzgerald, Ford, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Palmer, Polsley, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, and White—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 447 passed by the following vote:

AYES—Messrs. Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gelder, Green, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley,

Kuck, Libby, McDonald, Moorhouse, Palmer, Polsley, Ryan, Scott, Slater, Smith, Strine, Stuckenbruck, Weisel, Weldon, White, Woodley, and Wyllie—41.

NOES—Messrs. Bagby, Benedict, Bowman, Emmons, Ford, Gates, Guiberson, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Murray, Schmitt, Sutherland, and Tulloch—15.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Kuck gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 447 was this day passed.

Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2131 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Ferguson, Fitzgerald, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Morgenstern, Mouser, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, and Wyllie—47.

NOES—Messrs. Bush, Emmons, Finnegan, Ford, Gates, Gelder, Guiberson, Kuck, McDonald, Moorhouse, Murray, Palmer, Shearer, Tulloch, and Woodley—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 31—An Act limiting the hours of labor of persons employed in manufacturing, mechanical, mining or mercantile establishment, laundry, barber shop, hotel, restaurant, telegraph or telephone establishment or office, or employed by an express or transportation company, or any common carrier, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, or foreman, or other agent of any such employer to violate the provisions of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Bloodgood moved a call of the House.

Motion lost.

The roll of absentees was called, and Assembly Bill No. 31 refused passage by the following vote:

AYES—Messrs. Alexander, Bloodgood, Brown, Bush, Byrnes, Canepa, Collins, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Hayes, Inman, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Ryan, Scott, Shartel, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, and White—30.

NOES—Messrs. Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Palmer, Polsley, Roberts, Schmitt, Shannon, Shearer, Slater, Strine, Sutherland, Woodley, and Wyllie—37.

Assembly Bill No. 1238—An Act to prohibit the sale or giving away of cigarettes or cigarette papers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1238 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Brown, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Gabbert, Gates, Griffin, Guiberson, Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Pears,

Polsley, Roberts, Shartel, Smith, Strine, Weldon, Woodley, Wyllie, and Mr. Speaker—33.

NOES—Messrs. Alexander, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Collins, Ferguson, Fitzgerald, Ford, Gelder, Green, Guill, Hayes, Inman, Johnston, T. D., Killingsworth, McDonald, Morgenstern, Nelson, Palmer, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Sutherland, Wall, Walsh, Weisel, and White—35.

SPEAKER IN THE CHAIR.

At two o'clock and thirty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1083 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Sutherland, Wall, Weisel, White, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1343—An Act to regulate the construction, operation, and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1343 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Killingsworth, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—51.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1496—An Act to amend Section 653c of the Penal Code of the State of California, relating to crimes against employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1496 passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Guill, Hayes, Hinkle, Inman, Judson, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, Wall, Weisel, Weldon, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 813—An Act to amend an Act entitled “An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration,” approved March 22, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 813 passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Guill, Hayes, Inman, Johnston, T. D., Judson, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Polsley, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—47.

NOES—Messrs. Ambrose, Bloodgood, Brown, Farwell, Fish, Hinkle, Johnstone, W. A., Kingsley, Peairs, Roberts, Schmitt, Weldon, Woodley, and Wyllie—14.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Polsley gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 813 was this day passed.

Assembly Bill No. 272—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by a board of nurse examiners, and to repeal an Act approved March 20, 1905, entitled “An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof.”

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 272 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Palmer,

Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Smith, Strine, Sutherland, Walsh, Weisel, Weldon, White, and Mr. Speaker—48.

NOES—Messrs. Ambrose, Ford, Gelder, Johnson, Geo. H., Libby, Murray, Simpson, and Tulloch—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1—An Act to amend Section 25 of the Civil Code, relating to who are minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bowman, Canepa, Cary, Clarke, Geo. A., Ellis, Farwell, Finnegan, Fish, Ford, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McCarthy, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Tulloch, Wall, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—Messrs. Bradford, Brown, Emmons, Ferguson, Fitzgerald, Gabbert, Kingsley, Nelson, Palmer, Schmitt, Sutherland, and White—12.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Inman gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2133 was this day passed.

MOTION TO SUSPEND RULES.

Mr. Fitzgerald moved that the rules be suspended and Assembly Bill No. 644 taken up for consideration.

Motion lost.

Assembly Bill No. 2068—An Act to amend Section 1 of an Act entitled "An Act to provide for the alterations of the boundaries of, and for annexation of territory to incorporated towns and cities and for the incorporation of such annexed territory in, and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2068 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Gabbert, Guill, Hayes, Hinkle, Johnston, T. D., Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Tulloch, and Weisel—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER.

Mr. Fitzgerald gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 2068 was this day passed.

Assembly Bill No. 1773—An Act to provide for the exemption of honorably discharged soldiers, sailors and marines of the United States, from payment of any state, county, city and county or city license fees in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1773 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clarke, Geo. A., Farwell, Gabbert, Gelder, Guiberson, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Mouser, Murray, Pears, Polesley, Roberts, Ryan, Tulloch, and Woodley—28.

NOES—Messrs. Bagby, Cram, Guill, Libby, Nelson, Schmitt, Simpson, Slater, Weldon, Wyllie, and Mr. Speaker—11.

Quorum present, but not voting.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1123—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people—and report that the same has been correctly engrossed.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 2139—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose—and report that the same has been correctly engrossed.

AMBROSE, Chairman.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Building and Loan Associations, to whom was referred Senate Bill No. 976—An Act to amend Sections 637 and 638 of the Civil Code, relating to building and loan associations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HAYES, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Building and Loan Associations, to whom was referred Senate Bill No. 977—An Act to amend Section 633 of the Civil Code, relating to building and loan associations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HAYES, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 938—An Act to amend Section 863 of an Act numbered 2348, entitled "An Act to provide for the organization, incorporation and government of municipal corporations"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1216—An Act to amend Section 4239 of the Political Code of the State of California, relating to officers and salaries, fees and compensation thereof, in counties of the tenth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 1489—An Act to amend Section 1760 of the Political Code of the State of California, relating to state aid for high schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WYLLIE, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Senate Bill No. 1090—An Act relating to the solvency of workmen's compensation insurance companies and associations, providing means and methods by which such solvency is to be determined and maintained, and providing for the creation of the state workmen's compensation insurance rating bureau, defining its powers and duties and the means and methods to be used in making rates, making provision for the payment of its expense, making an appropriation therefor and providing penalties for violations of the provisions of the Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KUCK, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 594—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Also: Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that they do pass as amended.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void.

Also: Senate Bill No. 664—An Act to grant relief to persons erroneously convicted of felony in the State of California.

Also: Senate Bill No. 1463—An Act to amend Section 1384 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Also: Senate Bill No. 1464—An Act to amend Section 1373 of the Code of Civil Procedure of the State of California, relating to setting day for hearing petition for letters of administration, and requisites for notice of application.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BENEDICT, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 1778—An Act authorizing the state treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SUTHERLAND, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1768—An Act to amend an Act entitled "An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey and to prohibit taking the same from such preserve for commercial purposes"—have had the same under consideration, and respectfully report that Senate Bill No. 1768 is identical with Assembly Bill No. 2111.

MOORHOUSE, Chairman.

The above reported Senate Bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1774—An Act to confer upon the Industrial Accident Commission all of the duties, liabilities, authority, powers and privileges conferred and imposed by law upon the Industrial Accident Board, abolishing the Industrial Accident Board and providing for a transfer of its funds to the credit of the Industrial Accident Commission—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McDONALD, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 1559—An Act providing for the construction and maintenance by the State of state aid highways in counties and towns.

Assembly Bill No. 1645—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 210.

And report that the same have been correctly re-engrossed.

MOORHOUSE, Chairman.

MOTION.

Mr. Bohnett moved that the Assembly take a recess until four o'clock p.m. of this day.

Mr. Inman moved as a substitute that the Assembly take a recess until four o'clock and thirty minutes p.m. of this day.

Substitute motion carried.

RECESS.

At three o'clock p.m., the Assembly was declared at recess until four o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At four o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Young in the chair.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced, and referred as indicated:

By Mr. Gates: Assembly Concurrent Resolution No. 43—Relative to the high cost of fish.

Read first time, and referred to Committee on Fish and Game.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day recalled Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907 and April 21, 1909—from the Assembly, and respectfully request your honorable body to return the same to the Senate.

W. N. PARRISH, Secretary of Senate.
By W. H. WRIGHT, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate this day appointed Senators Jones, Flint, and Caminetti as a Committee on Conference on Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services—to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1778—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of emergency, Senate Bill No. 1779—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Also: Senate Bill No. 1782—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certified bonds of the State of California, and appropriating money for such purpose.

Also: Senate Bill No. 958—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the powers of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1372—An Act to add a new section to the Political Code, to be known as Section 4326, relating to the deposit of moneys with county treasurers.

Also: Senate Bill No. 1374—An Act to provide for supplying county officers with information concerning bills pending before the Legislature.

Also: Senate Bill No. 1376—An Act to add a new section to the Political Code, to be known as Section 3665a, relating to the duties of county surveyors.

Also: Senate Bill No. 1748—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Section 349b and Section 349c, relating to labor unions.

Also: Senate Bill No. 1471—An Act to amend Section 635½ of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the Sixth District.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 8, 1913, passed Senate Bill No. 1364—An Act to amend Section 195 of the Penal Code of California, relating to homicide and the cases in which homicide is excusable.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 597h, providing for the extermination of the ground squirrel.

Also: Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Also: Senate Bill No. 1777—An Act appropriating money to provide for compiling a history of California for use in the public schools.

Also: Senate Bill No. 337—An Act to amend Section 3676 of the Political Code of the State of California, relating to the subpoena of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1461—An Act to amend Section 4056b of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, and for exhibiting and advertising the resources of counties and of supervisory districts.

Also: Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Also: Senate Bill No. 1751—An Act to amend Section 5 of an Act approved March 11, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California, to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State."

Also: Senate Bill No. 1363—An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by

municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Also: Senate Bill No. 1524—An Act to add a new section to the Civil Code of the State of California, to be numbered 2340, relating to the liability of parents and guardians for the negligence of their minor children or wards.

Also: Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 7, 1913, adopted Senate Joint Resolution No. 35—Relative to acquisition of title under homestead law.

Also: Senate Joint Resolution No. 38—Relative to the use of Yerba Buena Island, in San Francisco Bay, as a union railway terminal, requesting and directing the State Board of Harbor Commissioners to promote the undertaking, and petitioning Congress to make the necessary cession therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 815—An Act to amend Section 4237 of the Political Code of the State of California, relating to counties of the eighth class.

Also: Senate Bill No. 1742—An Act to amend Section 609 of the Civil Code of the State of California, relating to members of cemetery corporations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 813—An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human being; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick of afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act.

Also: Senate Bill No. 1212—An Act to amend Section 245 of the Political Code, relating to the number, designation, election and appointment of officers and employees of the Senate.

Also: Senate Bill No. 1213—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers and employees of the Legislature.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1090—An Act providing for the creation of the state workmen's compensation insurance rating bureau, defining its powers and duties and the means and methods to be used in making rates, making provision for the payment of its expense and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 7, 1913, passed Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

W. N. PARRISH, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 240—An Act relating to life insurance companies and prohibiting discrimination.

Also: Senate Bill No. 1337—An Act to regulate and license the vocation of hunting wild game birds and animals and to provide therefrom revenue for game preservation and restoration.

Also: Senate Bill No. 974—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 946—An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act entitled "An Act to amend an Act entitled 'An Act to provide for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts,'" approved March 22, 1905, amended, approved March 3, 1909, by amending Section 6 thereof.

Also: Senate Bill No. 894—An Act to amend an Act entitled "An Act for the regulation and control of fraternal benefit societies," approved May 1, 1911, by amending Section 5 thereof.

Also: Senate Bill No. 893: An Act to repeal Section 630 of the Political Code of the State of California, relating to insurance.

Also: Senate Bill No. 892—An Act for the regulation and control of mutual or benefit associations organized or formed and composed of members of secret societies, lodges or councils exclusively.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: In accordance with your request the Senate herewith returns to your honorable body Assembly Bill No. 15—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans, and half-orphans, and for the education of such persons and other worthy persons, under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor; authorizing and empowering the maintenance of funds therefor in the county and state treasuries, to be derived from private benefaction to be known as a "children's relief fund" and as a "scholarship fund"; making appropriations for a campaign to secure private benefactions, authorizing gifts, bequests and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the Superior Court and board of supervisors in relation to such persons and such funds.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Committee Substitute for Senate Bill No. 254—An Act establishing a state mining bureau, creating the office of state mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain

reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a state mining bureau fund for the purpose of carrying out the provisions of this Act and repealing an Act entitled "An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the state mining bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the state mining bureau, who shall have the direction, management and control of said state mining bureau, and to provide for the appointment, duties and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the state mining bureau," approved March 23, 1893, and all Acts amendatory thereof and supplemental thereto or in conflict herewith.

Also: Senate Bill No. 809—An Act to amend Section 737 of the Political Code of the State of California, relating to the salaries of Superior Court judges.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 39—Relative to the proposed transcontinental tour under the auspices of the Indiana Automobile Manufacturers' Association.

Also: Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1015—An Act to amend Sections 628, 635½ and 636 of the Penal Code of the State of California, all relating to the protection and preservation of fish.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 1778 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 1779 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1782 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 958 read first time, and referred to Committee on Hospitals and Asylums.

Senate Bill No. 1372 read first time, and referred to Committee on County Government.

Senate Bill No. 1374 read first time, and referred to Committee on County Government.

Senate Bill No. 1376 read first time, and referred to Committee on County Government.

Senate Bill No. 1748 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 1471 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1364 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1396 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 182 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Bill No. 1777 read first time, and referred to Committee on Education.

Senate Bill No. 337 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1461 read first time, and referred to Committee on County Government.

Senate Bill No. 1731 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1751 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1363 read first time, and referred to Committee on Irrigation.

Senate Bill No. 1724 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1524 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1283 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Joint Resolution No. 35 read first time, and referred to Committee on Federal Relations.

Senate Joint Resolution No. 38 read first time, and referred to Committee on Federal Relations.

Senate Bill No. 815 read first time, and referred to Committee on County Government.

Senate Bill No. 1742 read first time, and referred to Committee on Judiciary.

Senate Bill No. 813 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 1212 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1213 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1090 read first time, and referred to Committee on Insurance.

Senate Bill No. 467 read first time, and referred to Committee on Irrigation.

Senate Bill No. 240 read first time, and referred to Committee on Insurance.

Senate Bill No. 1337 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 974 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 946 read first time, and referred to Committee on Corporations.

Senate Bill No. 894 read first time, and referred to Committee on Insurance.

Senate Bill No. 893 read first time, and referred to Committee on Insurance.

Senate Bill No. 892 read first time, and referred to Committee on Insurance.

Assembly Concurrent Resolution No. 39 ordered to enrollment.

Senate Constitutional Amendment No. 35 read first time, and referred to Committee on Constitutional Amendments.

Senate Bill No. 1015 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Also: Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg; appointing a commission in connection therewith, and making an appropriation therefor.

Also: Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the Alpine state highway.

Also: Assembly Bill No. 1572—An Act to amend Section 4283 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1376?"

In Section 2, line 6, after the word "for", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1376 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Slater, Strine, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1629?"

On page 6, line 27, after the word "the", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1629 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—55.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 13?"

Add a new section, to be numbered Section 4, and to read as follows:

"SEC. 4. This Act, inasmuch as it provides for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

The roll was called, and Senate amendment to Assembly Bill No. 13 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—59.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1572?"

AMENDMENT No. 1.

On page 2 of the printed bill, strike out all of lines 11 and 12, and insert in lieu thereof the following: "The assessor sixteen hundred dollars per annum."

AMENDMENT No. 2.

On page 2 of the printed bill, strike out all of lines 24 and 25, and insert in lieu thereof the following: "Justices of the peace, one hundred and twenty dollars per annum and such further compensation as may be provided by ordinance of the board of supervisors."

The roll was called, and Senate amendments to Assembly Bill No. 1572 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, White, and Mr. Speaker—60.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1581—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1060, relating to the recovery of damages by a husband, wife, child, parent, guardian, or employer from any person or persons accepting or taking, or assisting in any way in accepting or taking of moneys or other thing of value in any game of chance prohibited by the laws of this State.

Also: Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1581?"

AMENDMENT No. 1.

Strike out all of lines 1 to 7, inclusive, of the title, and insert in lieu thereof the following: "An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 1060, relating to the recovery of damages by a husband, wife, child, parent, guardian, or employer from any person or persons accepting or taking, or assisting in any way in accepting or taking of moneys or other thing of value in any game of chance prohibited by the laws of this state."

AMENDMENT No. 2.

On page 1 of the bill, after the enacting clause, insert the following:

"SECTION 1. The Code of Civil Procedure is hereby amended by adding a new section thereto, to be numbered 1060, to read as follows:"

AMENDMENT No. 3.

In line 1, page 1, of the printed bill, strike out the word and figure "Section 1", and insert in lieu thereof the figures "1060."

AMENDMENT No. 4.

In line 1, page 1, strike out the word "every", and insert the word "any".

AMENDMENT No. 5.

In line 2, page 1, insert the word "or" before the word "employer".

AMENDMENT No. 6.

In line 2, page 1, strike out the words "or other person or persons."

AMENDMENT No. 7.

In line 12, page 1, strike out the comma after the word "guardian", and insert in lieu thereof "or".

AMENDMENT No. 8.

On page 1, line 12, strike out the words "or other person or persons".

AMENDMENT No. 9.

On page 2, line 14, strike out the words "or other person or persons".

The roll was called, and Senate amendments to Assembly Bill No. 1581 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabriel, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Woodley, and Mr. Speaker—55.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate Amendments to Assembly Bill No. 372?"

AMENDMENT No. 1.

On page 1, line 12, of the printed bill, strike out the words "and said" and insert in lieu thereof the word "The".

AMENDMENT No. 2.

On page 2, line 4, of the printed bill, strike out the comma after the word "court" and insert in lieu thereof a period and also strike out the word "and" in said line 4.

AMENDMENT No. 3.

On page 2, line 4, of the printed bill, strike out the small letter "u" in the word "upon" and insert in lieu thereof a capital "U".

AMENDMENT No. 4.

On page 1, line 7, of the printed bill, insert a comma after the word "petition" and add the following: "setting forth such facts, and praying for the issuance of letters of administration upon his estate,".

AMENDMENT No. 5.

On page 1, line 9, of the printed bill, strike out the words "setting forth such facts,".

AMENDMENT No. 6.

On page 1, line 11, of the printed bill, change the semicolon to a period.

AMENDMENT No. 7.

On page 1, lines 11 and 12, of the printed bill, strike out the following: "and praying for the issuance of letters of administration upon his estate;".

AMENDMENT No. 8.

Transpose lines 3 and 4 in the title of said printed bill.

Also:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. A new section is hereby added to the Code of Civil Procedure of the State of California, to be designated as section sixteen hundred and ninety, to read as follows:

1690. When any person, owning property in this state, absents himself from the state or from the place of his last domicile therein, and conceals his whereabouts from his family and relatives for a period of seven years, or fails for a period of seven consecutive years to communicate with his family or any of his relatives residing in the county where his property or some part thereof is situated, a petition, setting forth such facts, and praying for the issuance of letters of administration upon his estate, may be filed in the superior court of any county where such property is situated, by any person who would be entitled to administer upon such absentee's estate if he were known to be dead. The court shall prescribe a notice to be given to such absentee, and order the same to be published in a newspaper published in said county, to be designated by the court, once each week, for eight weeks; proof of the publication of which, in the manner, and for the time ordered, shall at the expiration of said period and before or at the hearing of said petition, be filed in said court. Upon the hearing of the petition, if the absentee does not appear, and the court is satisfied from the evidence presented, that the legal presumption of death is made out, the court shall so decree, and shall order that letters of administration, upon the estate of said absentee shall issue as though he were known to be dead, and the person to whom the letters of administration are granted, shall proceed to administer upon and dispose of the estate of said absentee in the same manner that administrators are required to dispose of and administer the estate of decedents; and the said letters of administration, until revoked, and all acts done in pursuance thereof and in reliance thereupon, by or on behalf of all persons who in good faith and for value acted upon the presumption of death herein mentioned, shall be as valid as if the absentee were really dead; and shall be conclusive as to him and those claiming under him; *provided, however*, that if at any time during such administration of said estate evidence that the said absentee is still living shall be presented to the court, the court shall thereupon suspend further proceedings in said administration until it shall be satisfied that the evidence in this proviso mentioned is unfounded; but, if from said evidence the court is satisfied that said absentee is still living, it shall make its order suspending all further proceedings in the administration of said estate.

Also:

AMENDMENT No. 1.

On page 1, line 7, after the word "years", strike out the semicolon and insert in lieu thereof a comma and the words "or fails for a period of seven consecutive years to communicate with his family or any of his relatives residing in the county where his property or some part thereof is situated,".

AMENDMENT No. 2.

On page 2, line 15, after the comma following the word "thereupon", insert the following: "by or on behalf of all persons who in good faith and for value acted upon the presumption of death herein mentioned,".

AMENDMENT No. 3.

On page 2, line 18, strike out the period after the last word "him", and insert in lieu thereof a semicolon and the following: "*provided, however*, that if at any time during such administration of said estate evidence that the said absentee is still living shall be presented to the court, the court shall thereupon suspend further proceedings in said administration until it shall be satisfied that the evidence in this proviso mentioned is unfounded; but, if from said evidence the court is satisfied that said absentee is still living, it shall make its order suspending all further proceedings in the administration of said estate."

The roll was called, and Senate amendments to Assembly Bill No. 372 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A.,

Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Scott, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Also: Assembly Bill No. 774—An Act to provide for the regulation of the use and inspection of weighing and measuring instruments; to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

Also: Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Also: Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 282?"

On page 2, line 19, strike out the period, and insert in lieu thereof a semicolon and the following: "ten porters at a monthly salary of ninety dollars each".

Also: On page 2, line 3, after the word dollars, strike out the period and insert a semicolon.

Also: On page 2, line 3, beginning with the word such, strike out all up to and including the word "vacation", in line 8, and insert in lieu thereof the following: "provided, however, that the superintendent is hereby empowered to employ an additional electrician for emergency purpose".

The roll was called, and Senate amendments to Assembly Bill No. 282 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Woodley, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 774?"

AMENDMENT No. 1.

On page 1, line 8, of the printed bill, strike out the period and insert a comma and add the following: "to be paid at the same time and in the same manner as other state officers".

AMENDMENT No. 2.

On page 2, line 8, of the printed bill, after the period add the following: "The inspector shall also appoint a clerk who shall receive a salary of fifteen hundred dollars per annum, to be paid in the same manner and at the same time as the salaries of other state officers".

AMENDMENT No. 3.

On page 3, line 34, of the printed bill, strike out the comma, and insert in lieu thereof a semicolon.

AMENDMENT No. 4.

On page 3 of the printed bill, at the end of line 34, after the word "shall", insert the following: (with knowledge of such shortage)".

AMENDMENT No. 5.

On page 4, line 11, of the printed bill, strike out the comma, and insert in lieu thereof a semicolon.

AMENDMENT No. 6.

On page 4, line 37, of the printed bill, strike out the word "on", and substitute therefor the word "of".

AMENDMENT No. 7.

On page 5, line 17, of the printed bill, strike out the word "may", and substitute therefor the word "shall".

AMENDMENT No. 8.

On page 5, lines 20 and 21, of the printed bill, strike out the words "if possession is taken".

AMENDMENT No. 9.

On page 5, line 23, of the printed bill, strike out the word "contempt", and insert in lieu thereof the word "competent".

AMENDMENT No. 10.

On page 5, line 24, of printed bill, after the word "recovering", insert the words "possession of".

AMENDMENT No. 11.

Amend by adding a new section, to be known as "Section 22", to read as follows: "SEC. 22. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

AMENDMENT No. 12.

Amend title as follows: After the words "An Act" insert the following: "To provide for the inspection, measurement and graduation of merchandise, manufactured articles and commodities".

The roll was called, and Senate amendments to Assembly Bill No. 774 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Dover, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Roberts, Schmitt, Scott, Shannon, Slater, Smith, Strine, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 793?"

On page 1, after line 6, add the following:

"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

The roll was called, and Senate amendment to Assembly Bill No. 793 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Dover, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald,

Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, White, Woodley, and Mr. Speaker—55.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1295?"

On page 1, line 3, commencing with the word "In", after the period following the figures "4017", strike out all of said bill down to and including the period after the word "appointed", on line 6 of page 2, and insert in lieu thereof the following:

"In counties where the board of supervisors by proper ordinance so elect, except as otherwise provided in this title, the duties of certain of the offices mentioned in section four thousand thirteen are hereby consolidated, as follows: Sheriff and tax collector; auditor and recorder; county clerk, auditor and recorder; county clerk and recorder; county clerk and auditor; treasurer and tax collector; treasurer and recorder; assessor and tax collector; public administrator and coroner; district attorney and coroner; sheriff and public administrator."

The roll was called, and Senate amendment to Assembly Bill No. 1295 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Woodley, Wyllie, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1360—An Act to amend Section 4243 of the Political Code, relating to the compensation of officers of counties of the fourth class.

Also: Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Also: Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Also: Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1360?"

AMENDMENT No. 1.

On page 3, line 4, of the printed bill, after the word "mentioned" and before the word "are", insert the following: "shall be turned over to the county and become the property of the county. All the provisions of this paragraph".

AMENDMENT No. 2.

On page 3, line 29, of the printed bill, after the word "salaries", insert the words "of assistant auditors."

AMENDMENT No. 3.

On page 4, line 16, of the printed bill, after the word "provided", strike out the comma, and insert in lieu thereof the word "further," and after said word insert a comma.

AMENDMENT No. 4.

On page 8, lines 9 and 10, of the printed bill, strike out all of Section 3.

AMENDMENT No. 5.

On page 4, line 15, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "seventeen".

The roll was called, and Senate amendments to Assembly Bill No. 1360 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—58.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1464?"

On page 2, line 11, of the amended bill, between the words "thousand" and "dollars", insert the words "four hundred".

The roll was called, and Senate amendment to Assembly Bill No. 1464 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Roberts, Schmitt, Scott, Simpson, Slater, Strine, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Mr. Speaker—59.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1152?"

On page 1, of the printed bill, after the enacting clause, strike out the entire bill and substitute in lieu thereof the following:

SECTION 1. Section 4242 of the Political Code of the State of California, is hereby amended to read as follows:

4242. In counties of the thirteenth class, county officers shall receive as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

1. The county clerk, two thousand eight hundred dollars per annum, and there shall be and there is hereby allowed to the county clerk, in addition, one deputy who shall be paid the sum of one thousand five hundred dollars per annum, and one deputy who shall be paid the sum of one thousand three hundred dollars per annum, and one deputy who shall be paid the sum of one thousand dollars per annum; the said salaries to be paid by such county in monthly installments at the time and in the manner and out of the same fund as the salaries of county officers are paid; *and provided, further*, that in each year in which a new and complete registration of voters is required by law, said county clerk shall appoint an additional deputy, or deputies, who shall receive the sum of seven and one half cents per name for taking the affidavits of registration outside of the city of Riverside, and claims for their service at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed; *and provided, further*, that all fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions of this paragraph shall apply to the present incumbent.

2. The sheriff, three thousand three hundred dollars per annum, and all commissions, fees and mileage for the service of papers or process coming from courts other than those of his own county; *provided*, that in counties of this class there shall be and is hereby allowed to the sheriff, one under sheriff whose salary is hereby fixed at the sum of one thousand five hundred dollars per annum, and one deputy who shall be jailer, whose salary is hereby fixed at the sum of one thousand dollars per annum; and one deputy whose salary is hereby fixed at the sum of nine hundred dollars per annum; said deputies to be appointed by the sheriff and their

salaries to be paid by the county in equal monthly installments at the time and in the manner and out of the same fund as the salaries of county officers are paid. All the provisions of this paragraph shall apply to the present incumbent.

3. The recorder, two thousand eight hundred dollars per annum; and one deputy, whose office is hereby expressly created, to be appointed by the recorder, who shall receive a salary of one thousand four hundred dollars per annum, payable in monthly installments; *and provided, further*, that the recorder is hereby allowed as many copyists as may be required, who shall receive as compensation the sum of four cents per folio for recording any instrument or notice. The salaries of the deputy coroner and copyists herein provided, shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same funds as the salaries of county officers are paid. All fees and commissions received by this office shall be turned over to the county and become the property of the county. All the provisions of this paragraph are to apply to the present incumbent.

4. The auditor, two thousand eight hundred dollars per annum; and there shall be and there is hereby allowed to the auditor in addition, one deputy to be appointed by the auditor who shall be paid a salary of one thousand five hundred dollars per annum, and one deputy who shall be appointed by the auditor who shall be paid a salary of nine hundred dollars per annum, and such additional clerks and assistants as the auditor may require and whose compensation in the aggregate shall not exceed four hundred dollars in any one year; *and provided*, that the auditor shall file with the county clerk a verified statement showing in detail the amount paid, and the persons to whom said compensation is paid for such extra assistance aforesaid. The salaries herein provided shall be paid by the county in monthly installments at the same time and out of the same fund as the salaries of county officers are paid. All that portion of this paragraph relating to deputies and other assistants shall apply to the present incumbent.

5. The treasurer, two thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the treasurer, one deputy, to be appointed by him, who shall receive from the county a salary of one thousand dollars per annum, to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All that portion of this paragraph relating to the salary of deputy shall apply to the present incumbent. From and after the first Monday after the first day of January, 1915, all fees and commissions received by the treasurer shall be turned over to the county and become the property of the county.

6. The tax collector, two thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the tax collector the following deputies and assistants whose offices are hereby created and who shall be appointed by the tax collector: one deputy at a salary of one thousand two hundred dollars per annum; a stenographer to be appointed by the tax collector during the years 1913 and 1914 at a salary of one thousand two hundred dollars per annum; and such assistants as the tax collector may require; *provided*, that the compensation of such assistants shall not, in the aggregate, exceed the sum of one thousand dollars in any one year; *and provided*, that the tax collector shall file with the county auditor a verified statement showing in detail, the amounts and the persons to whom said compensation is paid. The salaries of the said deputy, stenographer and other assistants shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salaries of the county officers are paid. All that portion of this paragraph relating to deputy, stenographer and other assistants shall apply to the present incumbent.

7. The assessor, two thousand eight hundred dollars per annum, and his actual traveling expenses when away from his office on county business; *provided*, that in counties of this class there shall be and there is hereby allowed to the assessor, the following deputies and assistants whose offices are hereby created and who shall be appointed by the assessor: one deputy at a salary of one thousand six hundred dollars per annum, one stenographer at a salary of eight hundred dollars per annum, one stenographer at a salary of seven hundred and twenty dollars per annum, and such other deputies as the assessor may require, and whose compensation, in the aggregate, shall not exceed the sum of five thousand dollars in any one year; *and provided*, that the assessor shall file with the county auditor, a verified statement showing in detail, the amounts, and the persons to whom said compensation is paid. The salaries of such deputies and stenographers shall be paid by said county in monthly installments and at the same time and in the same manner and out of the same fund that county officers are paid. All the provisions of this paragraph are to apply to the present incumbent. All fees and commissions, including poll tax, collected by this office shall be turned over to the county and become the property of the county.

9. The public administrator, such fees as are now, or may hereafter be allowed by law.

10. The district attorney, two thousand five hundred dollars per annum, and actual traveling expenses when away from his office on county business; *provided*,

that in counties of this class there shall be and there is hereby allowed to the district attorney, one deputy to be appointed by the district attorney who shall be paid the salary of one thousand two hundred dollars per annum; and *provided, further*, that a stenographer be appointed by the district attorney to be paid a salary of twelve hundred dollars per annum for the years 1913 and 1914, and thereafter at a salary of nine hundred dollars per annum. Said deputy and stenographer shall be paid out of the county treasury in monthly installments in the same manner and out of the same fund as county officers are paid. That portion of this paragraph relating to stenographer shall apply to the present incumbent.

11. The superintendent of schools, two thousand four hundred dollars per annum; his office shall be kept open on all business days from 9 a.m. to 5 p.m.; he shall be allowed his actual traveling expenses when visiting the schools of his county; *provided*, that in counties of this class there shall and there hereby is allowed, to the superintendent of schools, one deputy to be appointed by him who shall receive from the county a salary of twelve hundred dollars per annum to be paid by said county in monthly installments in the same manner and out of the same fund as the salaries of county officers are paid. That portion of this paragraph relating to deputies shall apply to the present incumbent.

12. The surveyor, one thousand five hundred dollars per annum, and in addition thereto, all necessary field assistants; *provided*, that in counties of this class there shall be and there hereby is allowed the surveyor, two deputies who shall be appointed by the surveyor of said county, and who shall be paid salaries as follows: one deputy at a salary of fifteen hundred dollars per annum, and one deputy at nine hundred dollars per annum; and *provided, further*, that the county surveyor shall be allowed a third deputy who shall be a draftsman at a salary of one thousand two hundred dollars per annum, to be in effect from July 1, 1913, to December 31, 1914, and whose duty it shall be to complete the road abstracts and maps for the county. The salaries of said deputies herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All necessary expenses for field assistants shall be paid by the county, and the actual cost of preparing assessor's maps, whenever a complete set of such maps is ordered prepared by the board of supervisors, said cost of preparing said assessor's maps not to exceed the sum of one thousand eight hundred dollars.

13. From and after the first Monday after the first day of January, 1915, the officers of townships in counties of this class shall be one justice of the peace and one constable, any thing in the provisions of section four thousand fourteen of this code to the contrary notwithstanding.

14. The justice of the peace in townships having a city or a portion thereof, situated therein and having a population of twelve thousand or more, fifteen hundred dollars per annum, payable in monthly installments, which shall be in full for all services rendered by him in both civil and criminal cases tried before him. He shall each month pay to the county treasurer all fines, commissions and fees collected by him as such justice of the peace, including fees for celebrating marriages and returning certificates thereof to the county recorder. In townships having a population of six thousand and less than twelve thousand the justice of the peace therein shall receive fifty dollars per month; in townships having a population of four thousand and less than six thousand, twenty-five dollars per month; in townships having a population of two thousand and less than four thousand, twenty dollars per month; and in all other townships in said county, ten dollars per month; *provided, however*, that in all townships having an area equal to or exceeding one thousand square miles such salary shall not be less than fifty dollars per month. Each justice of the peace must pay into the county treasury once each month all fines collected by him in criminal cases, and the auditor shall withhold the warrant for salary until a sworn statement has been filed with him of all criminal cases tried and fines collected and paid into the county treasury. In addition to the monthly salary allowed herein, each justice of the peace, except the justice in townships having one or more cities, or portions thereof situated therein, and having a population of twelve thousand or more, may receive for his own use in civil cases the fees allowed by law. For all services appertaining to the coroner's office, which the coroner is unable to attend to, the justice of the peace shall receive the same fees as are allowed the coroner in similar cases.

15. Constables in townships having one or more cities, or portions thereof situated therein, and having a population of twelve thousand or more, fifteen hundred dollars per annum, payable in monthly installments, and their actual traveling expenses when engaged in official business outside of such townships, which shall be in full for all services rendered by them in all civil and criminal business. They shall charge and collect such fees as are allowed by law, and shall each month pay into the county treasury all fees, forfeitures, fines and commissions collected by them in the discharge of their duties as such constables. In townships having a population of six thousand and less than twelve thousand the constable shall receive fifty dollars per month; in townships having a population of four thousand and less than six thousand, twenty-five dollars per month; in townships

having a population of two thousand and less than four thousand, twenty dollars per month; and in all other townships in said county, ten dollars per month; *provided*, that in all townships having an area equal to or exceeding one thousand square miles such salary shall not be less than fifty dollars per month; *provided*, further, that in addition to the salaries herein allowed, each constable, except constables in townships having a city or a portion thereof situated therein, and having a population of twelve thousand or more, shall receive for their own use in civil cases, the fees allowed by law, and shall be paid out of the treasury of the county his actual traveling expenses outside of his own township, but within his county, for the service of a warrant of arrest or any other paper in a criminal case both going and returning, ten cents per mile; for each mile actually traveled outside of his county, both going and returning from the place of arrest or other service, five cents per mile; and for transporting prisoners to the county jail, the actual cost of transportation.

16. The population of the several judicial townships for the purpose of fixing the compensation of township officers shall be ascertained and declared by the board of supervisors on the first Monday after the first day of January, every odd numbered year.

17. Each supervisor, fifteen hundred dollars per annum, payable in monthly installments, and fifteen cents per mile one way for traveling from his residence to the place of meeting of the board at the county seat, for not more than four board meetings per month, and the necessary actual expenses incurred by him while engaged in county business outside of his district, not exceeding in the aggregate the sum of three hundred dollars per annum.

The roll was called, and Senate amendment to Assembly Bill No. 1152 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C. Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polesley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, White, Woodley, and Mr. Speaker—55.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1442?"

On page 1, line 15, beginning with the word "catches", strike out that word and all of the rest of the bill, and insert in lieu thereof the following: "catches, kills, has in possession, buys, sells, or offers for sale any lobster (crawfish), or who at any time takes, catches, kills, has in possession, buys, sells, or offers for sale any lobster (crawfish) of less than nine inches or more than thirteen and one half inches in length, measured from one extremity to the other and exclusive of legs, claws or feelers, or who shall at any time, pickle, can or otherwise preserve any lobster (crawfish) or crab (*Cancer magister*), or who shall at any time, sell any lobster (crawfish), crab (*Cancer magister*) meat not in the shell of such lobster (crawfish) or crab (*Cancer magister*), or who shall bring to shore any part or portion of any lobster (crawfish) or crab (*Cancer magister*) without remaining portions of such lobster (crawfish) or crab (*Cancer magister*) in such condition that the size of such lobster (crawfish) or crab (*Cancer magister*) can not be measured, shall be guilty of a misdemeanor. Every person who, at any time, has in his possession for sale, or sells, or offers for sale, any dressed catfish less than seven inches in length not including the head, or who at any time kills or has in his possession any sturgeon of less than twenty-five pounds in weight, shall be guilty of a misdemeanor. Every person who, at any time, takes, catches, kills, has in his possession, buys, sells, or offers for sale, any crab (*Cancer magister*) of less than seven inches in breadth measured straight across the back from point to point, or any female crab (*Cancer magister*), or who between the first day of August and the fifteenth day of November of the same year, both dates inclusive, takes, catches, kills, has in possession, buys, sells, or offers for sale any crab (*Cancer magister*), shall be guilty of a misdemeanor. Every person who, between the first day of February and the thirtieth day of April of the same year, both dates inclusive, takes, catches or kills any abalone (*Haliotis*), or who, at any time, takes, catches or kills any red abalone (*Haliotis rufescens*) less than nineteen inches around the outer edge of the shell or any green abalone (*Haliotis fulgens*) less than eighteen inches around the outer edge of the shell, or any pink abalone (*Haliotis corrugata*) less than sixteen inches around the outer edge of the shell, or any black abalone (*Haliotis crackerodica*) less than fourteen inches around the outer edge of the shell, or who by any means whatsoever, takes, or catches any abalone (*Haliotis*) and does not bring

the same, naturally attached to the shell and alive, to the shore above high water mark, or who takes, catches, or kills any abalone (*Haliotis*) for other than food purposes, or who at any time offers for shipment, or ships, or receives for shipment or transportation from the State of California to any place in any other state, territory or foreign country any abalone meat, fresh or dried; or abalone shells, excepting articles manufactured from abalone shells; or who takes, catches, or kills any abalone (*Haliotis*) by the use of a spear or spears, shall be guilty of a misdemeanor. Every person who, in fish and game district six of this state, uses or assists in using any diving apparatus of any character for the taking or catching of any abalone (*Haliotis*), or who takes, catches, or kills any black abalone (*Haliotis crackerodie*), or who takes, catches or kills during any one calendar day more than ten (10), abalone (*Haliotis*) shall be guilty of a misdemeanor. None of the provisions of this Act shall apply to lobster (crawfish) or abalone (*Haliotis*) caught or taken without the waters of this state, and bearing after inspection such evidence of having been so caught or taken as may be hereafter prescribed by the fish and game commission; and be it provided, that all the expense of such inspection shall be borne by the importer of such lobster (crawfish) or abalone (*Haliotis*); and be it provided, further, that all lobster (crawfish) or abalone (*Haliotis*) imported into this state shall be of the size prescribed in this section.

The roll was called, and Senate amendment to Assembly Bill No. 1442 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Scott, Shannon, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—54.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 652?"

AMENDMENT No. 1.

On page 1, Section 1, lines 12 and 13, strike out the words and figures "sixteen hundred (1600)," and insert in lieu thereof the words and figures "eighteen hundred (1800)".

AMENDMENT No. 2.

On page 3, Section 3, line 20, strike out the words and figures "sixteen hundred (1600)," and insert in lieu thereof the words and figures "eighteen hundred (1800)".

AMENDMENT No. 3.

On page 3, Section 4, line 33, strike out the words and figures "sixteen hundred (1600)," and insert in lieu thereof the words and figures "eighteen hundred (1800)".

AMENDMENT No. 4.

On page 4, Section 5, lines 10 and 11, strike out the words and figures "sixteen hundred (1600)," and insert in lieu thereof the words and figures "eighteen hundred (1800)".

AMENDMENT No. 5.

On page 5, Section 6, line 5, after the word "duties", insert a comma and the following: "including the making and compiling of the necessary indices to the assessment roll."

AMENDMENT No. 6.

On page 6, Section 9, line 3, strike out the words and figures "twenty-two hundred (2200)", and insert in lieu thereof the words and figures "twenty-four hundred (2400)".

AMENDMENT No. 7.

On page 6, lines 8 and 9, strike out the words and figures "twelve hundred (1200)", and insert in lieu thereof the words and figures "fifteen hundred (1500)".

AMENDMENT No. 8.

On page 6, Section 9, beginning on line 9 and ending on line 12, strike out the words "*provided, however*, that in counties of this class the board of supervisors may allow for other detective service a sum not to exceed five hundred (500) dollars per annum", and insert in lieu thereof the following: "*provided, however*, that no further additional amounts shall be allowed for detective services without the previous consent and authorization of the board of supervisors,".

The roll was called, and Senate amendments to Assembly Bill No. 652 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gelder, Hayes, Inman, Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Woodley, and Mr. Speaker—47.
NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 541?"

On page 1, line 4, after the word "apply" and before the word "to", insert the following: "in person".

The roll was called, and Senate amendment to Assembly Bill No. 541 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, White, Woodley, and Mr. Speaker—53.
NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 655—An Act to amend Section 157 of the Code of Civil Procedure of the State of California, relating to the qualifications of superior judges.

Also: Assembly Bill No. 1192—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure, approved March 11, 1872, by amending Section 1135 thereof, and by adding three new sections thereto, to be numbered and

designated as Sections 849a, 850b and 858b thereof, relating to proceedings in justices' courts.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 655?"

On page 1, strike out all of lines 8 and 9, and insert in lieu thereof the following: "admitted to practice in all the courts of the state and actively engaged in the".

The roll was called, and Senate amendment to Assembly Bill No. 655 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Ellis, Ferguson, Finnegan, Fitzgerald, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1192?"

AMENDMENT No. 1.

On page 1, lines 3 to 7 of the title, strike out all of said lines 3 to 7 inclusive, and in lieu thereof insert the following: "Procedure, approved March 11, 1872, by amending Section 1135 thereof, and by adding three new sections thereto, to be numbered and designated as Sections 849a, 850b and 858b thereof, relating to proceedings in justices' courts."

AMENDMENT No. 2.

On pages 1 and 2, strike out all of lines 1 to 13, inclusive, on page 1, and all of lines 1 to 7, inclusive, on page 2.

AMENDMENT No. 3.

On page 2, line 8, strike out the figure "3", and in lieu thereof insert the figure "1".

AMENDMENT No. 4.

On page 2, line 17, strike out the figure "4", and in lieu thereof insert the figure "2".

AMENDMENT No. 5.

On page 3, line 4, strike out the figure "5", and in lieu thereof insert the figure "3".

AMENDMENT No. 6.

On page 3, line 14, strike out all of line 14, and in lieu thereof insert the following: "by said justice's clerk. This section shall apply to civil actions and proceedings only."

AMENDMENT No. 7.

On page 3, line 15, strike out the figure "6", and in lieu thereof insert the figure "4".

AMENDMENT No. 8.

On page 3, lines 23 to 28, strike out all of Section 7, being lines 23 to 28, inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 1192 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Ferguson, Fitzgerald, Ford, Gelder, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Woodley, and Wyllie—51.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Fort Yuma in Imperial County.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2096?"

Strike out the words "Fort Yuma" in the title, and insert in lieu thereof "Brawley".

Also: On page 1, line 6, after the word "to", strike out the words "Fort Yuma", and insert in lieu thereof "Brawley".

The roll was called, and Senate amendments to Assembly Bill No. 2096 were concurred in by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Murray, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1947—An Act appropriating money for constructing a hospital building on site near the Ferry Building, in the city and county of San Francisco; arranging for its upkeep by said city and county.

Also: Assembly Bill No. 1027—An Act to amend Section 4264 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1947?"

On page 1, line 7, after the word "commissioners", strike out the comma and the remainder of the sentence, and insert in lieu thereof a period.

The roll was called, and Senate amendment to Assembly Bill No. 1947 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Mouser, Nelson, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—47.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1027?"

AMENDMENT No. 1.

On page 2, line 4, strike out all of line 4, and in lieu thereof insert the following: "7. The assessor, three thousand five hundred dollars per annum and his actual and necessary traveling expenses, when engaged in assessing the property of his county: *provided*, that such traveling expenses shall not, in any one year, exceed the sum of three hundred dollars."

AMENDMENT No. 2.

On page 2, lines 14 to 17, strike out all of lines 14 to 17, inclusive, and in lieu thereof insert the following:

"12. The county surveyor, one thousand five hundred dollars per annum, he to furnish all necessary instruments; but transportation charges for field work shall be allowed him. He shall not be required to perform county work more than two thirds of the working days in any month, except on payment of fees now allowed by law."

AMENDMENT No. 3.

On page 3, lines 17 to 24, strike out all of lines 17 to 24, inclusive, and in lieu thereof insert the following: "stable in each township. The board of supervisors shall, during each and every year, ascertain and determine the population of the several townships of the county for the purpose of ascertaining the compensation of township officers regulated by this section, in proportion to their duties.

15. Each supervisor, twelve hundred dollars per annum for all services performed by him as supervisor, member of the board of equalization and road commissioner."

The roll was called, and Senate amendments to Assembly Bill No. 1027 were concurred in by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Murray, Nelson, Polesley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference on Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, by amending Sections 1, 2, 3, 4, 5 and 6 thereof and by adding a new section thereto, to be numbered Section 7.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1996—An Act to authorize the State Board of Health to purchase, or prepare, and distribute, free of cost, to certain persons, anti-rabic virus, and making an appropriation therefor.

Also: Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Also: Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Also: Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November in the year one thousand nine hundred and ten which is provided in Section 14 of Article XIII of the Constitution of this State and as provided in an Act of the thirty-ninth session of the Legislature entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 285—An Act to provide for locating, surveying

and maintaining a highway from Pescadero in the county of San Mateo to the Santa Cruz County line, to connect with a road to the California Redwood Park, and making an appropriation therefor.

Also: Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian, the secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor.

Also: Assembly Bill No. 1250—An Act making an appropriation for the construction of a fine arts building for the Los Angeles State Normal School and for drives and walks adjacent thereto.

Also: Assembly Bill No. 1741—An Act to appropriate the sum of \$3,500 for the purpose of clearing obstructions from the Pitt River, its tributaries and other streams.

Also: Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1542—An Act making an appropriation for the location and survey of a proposed highway from Boca to the Nevada state line along the Truckee River in Nevada County.

Also: Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Also: Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredger for the use of the State Department of Engineering, and making an appropriation of \$50,000 therefor.

Also: Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds to be known as "State Fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose.

Also: Assembly Bill No. 1599—An Act to amend Section 4287 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class.

Also: Assembly Bill No. 1147—An Act to appropriate money to assist the

county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services—report that we have met a like committee of the Senate, consisting of Senators Jones, Flint and Caminetti, and we report that the Committee on Conference is unable to agree, and we recommend that a Committee on Free Conference be appointed.

AMBROSE,
WELDON,

Assembly Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Benedict, Gelder and Guill as a Committee on Free Conference on Senate Bill No. 868.

SPECIAL JOINT RULE SUSPENDED.

Mr. Bohnett moved that Special Joint Rule No. 1 be suspended and that Assembly Bills Nos. 644, 1285, 1645, 534, 1352, 2134, 1554, 836, 1144 and Assembly Concurrent Resolutions Nos. 38 and 40 be taken up for consideration.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 644—An Act granting to the town of Emeryville the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the town of Emeryville, and regulating the management, use, and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 644 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Moorhouse, Mouser, Murray, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—49.

NOES—Messrs. Ford, Slater, and White—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1285—An Act to amend Section 1577 of the Political Code of the State of California, with reference to the formation of new petition for changing boundaries of old joint districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1285 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Slater, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1645—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 210.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1645 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Bush, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Johnson, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California, relating to the appointees of the Secretary of State, and the salaries of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 534 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Strine, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520, 1521 and 1522 of the Political Code of the State of California, relating to the State Board of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 836 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gates, Gelder, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Strine, Tulloch, Walsh, Weldon, White, Wyllie, and Mr. Speaker—48.

NOES—Mr. Ford—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2293, 2295, 2295a and 2300, by adding thereto two new sections, to be numbered 2295b and 2295c, and by repealing Sections 2303, 4201 and 4202 thereof; and to repeal an Act entitled "An Act to provide for the compilation, printing, binding, publishing and distribution of a legislative manual and State Blue Book, or roster, and repealing conflicting Acts," approved February 12, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1144 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, Mouser, Murray, Nelson, Palmer, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 38—Relative to the appointment of a juvenile court inquiry committee.

The question being upon the adoption of the resolution.

A *viva voce* vote was taken, Assembly Concurrent Resolution No. 38 was adopted, and ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 38.

Relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of dependency and delinquency, both as to cause and as to effect, and the need, if any, of amending the juvenile court law.

Resolved by the Assembly of the State of California, the Senate concurring, That a committee of seven persons be appointed, consisting of one member of the senate, and one member of the assembly, and five other persons, for the purpose of studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of dependency and delinquency, both as to cause and as to treatment, and the need, if any, of amending the present juvenile court law.

The president of the senate shall appoint the senate member of said committee, and the speaker of the assembly shall appoint the assembly member of said committee, and the governor shall appoint the remaining five members of said committee, so as to represent, as far as possible, all parties concerned in the problem of the child in the State of California.

Said committee shall make such study and investigation and report from time to time to the governor and on or before the first day of November, 1914, shall make a final report to the governor, to be transmitted to the next regular session of the legislature. For the purpose of such study, investigation and report, such committee may solicit and receive gifts. All moneys received under this concurrent resolution shall be used by said committee for the purposes above set forth, and in such report said committee shall give a detailed account of all receipts and expenditures.

Assembly Concurrent Resolution No. 40—Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco.

The question being upon the adoption of the resolution.

A *viva voce* vote was taken, Assembly Concurrent Resolution No. 40 was adopted, and ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 40.

Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco.

WHEREAS, The proposed extension of the Belt railroad along the water front of the city and county of San Francisco across the water lots of Jefferson street to the United States transport docks will wipe out the boat clubs at the foot of Van Ness avenue by reason of their being shut off from open water; and

WHEREAS, It is the sentiment of the majority of the people of San Francisco that a site be set aside for the use of the San Francisco yachting, swimming and boating public, such sentiment having been shown at the recent bond election for an aquatic park by the more than majority vote therefor; and

WHEREAS, In the cove at the foot of Van Ness avenue there are between two and three blocks of land of which a portion is hereinafter described, which being submerged and owned by the State of California is not now being used; and

WHEREAS, Said water lots owned by the state are available for said yachting, swimming and boating purposes;

Resolved by the Assembly, the Senate concurring, That the Board of State Harbor Commissioners be requested to set aside for the use of the yachting, swimming and boating public of San Francisco and for the use of bona fide amateur yachting, swimming and boating clubs of San Francisco, the water lots comprising one state block owned by the State of California and bounded by Polk and Larkin, and Tonquin and Lewis streets, city and county of San Francisco.

Assembly Bill No. 2134—An Act to amend Chapter 14 of the laws of the extraordinary session of the Legislature of the State of California of 1911, approved December 23, 1911, known as the Public Utilities Act, by amending Sections 2, 5, 17, 42, 56, 57, 59 and 86 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2134 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1352—An Act to amend Sections 764 and 862 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1352 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley,

Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1554—An Act to add a new section to the Civil Code, to be numbered Section 617, relating to the disposition by cemetery corporations of the unclaimed ashes or bodies of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1554 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gates, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Peairs, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Sutherland, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—50.

NOES—Mr. Murray—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1559—An Act providing for the construction of highways by the State in counties, cities and counties and cities, and providing for the payment of the expense of the construction and maintenance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1559 passed by the following vote:

AYES—Messrs. Ambrose, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Collins, Cram, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

Resolved, That Assembly Bills Nos. 2137 and 2139 present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert,

Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McCarthy, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—64.

NOES—None.

SECOND READING OF BILLS.

Assembly Bill No. 2137—An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro, of the city and county of San Francisco, the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same.

Bill read second time.

Assembly Bill No. 2139—Committee Substitute for Assembly Bill No. 2135—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commission on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bills No. 2137 and No. 2139.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bills Nos. 2137 and 2139 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 2137 and 2139, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered to third reading.

THIRD READING OF BILLS.

Assembly Bill No. 2137—An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro, of the city and county of San Francisco, the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2137 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2139—Committee Substitute for Assembly Bill No. 2135—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commission on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2135 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Guill, Hayes, Hinkle, Inman, Judson, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION POSTPONED.

On request of Mr. Finnegan, consideration of motions to reconsider the vote whereby Assembly Bill No. 2000 and Senate Bill No. 177 were refused passage was postponed until the next legislative day.

On request of Mr. Walsh, consideration of motion to reconsider the vote whereby Senate Bill No. 1185 was passed was postponed until the next legislative day.

On request of Mr. Bloodgood, consideration of motion to reconsider the vote whereby Assembly Bill No. 961 was refused passage was postponed until the next legislative day.

RE-REFERENCE OF BILLS.

On motion of Mr. Woodley, Senate Bill No. 1126 was recalled from the Committee on Public Morals and re-referred to Committee on Engrossment and Enrollment for comparison with Assembly Bill No. 1248.

WITHDRAWAL OF BILL.

On motion of Mr. Hinkle, Assembly Bill No. 729 was withdrawn and ordered stricken from the file.

REPORTS OF COMMITTEES ON FREE CONFERENCE.

The following reports of Committees on Free Conference were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office—report that we have met a like committee of the Senate, consisting of Senators Strobridge, Curtin and Birdsall, and we report that the Free Conference Committee agreed upon and recommend that said bill, as amended in Senate on the 23d day of April, 1913, be amended as follows:

In the title strike out the period following the word "office" in line 2 and insert in lieu thereof a comma and the words "and purchasing a site therefor."

Also: In line 1, page 1, strike out "twenty-five" and insert in lieu thereof "fifty".
Also: On line 2, page 1, strike out "\$125,000.00" and insert in lieu thereof "\$150,000.00".

Also: In line 5, strike out the period, and insert a comma and the following: "and purchasing a site therefor."

Also: Strike out Section 2 and insert in lieu thereof the following:

"SEC. 2. No more than the sum of twenty-five thousand dollars of the sum herein provided shall be used for the purpose of purchasing a site for said printing office and the purchase of said site as herein provided shall be under the direction and with the approval of the Governor of the State of California. Upon the acquisition of said site, the state engineer shall proceed to the construction of such building in accordance with the plans for the same approved by the superintendent of state printing.

INMAN,
SLATER,
SUTHERLAND,
STROBRIDGE,
CURTIN,
BIRDSALL,

Assembly Committee on Free Conference.

Senate Committee on Free Conference.

The question being on the adoption of the report.

The roll was called, and report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Chandler, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Ryan, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 847—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911—report that we have met a like committee of the Senate, consisting of Senators Boynton, Kehoe, and Caminetti, and we report that the Committee on Free Conference have agreed to recommend the following: That the Senate concur in the Assembly amendments, and that Senate Bill No. 847 be further amended as follows:

AMENDMENT No. 1.

On page 2, line 24, strike out the semicolon, and in lieu thereof insert a colon.

AMENDMENT No. 2.

On page 3, line 17, strike out the words "two and three", and in lieu thereof insert the words "one and two".

SUTHERLAND,
SMITH,
RICHARDSON,
KEHOE,
BOYNTON,
CAMINETTI,

Assembly Committee on Free Conference.

Senate Committee on Free Conference.

The question being on the adoption of the report.

The roll was called, and report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Morgenstern, Mouser, Murray, Peairs, Richardson, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Hewitt, Carr and Grant as a Committee on Free Conference on Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services—to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 1363—An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MURRAY, Chairman.

The above reported bill ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 958—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the powers of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CRAM, Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Senate Bill No. 813—An Act to regulate the examination of applicants for

license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PEAIRS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1374—An Act to provide for supplying county officers with information concerning bills pending before the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 1376—An Act to add a new section to the Political Code to be known as Section 3665a, relating to the duty of county surveyors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 815—An Act to amend section four thousand two hundred thirty-seven of the Political Code of the State of California, relating to counties of the eighth class—have had the same under consideration, and respectfully report the same back, with recommendation that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1372—An Act to add a new section to the Political Code, to be known as Section 4326, relating to the deposit of money with county treasurers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding

a new section thereto, to be numbered 597*h*, providing for the extermination of the ground squirrel—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1337—An Act to regulate and license the vocation of hunting wild game birds and animals and to provide therefrom revenue for game preservation and restoration—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUILL, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 36—Requesting the President of the United States to propose to the governments of the world the negotiation of an international congress for the conservation of wild life to be held during the session of the Panama-Pacific International Exposition.

Also: Senate Joint Resolution No. 35—Relative to acquisition of title under homestead law.

Also: Senate Joint Resolution No. 38—Relative to the use of Yerba Buena Island, in San Francisco Bay, as a union railway terminal, requesting and directing the State Board of Harbor Commissioners to promote the undertaking, and petitioning Congress to make the necessary cession therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

JOHNSON, Chairman.

The above reported resolutions ordered on file for adoption.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State and making an appropriation of two thousand dollars for such purpose—have had the same under consideration, and respectfully report the same back, and recommend that it do pass and be re-referred to Committee on Ways and Means.

WYLLIE, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 1777—An Act appropriating money to provide for compiling a history of

California for use in the public schools—have had the same under consideration, and respectfully report the same back, without recommendation, and to be re-referred to Committee on Ways and Means.

WYLLIE, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report that Senate Bill No. 1283 is not identical with Assembly Bill No. 1123.

MOORHOUSE, Chairman.

Senate Bill No. 1283 referred to Committee on Commerce and Navigation.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying bill and other data from J. Corbley Pool, of Santa Barbara, pertaining to the proposed alterations in the ceiling or other portions of the Assembly Hall, would state that the resolution to the effect that expert services be rendered on the question of acoustics for the Assembly Hall, was passed by the Assembly as a Committee of the Whole, and never came under the consideration of your Committee on Contingent Expenses. In order that no injustice be given to the expert or to his services, whatever they may have been, we hereby recommend that the bill, amounting to \$200, be paid, but under protest, in order, as above explained, to absolve your committee of any indiscretion in the matter.

Yours respectfully,

FARWELL, Chairman.

ACOUSTICAL REPORT ON ASSEMBLY CHAMBER.

SACRAMENTO, CAL., February 3, 1913.

Mr. W. F. McClure, State Engineer, State Capitol, Sacramento, Cal.

Sir: In accordance with your request and the resolution passed in the Assembly on Tuesday, January 28th, I have made a thorough investigation of the acoustic properties of the Assembly Chamber and herewith report my findings and estimated cost of correction.

In acoustics a number of elements must be considered. The most common are direct and indirect echo, reverberation and resounding, each requiring separate and distinct treatment.

The chief difficulty lies in the proportions of the room. I also find some reverberation which creates rarification of sound in certain sections of the room. Correction may be made by some alterations of the interior of the chamber, principally lowering the ceiling of room and making some changes in the gallery. The difficulties have been magnified by an erroneous attempt to correct the same through the use of felt and heavy carpets.

The present difficulty is greatly increased by the fact that the parties failing to hear well become uninterested and contribute to the already defective acoustics of the room by talking and rattling of papers.

My estimate of cost to correct the acoustic properties of the Assembly Chamber is \$12,200, not including commission. I will undertake the work, if commissioned to do so, for \$2,000 commission.

Respectfully,

J. CORBLEY POOL.

SANTA BARBARA, CAL., February 3, 1913.

Assembly Branch, California Legislature, Session 1913, debtor,
to J. Corbley Pool.

For investigation of acoustic properties of Assembly Chamber,
together with report and estimate of cost of correction----- \$200 00

Mr. Farwell moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Tulloch, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That eighty new mahogany desks be purchased for the use of the Assemblymen, to match in finish and style the present chairs; also such other new and appropriate furnishings as may be required to complete the furnishings of the Assembly Chamber, including desks and chairs that will match the other furniture, such as desks and chairs of the room, and will properly accommodate the duly accredited press representatives in the Assembly, said purchases to be made by and under the direction of the Committee on Contingent Expenses. Said desks and furnishings shall be purchased from the appropriation made by the Legislature of 1909, Statutes of California, Chapter 6, for the purchase of furniture and furnishings of the Senate and Assembly chambers and committee rooms, upon the approval in writing of the President of the Senate and the Speaker of the Assembly. The order for said furniture shall be placed with the warden of San Quentin prison, John E. Hoyle, or with the warden of Folsom prison, James A. Johnston, so that the material and labor shall be furnished by whichever institution, in the opinion of the committee in charge, is best fitted to carry out the work.

We would state that having seen the sample desk now in the Senate chamber, and realizing that the files are liable to be placed on the top of the roll-top portion of the desk, instead of in the drawers as originally designed, and furthermore, that even the use the said drawers would require might seriously interfere with space between the members' chairs for the use of the stenographer or visitor—therefore we would state that we have had the same under consideration, and respectfully report back, and recommend that it be not adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report.

Motion carried.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That there is hereby appropriated out of the Contingent Fund of the Assembly the sum of \$615.00, or so much thereof as may be needed, for the purpose of purchasing boxes, packing, marking and expressing all papers and documents belonging to Assemblymen to their places of residence at the close of the session. The Sergeant-at-Arms of the Assembly shall cause this work to be done, and he shall file with the Controller of the State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant in favor of the Sergeant-at-Arms for the amount necessarily expended and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Richardson, Scott, Shannon, Slater, Smith, Sutherland, Tulloch, Woodley, and Mr. Speaker—51.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

WHEREAS, It is necessary to continue certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the present session of the Legislature on and after April 30, 1913, to properly accommodate said latter body, and also to do certain necessary repair and general clean-up work of the legislative chamber and committee rooms after adjournment; now, therefore be it

Resolved, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Assembly in favor of Geo. G. Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of five hundred dollars (\$500), said amount being in payment of said services.

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Morgenstern, Mouser, Murray, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Sutherland, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of L. B. Mallory, Chief Clerk, for the sum of \$268.71, said amount to pay the various bills attached, and the State Treasurer is hereby directed to pay the same.

Sleeper & Steever -----	\$1 75
Pacific Telephone and Telegraph Co. -----	2 15
Globe Express Co. -----	5 48
Wells Fargo & Co. Express -----	15 10
Western Union Telegraph Co. -----	244 23
Total -----	\$268 71

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of L. B. Mallory, Chief Clerk, for the sum of two hundred and

eighty dollars and twenty cents (\$80.20) out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, being in payment of the following bills attached:

A. A. Van Voorhies & Co.—

1 gross shoe laces -----	\$0 55	
2 gross shoe laces, at 70 cents -----	1 40	
		\$1 95

W. F. Purnell—

1 ream No. 7½ ruled and numbered typewriter paper-----		2 25
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The Wholesale Typewriter Company—

Rent of 22 typewriters for four months, at \$3 each		
per month -----	\$264 00	
Rent of 2 typewriters for 2 months, at \$3 each per		
month -----	12 00	
		\$276 00
		\$280 20

Also:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant in favor of L. B. Mallory, Chief Clerk, for the sum of eighty-eight dollars and fifty-five cents (\$88.55) out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, being in payment of the Assembly's portion (one half) of the following bills attached:

H. S. Crocker Company—

1 case paper towels (4/15/13)-----	\$12 50		One half.
1 case paper towels (4/29/13)-----	12 50		
1 case paper towels (5/8/13)-----	12 50		
		\$37 50	\$18 75

Sacramento Glass and Crockery Company—

6 dozen water glasses, at 85c -----	5 10	5 10	2 55
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W. F. Purnell—

4 gross No. 808 Mikado pencils-----	\$20 00		
2 gross No. 151 blue pencils-----	12 00		
1½ gross No. 1929 penholders -----	6 30		
¾ gross Esterbrook No. 1 penholders -----	1 50		
3 gross Eagle draughting pencils -----	12 00		
1 gross No. 976 blue pencils -----	4 50		
		56 30	28 15

Schwabacher-Frey Stationery Company—

1 gross Edwards' 8-oz. paste -----	\$33 00		
8 doz. pints Edwards' paste -----	26 00		
4 doz. quarts Edwards' paste -----	19 20		
		78 20	39 10
		\$177 10	\$88 55

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canapa, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H. Johnstone, W. A. Judson, Killingsworth, Kingsley, Kuck, Morgenstern, Mouser, Murray, Richardson, Roberts, Ryan, Schmitt, Scott, Shanahan, Slater, Strine, Sutherland, Tulloch, Walsh, and Mr. Speaker—50.

NOES—None.

AMENDMENT OF BILLS—(OUT OF ORDER).

Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system

of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

During third reading of the bill, Mr. Benedict moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 19, line 33, of the printed bill, immediately after the word "improvement" and before the word "fails", insert the following: "under this Act, or if the sale of any bonds issued to represent assessments under this Act as hereinafter provided,".

AMENDMENT No. 2.

On page 20, line 12, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "twenty-five".

AMENDMENT No. 3.

On page 28, strike out all of lines 17 and 18 and insert in lieu thereof the following: "mine. If any".

Motion carried.

The Speaker appointed Mr. Benedict as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1312, with instructions, do now report that the instructions of the Assembly have been carried out.

BENEDICT, Select Committee.

Report of select committee and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for violation thereof.

During third reading of the bill, Mr. Canepa moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 10, after the word "investigation", insert the following: "No person employed in a public barber shop or shaving parlor shall shave any other person unless he or she shall use upon himself some method or device to prevent the exhalation of his or her breath into or upon the face of the person being by them shaved.

Motion carried.

The Speaker appointed Mr. Canepa as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 1004, with instructions, do now report that the instructions of the Assembly have been carried out.

CANEPA, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

RE-REFERENCE OF BILLS.

On motion of Mr. Farwell, Assembly Bill No. 1312 was re-referred to Committee on Ways and Means.

RECESS.

At six o'clock and forty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of \$75,000 therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1169—An Act to repeal an Act entitled "An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act," approved March 18, 1905.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1621—An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistance thereto, and making an appropriation therefor; and to repeal an Act entitled "An Act to authorize the Controller of State to appoint an inheritance tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1294—An Act providing for the designation of money in the state treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1763—An Act to declare certain contracts, combinations, arrangements and conspiracies between common carriers, railroads and pipe lines for the transportation of crude oil, and pipe lines constructed for the transportation of crude oil, petroleum or the products thereof, to be in restraint of trade and unfair practices, contrary to public policy as tending to monopoly, and requiring such pipe lines to either become common carriers and public utilities or to procure license and pay fees, and fixing penalties for violations, and authorizing certain court proceedings.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1770—An Act to require private corporations, individuals or association of individuals to procure licenses to permit

them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are operated other than as common carriers; and prohibiting the construction of any more such lines for such purposes for any distance whatsoever across, along, over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing liens to secure same, and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1765—An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1089—An Act providing for the organization and management of mutual workmen's compensation insurance companies, and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1037—An Act to amend Sections 5 and 22 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts." approved March 8, 1909, and as amended by an Act approved April 5, 1911, said amendments relating to the commitment of dependent or delinquent persons, and to orders made by the court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1669—An Act enabling the expenditure of moneys appropriated by an Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin, and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made by John Biddle, Lieutenant Colonel, Corps of Engineers, C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Corps of Engineers, of the United States Army, and printed in the annual report of the Chief Engineer of the United States Army, for the fiscal year

ending June 30, 1907, and making an appropriation for such work," approved March 10, 1909, by removing certain conditions contained in and stipulated by said Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 589—An Act to amend Section 4021 of the Political Code, relative to elective county and township officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 158—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor, and providing an appropriation to carry this Act into effect.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 342—An Act to amend Section 1582 of the Penal Code of California relating to wardens and clerks, salaries, etc., in state prisons.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, of printed bill, in the title thereof, insert a period after the word "code".

Amendment adopted.

AMENDMENT No. 2.

On page 1, of printed bill, strike out everything from and inclusive of the word "of", in line 3 of the title, down to and inclusive of the word "prisons", in line 4 of the title.

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 11, of printed bill, strike out the word "except", and insert in lieu thereof the word "provided".

Amendment adopted.

AMENDMENT No. 4.

On page 1, line 12, of printed bill, strike out the word "twelve", and insert in lieu thereof the word "nine".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 980—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

During second reading of the bill, the following amendment was submitted by the committee:

On page 3, line 7, of printed bill, strike out the numerals "\$6,000", and insert in lieu thereof the following: "seven thousand five hundred dollars".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1776—Amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1749—An Act to amend Section 1196 of the Political Code, relating to providing and printing ballots for elections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1774—An Act to confer upon the Industrial Accident Commission all of the duties, liabilities, authority, powers and privileges conferred and imposed by law upon the Industrial Accident Board, abolishing the Industrial Accident Board and providing for a transfer of its funds to the credit of the Industrial Accident Commission.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1768—An Act to amend an Act entitled "An Act to create a preserve for shell fish and invertebrate animals within a portion of the bay of Monterey, and to prohibit taking the same from such preserve for commercial purposes."

Bill read second time, and ordered on file for third reading.

Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

During second reading of the bill, the following amendment was submitted by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Whenever, by any law of this state, power is granted to any legislative body, or to any board, commission or officer of any county, municipal corporation, district or other public corporation, to erect or construct, or to cause to be erected or constructed, any public building or structure for such county, municipal corporation, district or other public corporation, it shall be the duty of such legislative body, board, commission or other officer, to obtain complete architectural plans, specifications, details, and supervision of construction for any such building or structure the cost of the construction of which shall exceed five thousand dollars, from an architect or architects holding a certificate to practice architecture in this state under the laws thereof relating to the practice of architecture.

SEC. 2. Any architect or architects whose architectural services are obtained under the provisions of section one of this Act, may be appointed by the legislative body, board, commission or other officer having power to erect or construct such public building or structure, or to cause the same to be erected or constructed, without the submission of competitive plans therefor, or such legislative body, board, commission or other officer, may at its discretion, call for competitive plans for such building or structure, and employ the architect or architects whose plans are found and determined by such legislative body, board, commission or other officer to be most satisfactory.

SEC. 3. At the time of the appointment or employment of any such architect or architects, such legislative body, board, commission or other officer shall furnish such architect or architects a statement in writing of the amount of money appropriated for or proposed to be expended for the construction or erection of such building or other structure, and such architect or architects shall furnish plans, specifications and details therefor, so that the cost of such building or other structure shall approximate such amount of money so appropriated or proposed to be expended as nearly as may be. The compensation to be paid to such architect or architects for services rendered for the drawing of plans, specifications and details, for any public building or other structure and for the supervision of construction thereof, under the provisions of this Act, shall not exceed the usual and prevailing compensation for such services when performed for private persons, firms or corporations.

SEC. 4. No legislative body, board, commission, or other officer of any county, municipal corporation, district or other public corporation in this state, having the authority to erect or construct any public building or other structure therein, shall appoint or employ, or obtain the architectural services of any architect or architects for such building or other structure, contrary to the provisions of this Act.

SEC. 5. Nothing in this Act shall prevent the employment by the legislative body, board or commission of any municipal corporation or county of this state of any regularly employed superintendent or other proper officer to perform the services of

an architect upon any building erected by such legislative body, board or commission of any municipal corporation or county.

SEC. 6. An Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all other Acts and parts of Acts in conflict herewith are hereby repealed.

Amend the title as follows:

Strike out all of the title after the word "act", and insert in lieu thereof the following:

"To provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled 'An Act to regulate the erection of public buildings and structures,' approved April 1, 1872, and all Acts, other Acts, and parts of Acts in conflict with this Act."

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1489—An Act to amend Section 1760 of the Political Code of the State of California, relating to state aid for high schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1463—An Act to amend Section 1384 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1464—An Act to amend Section 1373 of the Code of Civil Procedure of the State of California, relating to setting day for hearing petition for letters of administration, and requisites for notice of application.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 664—An Act to grant relief to persons erroneously convicted of felony in the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 594—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NO. 1.

On page 2, line 14, strike out the word "or" and the comma after the word "or", and insert in lieu thereof the following: "or a superintendent or zanjero in the employ of a water company; or,".

Amendment adopted.

AMENDMENT NO. 2.

On page 2, line 8, strike out the semicolon after the word "toll-gate", and insert in lieu thereof the following: "or a superintendent or employee of a gas company:".

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basket ball courts and tennis courts and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 976—An Act to amend Sections 637 and 638 of the Civil Code, relating to building and loan associations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 977—An Act to amend Section 633 of the Civil Code, relating to building and loan associations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 938—An Act to amend Section 863 of an Act numbered 2348, entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1216—An Act to amend Section 4239 of the Political Code of the State of California, relating to officers and salaries, fees and compensation thereof, in counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 14—An Act providing for the construction and equipment of a laboratory building for the use of the department of agriculture of the University of California in any or either of the counties of Los Angeles, Riverside, Orange, San Bernardino, San Diego, Imperial, Ventura or Santa Barbara, and making an appropriation therefor.

Assembly Bill No. 32—An Act making an appropriation for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Assembly Bill No. 209—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Assembly Bill No. 292—An Act appropriating money for the purchase of additional land for the Los Angeles State Normal School.

Assembly Bill No. 299—An Act appropriating money for the construction of a school building and assembly hall at Sonoma State Home.

Assembly Bill No. 301—An Act appropriating money for building, equipping and furnishing a cottage for epileptics at Sonoma State Home.

Assembly Bill No. 303—An Act appropriating money for building quarters for farm hands at Sonoma State Home.

Assembly Bill No. 533—An Act appropriating money for the construction and equipment of buildings on the property of the Fresno State Normal School.

Assembly Bill No. 702—An Act appropriating money for dredging and improving the Mokelumne River, provided an equal amount is appropriated by the United States.

Assembly Bill No. 986—An Act providing for the acquisition of a site for an armory and state arsenal at the city of Livermore, and providing for a commission to select and acquire by donation said site, and providing for the erection of an armory and arsenal on said site and appropriating money therefor.

Assembly Bill No. 1112—An Act to authorize the repayment to Isabelle Martin, as executrix of the last will of James E. Martin, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of nineteen hundred and sixteen dollars, and for such purpose authorizing the State Register to issue a certificate to said executrix for the amount so paid for said indemnity certificates, and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the state school land fund.

Assembly Bill No. 1281—An Act appropriating the sum of \$5,000 for the erection of a monument to commemorate the raising of the Bear Flag in the city of Sonoma.

Assembly Bill No. 1368—An Act reappropriating \$964.98 from the unexpended balance of the fund created by an Act of the Legislature of the State of California, entitled "An Act making an appropriation for the expenses of the National Guard in case of insurrection, invasion, tumult, riot or imminent danger thereof," approved April 12, 1909, to pay National Guardsmen for services rendered at Ocean Park fire in September, 1912.

Assembly Bill No. 1633—An Act appropriating money for the purchase of additional land for the San Diego State Normal School.

Assembly Bill No. 1647—An Act to amend Section 3 and Section 12 of an Act entitled "An Act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, and providing for the laying out, constructing, straightening, improvement and repair of such main public highways within the corporate limits of incorporated cities or towns.

And were presented to the Governor this ninth day of May, at ten o'clock a.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 531—An Act appropriating money for the construction of temporary buildings at Fresno State Normal School.

Assembly Bill No. 532—An Act appropriating money for the equipment and furnishing of buildings at Fresno State Normal School.

Assembly Bill No. 555—An Act ratifying and confirming the proceeding heretofore taken by the board of trustees of the state normal school at Los Angeles and the Normal Site Company, a corporation, with reference to the sale by said board of trustees and the purchase by said company of the lands and buildings of the State Normal School at Los Angeles.

Assembly Bill No. 782—An Act appropriating money to pay the claim of Tuolumne County against the State of California.

Assembly Bill No. 1001—An Act to provide one additional judge of the Superior Court of the county of Contra Costa.

Assembly Bill No. 1096—An Act to amend Section 1489 of the Political Code, relating to the powers and duties of normal school boards.

Assembly Bill No. 1247—An Act dedicating certain land in the city of Los Angeles for the purpose of widening Vermont avenue, and directing the board of trustees of the state normal school at Los Angeles to convey the same to the city of Los Angeles for that purpose.

Assembly Bill No. 1373—An Act to make an appropriation for maintenance of the Trinity-Humboldt state road.

Assembly Bill No. 1375—An Act to make an appropriation for maintenance of the state road from Meyers Station to McKinneys.

Assembly Bill No. 1377—An Act making an appropriation for maintenance of the Emigrant Gap state road.

Assembly Bill No. 1495—An Act to amend the Penal Code by adding a new section thereto to be known as Section 653e, relating to wages to be paid to certain employees of the State of California or of any political subdivision thereof, whether such employees be employed directly or by contractors or subcontractors of the same; making it the duty of the Commissioner of the Bureau of Labor Statistics upon demand and for the purposes of this Act, to determine and certify the rate of wages prevailing in any trade or occupation in any locality; providing the manner of enforcing the provisions of this Act, and fixing penalties for the violation thereof.

Assembly Bill No. 1508—An Act to amend Section 295 of the Civil Code of the State of California, relative to oath of officer to subscription of stock and payment of ten per cent.

Assembly Bill No. 1642—An Act appropriating money to pay the claim of the Fowler Independent Telephone Company against the State of California.

Assembly Bill No. 1685—An Act to provide for the establishment of a fiscal agency for the State of California in the city of New York, in the State of New York, and prescribing the duties of such fiscal agency and the duties of the public officers in relation thereto.

And were presented to the Governor May 9, 1913, at two o'clock p.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined the following:

Assembly Bill No. 716—An Act to establish a state school to train persons for practical service in governmental work of city, county and state, and to make an appropriation therefor.

Assembly Bill No. 1284—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California.

And report that the same have been correctly engrossed.

MOORHOUSE. Chairman.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1713—An Act to prevent the introduction of rabies or other animal diseases dangerous to human beings, into portions of the State not infected; to control the spread of such diseases after introduction; and authorizing the State Board of Health to make rules and regulations therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1713 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Murray, Roberts, Ryan, Schmitt, Scott, Simpson, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—46.

NOES—Messrs. Polsley, Shearer, and White—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1416—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1416 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Murray, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 123—An Act to provide for the licensing and regulation of hospitals and special hospital nurses in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 123 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell,

Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill 697—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 697 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Moorhouse, Mouser, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Strine, Sutherland, Tulloch, Walsh, Weisel, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 508—An Act to amend Section 372 of the Code of Civil Procedure providing for a compromise of suits by guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 508 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bradford, Brown, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, McCarthy, Mouser, Roberts, Ryan, Schmitt, Shannon, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, White, Wyllie, and Mr. Speaker—42.

NOES—Mr. Emmons—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1064—An Act recognizing and establishing that the unpaid expenses of the convention which framed the present Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1064 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Moorhouse, Mouser, Nelson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Walsh—46.

NOES—Messrs. Dower, Griffin, Johnson, Geo. H., Libby, Murray, Shearer, and Simpson—7.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM. IN THE CHAIR.

At eight o'clock and fifty minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Senate Bill No. 905—An Act to promote the general welfare of the people of this State by creating and enforcing a liability on the part of employers to compensate their employees, and the dependents of such employees, for accidental injury or death in the course of the employment, irrespective of the fault of either party and to provide for the settlement of disputes by the Industrial Accident Commission; by creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration; by requiring safety in all employments and places of employment in this State to be safe and providing the means and methods of enforcing such safety; to require reports of industrial accidents; to provide penalties for offenses by employers, their officers, agents and by employees and other persons and corporations; to change the name of the Industrial Accident Board to Industrial Accident Commission; to provide for its organization; define its powers and duties and provide for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act and also repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

During third reading of the bill, Mr. Byrnes moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

Amend title by substituting "an accident fund" for "a state compensation insurance fund", after the word "creating", in line 8.

AMENDMENT No. 2.

Amend Section 1 by substituting "accident fund" for "state compensation insurance fund", in lines 20 and 21, page 2.

AMENDMENT No. 3.

Amend Section 33c by striking out the words "state compensation insurance fund", in line 31, page 26, and inserting in lieu thereof "accident fund".

AMENDMENT No. 4.

Amend Sections 36 to 48, inclusive, by striking out such entire sections and substituting the following in lieu thereof:

SEC. 36. Whenever ten or more employers (of the same or kindred classes of industry) who have become subject to the provisions of this Act, and who have on their payrolls in this state an aggregate number of not less than ten thousand employees, shall, in writing, request the insurance commissioner of California so to do he shall assume charge of levying and collecting from them such premiums, assessments and dividends as may, from time to time, be necessary to pay the sums which shall become due to their employees, or dependents of their employees, as compensation under the provisions of this Act, and for its administration and shall disburse the same to the persons entitled to receive said compensation; *provided, however*, that neither the insurance commissioner nor the State of California shall become or be liable or responsible for the payment of claims for compensation under the provisions of this Act beyond the extent of the funds so collected and received by him as hereinafter provided.

SEC. 37. The insurance commissioner shall immediately upon assuming the administration of the collection and disbursement of the moneys referred to in the preceding section, cause to be created in the state treasury a fund to be known as "accident fund." Each such employer shall contribute to this fund to the extent of such premiums or assessments as the commissioner shall deem necessary to pay the compensation accruing under this Act to employees of such employers or to their dependents, and to provide the reserve hereinafter referred to, which premiums and assessments shall be levied in the manner and proportion as hereinbefore and hereinafter set forth. Said premiums and assessments levied for such purposes shall be subject to readjustment from time to time by the insurance commissioner as may become necessary.

SEC. 38. The insurance commissioner shall be entitled to inspect the plant, workroom, shop or premises of any subscriber contributing to said accident fund, and for such purposes to appoint inspectors who shall have free access to all such premises during the regular working hour.

SEC. 39. Said insurance commissioner shall determine the amount of the premiums or assessments which the subscribers of said accident fund shall pay for said administration and the payment of said compensation benefits by him, in accordance with the nature of the business in which said subscribers respectively are engaged, and the probable risk of injury to their employees, the experience of said risk and the conditions under which said work is performed, and shall fix the premiums and assessments at such amounts as in his judgment shall be sufficient to enable him to pay to the employees, or their dependents, of such subscribers all sums which may become due and payable to them under the provisions of sections thirty-six to forty-eight, inclusive, of this Act, together with the expense of conducting said business. In fixing said premiums or assessments payable by such subscribers, said insurance commissioner may take into account the degree of hazard, the condition of the plant, workroom, shop or premises of such subscriber in respect to the safety of the employees therein, and the experience of the risk, together with the conditions under which said work is performed and he may, from time to time, change the amount of premiums payable by any of the subscribers, as circumstances may require, and as said conditions, risk and hazard may justify, and may increase the premium of any subscriber neglecting to provide safety devices required by law.

SEC. 40. If any employer shall make default in payment of any contribution, premium or assessment required as aforesaid by the insurance commission, the sum due shall be collected by an action at law in the name of the state as plaintiff, and such right of action shall be in addition to any other right of action or remedy.

SEC. 41. The insurance commissioner, annually, on the first day of January or within thirty days thereafter, shall prepare under oath, and file in his office, a statement of the condition of such accident fund on the thirty-first day of December, next preceding, exhibiting therein such facts as may be applicable to the business of operating, maintaining, investigating and disbursing said accident fund, together with such other information as is necessary to reveal the true financial condition of such accident fund and its liabilities.

SEC. 42. Any employer subject to the provisions of Sections 36 to 48, inclusive, of this Act, who has complied with all the rules, regulations and demands of the industrial accident commission and the insurance commissioner may withdraw from said accident fund at the expiration of the period of one year from the date upon which he became subject to the provisions of Sections 36 to 48, inclusive, of this Act; *provided, however*, that he shall give written notice of such withdrawal to said insurance commissioner at least thirty days before the expiration of such period; *and provided, further*, that if at the time of such withdrawal liability may exist against such employer for any contribution, premium or assessment as provided in Section 39 hereof, such employer shall either pay into said accident fund such contribution, premium, or assessment in cash, or shall otherwise protect and indemnify said insurance commissioner against such liability in such reasonable manner as he may require. If there be not, at any time, in said accident fund, in cash over and above the unearned premium on undetermined risks, sufficient money for the payment of accrued losses and expenses, said insurance commissioner shall make an assessment for the amount needed to pay such losses and expenses upon the subscribers to such fund liable to assessment therefor, in proportion to their several liabilities. In determining the unearned premium and the accrued losses and expenses for the purpose of Sections 36 to 48, inclusive, of this Act, said insurance commissioner shall be subject to and governed by the provisions of law applicable to stock companies engaged in furnishing and providing insurance against loss under the terms and provisions of this Act.

SEC. 43. Said insurance commissioner shall invest and keep invested the funds in said accident fund, excepting such cash as may be required in the transaction of his business therein, in bonds and other property in the same manner as is provided by the laws of this state, with respect to investment of the funds and properties of companies, stock companies, corporations and other associations engaged in the business of insuring against loss from liability on account of damages obtained for personal injury and against loss on account of the compensation benefits provided for by this Act.

SEC. 44. In case any controversy shall arise between the insurance commissioner and any employer subject to the provisions of Sections 36 to 48, inclusive, of this Act, relative to any rule or regulation adopted by said insurance commissioner, or any decision made by him in respect to the collection, administration and disbursement of such funds, or in case any controversy shall arise between any employee claiming compensation under the provisions of this Act and said insurance commissioner, all such controversies of every kind and nature shall be subject to review by the industrial accident commission in like manner and with the same force and effect in all respects as are claims for compensation under this Act.

SEC. 45. The books, records and pay rolls of each employer subject to the provisions of Sections 36 to 48, inclusive, of this Act shall always be open to inspection

by the insurance commissioner, or his duly authorized agent or representative, for the purpose of ascertaining the correctness of the amount of the payroll reported, the number of men employed, and such other information as the commissioner may require in the administration of said fund. Refusal on the part of any such employer to submit said books, records and payrolls, for such inspection shall subject the offending employer to a penalty of fifty dollars for such offense, to be collected by civil action in the name of the insurance commissioner, and paid into the accident fund, and the individual who shall personally give such refusal shall be guilty of a misdemeanor.

SEC. 46. The insurance commissioner shall issue proper receipts for all moneys so collected and received from employers, as aforesaid, and shall take receipts for all sums paid to employees for compensation under the provisions of this Act, and shall keep full and complete records of all business transacted by him in the administration of such funds. He may employ such deputies and assistants and clerical help as may be necessary for the proper administration of said fund and the performance of the duties imposed upon him by the provisions of this Act, and may also remove them. The insurance commissioner and such deputies and assistants shall be entitled to receive their actual and necessary expenses while traveling on the business of the fund, but all such salaries and all expenses so authorized by the provisions of this Act shall be charged to and paid out of said accident fund.

SEC. 47. Disbursements from said accident fund shall be made promptly when due, but only upon warrants approved by the state board of control upon vouchers therefor transmitted to it by the insurance commissioner. If at any time there shall not be sufficient money in said fund wherewith to pay the same, the employer on account of whose workmen it was that such warrant was drawn shall pay the same, and he shall be credited upon his next contribution to such fund the amount so paid, with interest thereon at the legal rate, from the date of such payment to the date such next following contribution becomes payable, and if the amount of the credit shall exceed the amount of the contribution he shall be repaid such excess.

SEC. 48. If this Act shall be repealed, all moneys which are in the accident fund at the time of such repeal shall be subject to disposition under the direction of the superior court for the county of Sacramento, with due regard, however, to the obligation incurred and existing to pay the compensation under the provisions of this Act, and the expenses of administering said fund.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bowman, Bradford, Byrnes, Griffin, Guiberson, Killingsworth, Murray, Roberts, Schmitt, Shartel, Weldon, White, and Wyllie—13.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Richardson, Ryan, Scott, Shannon, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, and Woodley—48.

Bill read third time.

PREVIOUS QUESTION.

Mr. Bohnett moved the previous question.

Motion carried.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 905 finally passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Pairs, Richardson, Roberts, Ryan, Scott, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, and Mr. Speaker—55.

NOES—Messrs. Bowman, Byrnes, Griffin, Guiberson, Killingsworth, Libby, Murray, Polsley, Schmitt, Shannon, Simpson, Weldon, and Wyllie—13.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At ten o'clock and thirty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Senate Bill No. 1357—An Act to amend Section 1664 of the Code of Civil Procedure, relating to proceedings for the establishment of heirship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1357 finally passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1299—An Act relating to real estate brokers in the State of California, creating a board to be known as the state advertising board; providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a state advertising fund; and providing for its collection and expenditure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1299 finally passed by the following vote:

AYES—Messrs. Beck, Bloodgood, Bowman, Bradford, Canepa, Clarke, Geo. A., Dower, Ellis, Finnegan, Fish, Gates, Gelder, Green, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Roberts, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, White, and Mr. Speaker—45.

NOES—Messrs. Ambrose, Benedict, Bohnett, Brown, Bush, Cary, Chandler, Collins, Cram, Emmons, Ferguson, Fitzgerald, Gabbert, Guill, Kingsley, McCarthy, McDonald, Nelson, Richardson, Ryan, Schmitt, Sutherland, Woodley and Wyllie—24.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1413—An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1413 finally passed by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bohnett, Bush, Cary, Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Nolan, Richardson, Ryan, Scott, Shartel, Simpson, Slater, Smith, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—44.

NOES—Messrs. Benedict, Bradford, Clarke, Geo. A., Guiberson, Libby, Moorhouse, and Strine—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 390—An Act to amend Section 1 of an Act entitled "An Act in relation to pandering; to define and prohibit the same, and to provide for punishment thereof; for the competency of certain evidence at the trial therefor," approved February 8, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 390 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Morgenstern, Mouser, Nelson, Richardson, Roberts, Schmitt, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

During third reading of the bill, Mr. Inman moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 14, insert after the word "first", "or sixth".

Roll call regularly demanded.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Bohnett moved a call of the House.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Brown, Clark, Wm. C., Ellis, Emmons, Finnegan, Fish, Gabbert, Gates, Guill, Hinkle, Johnstone, W. A., Judson, Moorhouse, Morgenstern, Mouser, Polsley, Roberts, Smith, Strine, Sutherland, Woodley, Wyllie, and Mr. Speaker—28.

NOES—Messrs. Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Dower, Farwell, Ferguson, Fitzgerald, Gelder, Green, Griffin, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kuck, Libby, McDonald, Nelson, Nolan, Richardson, Schmitt, Scott, Shannon, Shartel, Simpson, Stuckenbruck, Wall, Walsh, Weisel, Weldon, and White—38.

The roll of absentees was called, and motion to appoint select committee carried by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Bush, Byrnes, Canepa, Clarke, Geo. A., Collins, Dower, Emmons, Farwell, Ferguson, Fitzgerald, Gelder, Green,

Griffin, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kuck, Libby, McCarthy, McDonald, Nolan, Richardson, Ryan, Schmitt, Shannon, Shartel, Simpson, Stuckenbruck, Wall, Walsh, Weisel, Weldon, and White—39.

NOES—MESSRS. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Cary, Clark, Wm. C., Cram, Ellis, Finnegan, Fish, Gabbert, Gates, Guill, Hinkle, Johnstone, W. A., Judson, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Polsley, Roberts, Scott, Smith, Strine, Sutherland, Tulloch, Woodley, Wyllie, and Mr. Speaker—32.

The Speaker appointed Mr. Inman as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 672, with instructions, do now report that the instructions of the Assembly have been carried out.

INMAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

NOTICE OF MOTION TO RECONSIDER.

Mr. Shartel gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1299 was this day passed.

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

During third reading of the bill, Mr. Clark moved that the Speaker appoint a select committee of one to amend the bill as follows:

AMENDMENT No. 1.

On page 15, line 15, before the word "shall", insert the words "or municipal water districts organized under the laws of this state".

AMENDMENT No. 2.

On page 20, line 24, insert the words "or municipal water districts" after the word "municipalities".

Motion lost.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 890—An Act adding a new section to the Penal Code of the State of California, to be known and numbered as Section 508½, relating to embezzlement—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad spurs, betterments, and appurtenances, and necessary dredging and filling in

connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

INMAN, Chairman.

The above reported bill ordered on file for second reading, and re-referred to Committee on Ways and Means.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference on Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of a contract for such services.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 868—An Act making an appropriation for obtaining legal services regarding the validity of proposed legislation affecting certain bonds of the State, and authorizing the execution of contract for such services—report that we have met a like committee of the Senate, consisting of Senators Hewitt, Carr, and Grant, and we report that the Committee on Free Conference agreed upon and recommends that the following amendments be adopted:

AMENDMENT No. 1.

Amend the title of the printed bill by striking out all of lines 2, 3, 4 and 5 of the title, and inserting in lieu thereof the following: "making an appropriation to pay the claim of the firm of Dillon, Thomson & Clay, of New York City, against the State of California."

AMENDMENT No. 2.

Strike out all of the printed bill from and including line 1, page 1, to and including line 37, page 2.

AMENDMENT No. 3.

On page 3, of the printed bill, strike out all of Section 1, and insert in lieu thereof the following:

"SECTION 1. The sum of one thousand dollars is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, to pay the claim of the firm of Dillon, Thomson & Clay, of New York City, against the State of California."

AMENDMENT No. 4.

On page 3, strike out all of Section 2, and insert in lieu thereof the following: "SEC. 2. The state controller is hereby authorized to draw his warrant for the sum made payable by this Act, and the state treasurer is directed to pay the same."

AMENDMENT No. 5.

On page 4, of the printed bill, strike out all of Section 3.

HEWITT,
CARR,
GRANT,

Senate Committee on Free Conference.

BENEDICT,
GELDER,
GUILL,

Assembly Committee on Free Conference.

The question being on the adoption of the report.

The roll was called, and report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Clark, Wm. C., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gates, Gelder, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Libby, McCarthy, McDonald, Mouser, Nolan, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Stuckenbruck, Wall, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

MR. SPEAKER: In explanation of my refusal to vote on Senate Bill No. 905, I wish to state that it has not been my privilege to study the bill as amended and arrive at any satisfactory conclusion as to the merits and demerits of the bill. It was my hope that the bill would be fully discussed before its final passage, and its good and bad features brought out, so that those (if there were any others) who had not definitely decided upon their action might vote with some slight degree of intelligence at least.

Contrary to my expectations, and before the bill had been discussed before the Assembly scarcely an hour, the previous question was moved and carried and final vote thereupon had upon a measure of fifty-nine pages, and one of the most important, if not the most important, before the present Legislature. Under the circumstances, I did not feel that I could vote conscientiously upon the bill.

GEO. H. JOHNSON.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes p.m., on motion of Mr. Mouser, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Saturday, May 10, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polesley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Walsh, the further reading was dispensed with.

RECONSIDERATIONS.

In accordance with the notice given by Mr. Polsley on a previous day, Mr. Johnston moved that the vote whereby Assembly Bill No. 813 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Alexander, Chandler, Clarke, Geo. A., Polsley, Schmitt, and Weldon—6.

NOES—Messrs. Beck, Benedict, Bowman, Bradford, Brown, Cary, Dower, Ellis, Emmons, Ferguson, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnson, T. D., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Nelson, Palmer, Pairs, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Woodley, and Wyllie—37.

Bill ordered transmitted to the Senate.

In accordance with the notice given by Mr. Clark on a previous day, Mr. Sutherland moved that the vote whereby Assembly Concurrent Resolution No. 17 was adopted be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bradford, Clark, Wm. C., Clarke, Geo. A., Finnegan, and Judson—5.

NOES—Messrs. Alexander, Beck, Bloodgood, Bowman, Brown, Cary, Chandler, Cram, Dower, Ellis, Ferguson, Gabbert, Gelder, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Kuck, Moorhouse, Mouser, Murray, Nelson, Palmer, Ryan, Schmitt, Scott, Simpson, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Wyllie—37.

Assembly Concurrent Resolution No. 17 ordered transmitted to the Senate.

In accordance with the notice given by Mr. Shartel on a previous day, Mr. Inman moved that the vote whereby Senate Bill No. 1299 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Alexander, Brown, Cary, Clark, Wm. C., Ferguson, Polsley, and Schmitt—7.

NOES—Messrs. Beck, Bloodgood, Bowman, Bradford, Clarke, Geo. A., Dower, Ellis, Finnegan, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Hinkle, Inman, Johnson, Geo. H., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Palmer, Pairs, Roberts, Ryan, Scott, Simpson, Slater, Stuckenbruck, Tulloch, Wall, Weisel, Weldon, White, and Woodley—38.

Bill ordered transmitted to the Senate.

In accordance with the notice given by Mr. Schmitt on a previous day, Mr. Pairs moved that the vote whereby Assembly Bill No. 1684 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Mr. Schmitt—1.

NOES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Clarke, Geo. A., Ellis, Ferguson, Finnegan, Gabbert, Gates, Green, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Pairs, Scott, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Wall, Weisel, White, Woodley, and Mr. Speaker—41.

Bill ordered transmitted to the Senate.

In accordance with his notice given on a previous day, Mr. Kuck moved that the vote whereby Assembly Bill No. 447 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bagby, Bohnett, Bowman, Byrnes, Cram, Emmons, Ferguson, Gates, Guiberson, Inman, Johnstone, T. D., Johnstone, W. A., and Schmitt—13.

NOES—Messrs. Alexander, Bloodgood, Brown, Chandler, Clarke, Geo. A., Dower, Finnegan, Gelder, Green, Griffin, Guill, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Ryan, Scott, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, White, Woodley, and Wyllie—34.

Bill ordered transmitted to the Senate.

In accordance with the notice given by Mr. Shannon on a previous day, Mr. Nelson moved that the vote whereby Assembly Bill No. 2125 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Chandler, Clark, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Guiberson, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McDonald, Moorhouse, Murray, Nelson, Palmer, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weldon, White, Woodley, and Mr. Speaker—47.

NOES—Messrs. Peairs and Wyllie—2.

Assembly Bill No. 2125—An Act appropriating money to pay the claim of Frank P. Cady against the State of California.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2125 passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Ford, Gabbert, Green, Griffin, Guiberson, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Polsley, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—51.

NOES—Mr. Chandler—1.

Title read and approved.

Bill ordered transmitted to the Senate.

In accordance with the notice given by Mr. Inman on a previous day, Mr. Polsley moved that the vote whereby Assembly Bill No. 2133 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Mr. Palmer—1.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Chandler, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Ford, Gabbert, Gates, Green, Griffin, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McDonald, Morgenstern, Murray, Nelson, Polsley, Schmitt, Scott, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—48.

Bill ordered transmitted to the Senate.

In accordance with the notice given by Mr. Mouser on a previous day, Mr. Johnston moved that the vote whereby Assembly Bill No. 2012 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Collins, Dower, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert,

Gates, Griffin, Guiberson, Guill, Inman, Johnston, T. D., Kuck, Libby, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Ryan, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weldon, Woodley, Wyllie, and Mr. Speaker—44.

NOES—Mr. Chandler—1.

Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2012 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Collins, Dower, Ellis, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Griffin, Guiberson, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Tulloch, Weldon, Woodley, and Wyllie—51.

NOES—Mr. Chandler—1.

Title read and approved.

Bill ordered transmitted to the Senate.

In accordance with the notice given by Mr. Brown on a previous day, Mr. Wyllie moved that the vote whereby Assembly Bill No. 57 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bloodgood, Clark, Wm. C., Ferguson, Fitzgerald, Ford, Gates, Schmitt, Smith, Sutherland, and Mr. Speaker—10.

NOES—Messrs. Alexander, Bagby, Beck, Bowman, Brown, Chandler, Clarke, Geo. A., Dower, Emmons, Gabbert, Guill, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Roberts, Shartel, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, Woodley, and Wyllie—35.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said Acts has forfeited either its charter or right to do business in this State.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto to be known as Section 396a, relating to the driving of vehicles propelled by motor power or by animal power.

Also: Assembly Bill No. 433—An Act to amend section twenty-nine hundred thirty-nine and one half of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Also: Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1749,

1750, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Also: Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Also: Assembly Bill No. 1194—An Act creating a reclamation district to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 6—An Act to add a new section to the Penal Code of the State of California to be numbered 631*d* providing for the breeding and sale of American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, bob white quail, California valley and mountain quail and all varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports; for the fencing of the preserves and for the revocation of licenses.

Also: Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489*a*, relating to reclamation and swamp land districts.

Also: Assembly Bill No. 341—An Act to amend Section 1218 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Also: Assembly Bill No. 76—An Act to amend Section 1490 of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Also: Assembly Bill No. 383—An Act to amend Section 534 of the Political Code of the State of California.

Also: Assembly Bill No. 507—An Act amending sections one and three of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind, and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876.'" (Approved March 22, 1909.)

Also: Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Also: Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Also: Assembly Bill No. 1099—An Act to amend Section 1599 of the Political Code of California, relating to the election of school trustees.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority to any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Also: Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Also: Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Also: Assembly Bill No. 1181—An Act to amend an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903, and as amended by an Act approved March 24, 1911.

Also: Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Also: Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section to be designated as 731a, relating to the abatement of public nuisances and by whom actions may be instituted for such purpose.

Also: Assembly Bill No. 1263—An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

Also: Assembly Concurrent Resolution No. 23—Relative to the mailing of copies of all Acts passed and approved, relating to courts, judicial officers and amendments to codes to each judge of Superior Courts, district attorneys and county clerks of the counties and cities and counties of this State.

W. N. PARRISH, Secretary of Senate.
By FRANK MATTISON, Assistant Secretary.

The above resolutions ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 56—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title and Sections 1, 15, 17 and 18 of said Act and adding a new section thereto, so as to permit the organization of irrigation districts for the purpose of distributing to the individual land owners therein power for pumping water, to provide for the acquisition, development and distribution of electricity or other power by irrigation districts, to provide for the enforcement of by-laws, rules and regulations of such districts and to strike from said Act a provision relating to the assignment of the right to water.

Also: Assembly Bill No. 164—An Act to amend Section 628f of the Penal Code of the State of California, relating to clams and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 56?"

AMENDMENT No. 1.

In the title, strike out all from and including the word "to" in the eighth line down to and including the figures "1104" in the last line of said title, and insert in lieu thereof the following: "and Sections 1, 15, 17 and 18 of said Act and adding a new section thereto, so as to permit the organization of irrigation districts for the purpose of distributing to the individual land owners therein power for pumping water, to provide for the acquisition, development and distribution of electricity or other power by irrigation districts, to provide for the enforcement of by-laws, rules and regulations of such districts and to strike from said Act a provision relating to the assignment of the right to water."

AMENDMENT No. 2.

On page 3, line 12, strike out the period after the word "appurtenances", and insert in lieu thereof a comma and begin the following word "and" with a lower case letter "a".

AMENDMENT No. 3.

On page 4, line 10, after the word "price", insert a comma.

The roll was called, and Senate amendments to Assembly Bill No. 56 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Schmitt, Scott, Shartel, Simpson, Slater, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 164?"

In line 8, after the words "or who," at end of line, insert the following: "during the months of May, June and July sells, offers for sale, or exposes for sale, any clam known to commerce as "mud" clam, soft shell clam, and long neck clam (*Mya arenaria*) or any clam or shellfish known to commerce as cockle clam, and Tomales Bay clam (*Tapes staminea*), shall be guilty of a misdemeanor: and provided, further, that every person who,".

The roll was called, and Senate amendment to Assembly Bill No. 164 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Polsley, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Strine, Tulloch, Weisel, Wyllie, and Mr. Speaker—49.

NOES—None.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 803—An Act to add a new section

to the Political Code, to be known as Section 1617c, relating to the establishment and maintenance of kindergartens, to the levy of taxes for the support of kindergartens and to the discontinuance thereof.

Also: Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901, and 1902, of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 803?"

On page 1, line 3, of the title, strike out the letter "b" after the word "seventeen".

The roll was called, and Senate amendment to Assembly Bill No. 803 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bradford, Byrnes, Chandler, Collins, Dower, Ellis, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Tulloch, Weisel, Wyllie, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1829?"

AMENDMENT No. 1.

On page 1, line 3, strike out the word "or", and insert in lieu thereof the word "and".

AMENDMENT No. 2.

On page 2, line 1, after the word "voter", strike out all of said line, and all of line 2 to and including the word "voter" in said line.

AMENDMENT No. 3.

On page 2, line 3, after the word "registration", strike out the period and the remainder of said line, and all of lines 4, 5, 6, 7, 8, 9, and 10 to and including the period in said line 10, and insert in lieu thereof the following: "as to whether or not such voter is subject to and qualified for military duty, and such statement shall be entered on the voter's affidavit of registration. The said assessor shall examine the aforesaid affidavits of registration and make a list therefrom of all persons eligible for military duty."

AMENDMENT No. 4.

On page 2, line 10, before the word "assessor", insert the word "said".

AMENDMENT No. 5.

On page 2, line 31, before the word "assessor", insert the word "said".

AMENDMENT No. 6.

On page 2, line 35, strike out the words "submitted by", and insert in lieu thereof the words "from the office of".

AMENDMENT No. 7.

On page 3, line 16, after the period, strike out all of said line, and all of lines 17, 18, 19, 20, 21, and 22 to and including the period in said line 22.

AMENDMENT No. 8.

On page 3, line 36, after the figures and period "1901." strike out all of said line, and all of line 37 on said page 3.

AMENDMENT No. 9.

On page 4, line 1, strike out all of said line to and including the word "the" in said line, and insert in lieu thereof the following word: "The".

AMENDMENT No. 10.

On page 4, line 4, strike out the word "three", and insert in lieu thereof the word "five".

AMENDMENT No. 11.

On page 4, line 6, after the word "county", insert the words "so made by him".

AMENDMENT No. 12.

On page 4, line 6, strike out the word "a".

AMENDMENT No. 13.

On page 4, line 6, strike out the word "charge", and insert in lieu thereof the word "charges".

The roll was called, and Senate amendments to Assembly Bill No. 1829 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Byrnes, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Schmitt, Scott, Shartel, Simpson, Smith, Strine, Tulloch, Walsh, Weisel, and Mr. Speaker—47.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure relating to form of judgments and notice thereof to be given to litigants.

Also: Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred and twenty-eight *g* relating to the protection and preservation of salt-water perch.

Also: Assembly Bill No. 1878—An Act to amend section one of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893."

Also: Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1765?"

On page 2, line 3, strike out the words "at least", and insert in lieu thereof the word "within".

The roll was called, and Senate amendment to Assembly Bill No. 1765 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, Moorhouse, Mouser, Nelson, Nolan, Palmer, Peairs, Richardson, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Tulloch, Walsh, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 325?"

On page 1, line 5, after the comma, strike out the words "takes, catches, kills, or has in his possession", and insert in lieu thereof the words: "buys, sells, offers for sale, ships or offers or receives for shipment".

The roll was called, and Senate amendment to Assembly Bill No. 325 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bohnett, Bowman, Bradford, Byrnes, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Green, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Schmitt, Scott, Simpson, Smith, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1878?"

On page 2 of the printed bill, strike out all of lines 27, and the word "recorded" in line 28, and insert in lieu thereof the following: "for filing or recording any statement required to be filed or recorded under the provisions of this Act."

The roll was called, and Senate amendment to Assembly Bill No. 1878 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Byrnes, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Schmitt, Scott, Simpson, Slater, Smith, Strine, Tulloch, Weisel, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1698?"

AMENDMENT No. 1.

On page 1, line 13, at the end of the line, after the word "Siskiyou", insert a comma and the following: "Plumas, Sierra, Nevada, Placer, El Dorado,".

AMENDMENT No. 2.

On page 3, line 11, after the word "notice", add the following: "not to exceed two dollars and fifty cents."

AMENDMENT No. 3.

On page 5, beginning on line 18 and ending on line 23, strike out the semicolon (;) and the words; "provided, that the owner may at any time within one year specified accept if he so desires the stray or estrays in lieu of said sum held by the county treasurer, but must pay all costs, which sum together with the amount held by the county treasurer shall be paid over to the taker-up," and insert in lieu thereof a period (.) .

The roll was called, and Senate amendments to Assembly Bill No. 1698 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, Mouser, Nolan, Palmer, Peairs, Richardson, Schmitt, Scott, Shearer, Simpson, Slater, Smith, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Concurrent Resolution No. 34—Approving a certain amendment to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general

municipal election held therein on the fourteenth day of April, one thousand nine hundred and thirteen—and request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 34?"

On page 4, after line 18, at the end of the bill, add the following: "and
"WHEREAS, The said proposed amendment so ratified, as hereinbefore set forth, has been duly presented and submitted to the legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

"Resolved by the Assembly of the State of California, the Senate concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein). That the proposed amendment to the city charter of the city of Alameda as hereinabove set forth, as presented and submitted to and adopted and ratified by the qualified electors of said city, be, and the same is, hereby approved for and as an amendment to the city charter of the city of Alameda."

The roll was called, and Senate amendment to Assembly Concurrent Resolution No. 34 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Chandler, Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Schmitt, Scott, Shannon, Shearer, Smith, Sutherland, Tulloch, Walsh, Willie, and Mr. Speaker—50.

NOES—None.

Assembly concurrent resolution ordered to enrollment.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

To the Assembly of the State of California:

The joint committee appointed under Senate Concurrent Resolution No. 23 to investigate the conduct of the office of Secretary of State, Frank C. Jordan, incumbent, and of every department and branch thereof and the acts of said Secretary of State and of each or all of his subordinates, deputies or assistants, acting in any capacity and wherever stationed with respect to the duties of such office of Secretary of State or of any other office which he may fill in an ex officio capacity, and upon the conclusion of such investigation to report to both houses of this Legislature the result thereof, together with such conclusions and recommendations as your committee shall deem proper, reports that immediately after being appointed, the committee met and organized by electing Senator Hewitt chairman, Senator Kehoe vice-chairman, and selecting Theodore Roche to examine the witnesses on behalf of said committee; that the taking of testimony was commenced on the 16th day of April, 1913, and concluded on the 26th day of the same month; that during said time testimony, both oral and documentary, was introduced and received; that at all times during the taking of such testimony, said Frank C. Jordan was represented by counsel, who participated in the examination and cross-examination of all witnesses; that all witnesses called by the Board of Control and by said Secretary of State were examined before your committee and the testimony of each witness was taken down in shorthand and afterwards transcribed by Warren A. Doane and Joseph E. Pipher, each of whom was, before taking any testimony, duly sworn to correctly take down in shorthand and afterwards correctly transcribe the testimony of the witnesses testifying before the committee; that the testimony so taken down and transcribed by said reporters consists of eight hundred and eighty-nine (889) typewritten pages, contained in three bound volumes, a copy of which testimony is returned with this report to be filed with your honorable body or disposed of as you may deem proper.

Your committee further reports that the evidence introduced shows that when Frank C. Jordan assumed the duties of Secretary of State he appointed Anita A. Brewer recording clerk in the office of the Secretary of State at a salary of sixteen

hundred (\$1,000) dollars per year, and that she has, ever since her appointment, held that official position and drawn that salary; that during said time she has actually performed the duties of such recording clerk for about one month and the balance of the time has been acting in the capacity of stenographer for said Secretary of State and for Robert V. Jordan, who had charge of the corporation department in said Secretary of State's office, and she has performed said stenographic work in the private office of said Frank C. Jordan, in the office of the Secretary of State.

In addition to attending to the said stenographic work, said Anita A. Brewer has been engaged in making up and preparing for the Secretary of State's office the daily report made by the Secretary of State to the State Controller, showing the number of automobiles registered for which license fees have been obtained, and since about the month of August, 1911, has been engaged in furnishing carbon copies of such reports to various persons, firms and corporations in the State of California, for compensation, that the said work of making and selling said carbon copies of reports as aforesaid was done with the knowledge and consent of said Secretary of State, Frank C. Jordan, who in some instances solicited certain persons or corporations to purchase said reports; that from August, 1911, to January, 1912, other persons not connected with the office of the Secretary of State, were also engaged in furnishing like reports to different persons, firms and corporations; that about the month of December, 1911, the practice was commenced of taking the applications for automobile registrations, as soon as they were filed, to Anita A. Brewer in the said private office of said Frank C. Jordan, and there keeping them for the remainder of the day on which they were filed so that the public was deprived of the opportunity of examining them on that day. That the information obtained from the said applications was, according to the testimony of several witnesses, valuable to those who were willing to pay for it, only when obtained on the day that said applications were filed, and that the said practice of so keeping such applications away from the public, drove out of business those persons, not connected with the office of Secretary of State, who had theretofore been making their livelihood from furnishing such information, and caused all persons desiring such report to apply to said Anita A. Brewer to furnish the same; that as a result of the said practice of withholding said applications from the public, a large business in that line was established and large sums of money collected for work so done. That the said business was so conducted and the work performed under such circumstances that the funds collected therefrom became and were the property of the State of California, and should have been paid into the treasury of the State by said Secretary of State, but that no part of said sum has been so paid into the said treasury. Your committee has been unable to ascertain the exact amount so collected and unpaid into said treasury for the reason that according to the testimony all entries, records, books, papers and documents of every kind relating thereto were destroyed before your committee commenced the investigation, some according to the testimony having been destroyed between the time that the appointment of the committee was requested by the Secretary of State and the date that the committee commenced taking testimony, and practically all attempts to elicit information from said Anita A. Brewer, relative to the sums collected, were met with the response, "I can't remember," and from Frank C. Jordan that he did not know. Your committee was, therefore, forced to collect such information from persons who had paid the money. Not knowing all the persons who had paid such amounts, your committee was unable to get, in that way, a complete account of the moneys so collected, but a sufficient number of persons were found, who produced returned checks for payments made, to show that more than fifty-seven hundred (\$5,700) dollars was so collected in less than sixteen months, and said Anita A. Brewer testified that other parties besides those produced, had paid various sums of money, the amount of which she could not give, but would not swear that they would not aggregate two thousand (\$2,000) dollars additional.

The testimony further shows that a branch office of the Secretary of State's office was established by Frank C. Jordan in the city of Los Angeles, and the same was placed in charge of Frank M. Jordan, son of said Secretary of State. That the purpose in establishing that branch office was to receive applications for automobile registrations in that city; that at said branch office the public records kept of automobile registrations were treated by Frank M. Jordan as private records, and the public was not given access to the same. The applications for automobile registrations were there also so handled that the public was not given access to them on the day on which they were filed, and the same system of selling like reports as those furnished for compensation from the main office at Sacramento was carried on by Frank M. Jordan, in charge of said branch office; that large sums of money were collected at said branch office by said Frank M. Jordan from the selling of said reports that should have been turned into the treasury of the State of California by said Secretary of State, but that no part of said amount has been so paid into said treasury. That the exact amount so collected by said Frank M. Jordan at said branch office has not been ascertained by your committee, but the evidence is sufficient to show that it aggregated, at least, twenty-one hundred (\$2,100) dollars.

Your committee, therefore, feels justified, under the evidence introduced, in

reporting that at least seventy-seven hundred (\$7,700) dollars has been so collected in the office of the Secretary of State through his employees and agents and that the same has not been turned into the treasury of the State. We recommend that the Attorney General be requested to take such steps as he deems proper for the collection of all said sums of money or such sums as may be found to be due to the State of California.

We further find that in failing to account for the aforesaid moneys and pay them into the state treasury, the said Secretary of State has failed to fulfill his obligations to the State of California, and in permitting public records to be withheld from public inspection as aforesaid has been guilty of malfeasance in office.

Your committee further recommends that the attention of the Attorney General of California be called to the testimony given by Anita A. Brewer before the committee to the end that said Attorney General may take such action with reference to said testimony as he may deem proper.

Respectfully submitted.

LESLIE R. HEWITT, Chairman.
WILLIAM KEHOE.
EDWIN E. GRANT.
J. W. GUIBERSON.
W. F. CHANDLER.
H. A. PEAIRS.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Guiberson:

WHEREAS, On account of an unusual dry season in California, feed for live stock of all kind in this State is scarce; and

WHEREAS, It will be impossible to raise or obtain the necessary feed for such stock from the lands in this State, which are subject to private ownership, to furnish an adequate supply for such stock, and that if relief can not soon be obtained, many thousand herds of such stock will perish; and

WHEREAS, The national parks located in the State of California will during the present year afford and do now afford abundance of feed suitable for such stock, and is not now being put to any beneficial use; now, therefore, be it

Resolved, That our representatives in Congress be, and they are hereby, respectfully requested to use all reasonable efforts to procure the use of such national parks for the use of such live stock upon such terms as may be just; and be it further

Resolved, That the Honorable Commissioner of the General Land Office, and the Honorable Secretary of Interior be, and they are hereby, respectfully requested to do all in their power to render the stock men of California such assistance in such respect as may be possible, and that the Clerk of the Assembly be, and he is hereby, instructed to forward a copy of this resolution to our representatives in Congress and to Hon. Franklin K. Lane.

Resolution read, and on motion adopted.

By Mr. Bohnett:

WHEREAS, There has been an unprecedented demand for the various bills and other printed matter during the present session of the Legislature; and

WHEREAS, Many requests have already been made for the final history and chaptered laws;

Resolved, That the Chief Clerk of the Assembly be, and he is hereby, authorized and directed to compile, prepare and have printed, after final adjournment, one thousand (1,000) copies of the final calendar of the legislative business of the fortieth session, comprising a history of all bills, resolutions, etc., introduced, their authors, the number that have become laws, those that have been read on second reading, and any other information that will create a permanent guide and history to the session's business. Together with this shall be the expenditures of the Assembly and Senate and of printing; such information being prepared not only for the book, but as a guide for the forty-first session of the Legislature. When the said final calendar is prepared, the Chief Clerk is directed to mail or express one copy of such calendar to each public library in the State which may apply for the same within the next sixty days after the adjournment of the Legislature, and one copy to each member of the Assembly. The Chief Clerk is further authorized and directed to have printed one thousand (1,000) copies of each bill, resolution or constitutional amendment which have passed both houses and been signed by the Governor, and to mail or express one set of said chaptered laws to each public library in the state which may apply for the same within the next sixty days following adjournment, and one copy to each member of the Assembly. For the payment of postage, expressage, telephoning, telegraphing and other expenses necessary to the carrying out of

the above the State Controller is hereby authorized and directed to draw his warrant, in favor of L. B. Mallory, Chief Clerk of the Assembly, upon the appropriation for contingent expenses of the Assembly, in the sum of five hundred (\$500.00) dollars, or such proportion of said amount as may be necessary to carry out the above, and the State Treasurer is hereby directed to pay the same.

For the purpose of carrying out the object of this resolution, the State Controller is hereby authorized and directed to draw his warrant upon the appropriation for officers and employees of the Assembly, in favor of L. B. Mallory, Chief Clerk, in the sum of six hundred (\$600.00) dollars, and the State Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.
Also:

WHEREAS, It will be necessary for H. A. Harper, Minute Clerk of the Assembly, to remain after the final adjournment of the fortieth session of the Legislature to correct and prepare the final Journal of the Assembly;

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant upon the appropriation for pay of officers and employees of the Assembly in favor of said H. A. Harper, for the sum of forty dollars, and the State Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 2123—An Act appropriating money to pay the claim of Joseph Nelligan against the State of California—which was re-referred to us from the Committee on Claims, have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 974—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Also: Senate Bill No. 515—An Act authorizing the superintendent of public instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State, and making an appropriation of two thousand dollars for such purpose.

Have had the same under consideration, and respectfully report the same back, and recommend they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1751—An Act to amend Section 5 of an Act approved March 11, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California, to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State."

Also: Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Also: Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation

thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1782—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Also: Senate Bill No. 1779—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Also: Senate Bill No. 1212—An Act to amend Section 245 of the Political Code, relating to the number, designation, election, and appointment of officers and employees of the Senate.

Also: Senate Bill No. 1239—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Also: Senate Bill No. 1213—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers, and employees of the Legislature.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CHANDLER, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 337—An Act to amend Section 3676 of the Political Code of the State of California, relating to the subpoena of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENEDICT, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 861—An Act to regulate the business of advertising to treat with or to sell drugs or herbs with intent to cure or mitigate disease and providing a penalty for the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCHMITT, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 459—An Act to amend Section 22½ of an Act entitled "An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, amended March 9, 1909—have had the same under consideration, and respectfully report the same back without recommendation.

SCHMITT, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 2123—An Act appropriating money to pay the claim of Joseph Nelligan against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NOLAN, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to whom was referred Senate Bill No. 1126—An Act to establish a state censor commission to censor moving picture films and to regulate the use thereof in the State of California—have had the same under consideration, and respectfully report that Senate Bill No. 1126 is identical with Assembly Bill No. 1248.

MOORHOUSE, Chairman.

The above reported Senate bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 1052—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to provide sheets of certain dimensions and individual towels for the guests of such hotel, and providing a penalty—and report that the same has been correctly re-engrossed.

MOORHOUSE, Chairman.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 597h, providing for the extermination of the ground squirrel.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On page 1, line 6, after the word "must", strike out the words "immediately take all necessary steps for the extermination of the same", and insert in lieu thereof the following: "use due diligence in the extermination of the same".

Amendment adopted.

AMENDMENT No. 2.

On page 1, line 10, after the word "dollars", strike out the comma and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT No. 3.

On page 1, strike out all of lines 11, 12 and 13.

Amendment adopted.

Bill read second time, and ordered to reprint and on file for third reading.

Senate Bill No. 1372—An Act to add a new section to the Political Code, to be known as Section 4326, relating to the deposit of moneys with county treasurers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1374—An Act to provide for supplying county officers with information concerning bills pending before the Legislature.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 815—An Act to amend Section 4237 of the Political Code of the State of California, relating to counties of the eighth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 890—An Act adding a new section to the Penal Code of the State of California, to be known and numbered as Section 508½, relating to embezzlement.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1778—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1090—An Act providing for the creation of the state workmen's compensation insurance rating bureau, defining its powers and duties and the means and methods to be used in making rates, making provision for the payment of its expense, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1363—An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 958—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the powers of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by certain Act approved May 1, 1911, by repealing section three of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered thirteen b, relating to the practice of medicine and surgery in the State of California, by members of the medical staff of the department of the United States Army or Navy, regular or volunteers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the

issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1337—An Act to regulate and license the vocation of hunting wild game birds and animals and to provide therefrom revenue for game preservation and restoration.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1376—An Act to add a new section to the Political Code to be known as Section 3665a, relating to the duty of county surveyors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 459—An Act to amend Section 22½ of an Act entitled "An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891. (Amended March 9, 1909.)

Bill read second time, and ordered on file for third reading.

Senate Bill No. 861—An Act to regulate the business of advertising to treat with, or to sell drugs or herbs, with intent to cure or mitigate disease and providing a penalty for the violation thereof.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California relating to insane persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 206 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Griffin, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Strine, Weisel, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 180—An Act appropriating money to pay the claim of Thomas Nightingale against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 180 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Far-

well, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 579—An Act to amend Sections 9 and 16 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, relating to the salaries of the director and assistant director and to the times and places of hearing food cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 579 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Ryan, Schmitt, Shannon, Simpson, Smith, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1531—An Act to create a board of harbor commissioners for the port of San Jose, on the southern arm of San Francisco Bay, and to prescribe their powers and duties, and to fix their compensation and the compensation of their employees, and to appropriate money to carry this Act into effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1531 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Finnegan, Fish, Ford, Gabbert, Gates, Green, Griffin, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Ryan, Schmitt, Shannon, Smith, Strine, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 291—An Act to amend Sections 276, 277 and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counsellors at law, and to add three sections to said code, to be known as Sections 276a, 276b and 276c, relating to the same subject, and making an appropriation to carry out the purposes of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 291 refused passage by the following vote:

AYES—Messrs. Bowman, Bush, Byrnes, Chandler, Clark, Wm. C., Dower, Finnegan, Fish, Gabbert, Inman, Johnson, Geo. H., Johnston, T. D., Murray, Nolan, Ryan, Scott, Shannon, Simpson, Strine, Sutherland, Walsh, White, and Mr. Speaker—23.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Clarke, Geo. A., Ellis, Emmons, Farwell, Ford, Gates, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kuck, Libby, McDonald, Morgenstern, Mouser, Palmer, Peairs, Polsley, Slater, Smith, Stuckenbruck, Weisel, Woodley, and Wyllie—36.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bohnett gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 291 was this day refused passage.

HON. W. A. SUTHERLAND IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Hon. W. A. Sutherland, Assemblyman from the Fifty-first District, in the chair.

Senate Bill No. 1600—An Act making an appropriation to pay the claim of William J. Burns against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1600 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Cram, Farwell, Ferguson, Fish, Gabbert, Gates, Green, Guill, Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Morgenstern, Palmer, Peairs, Polsley, Roberts, Schmitt, Shannon, Shartel, Slater, Strine, Sutherland, Weisel, Weldon, Woodley, and Wyllie—42.

NOES—Messrs. Dower, Emmons, Ford, Hayes, Inman, Johnson, Geo. H., Kingsley, McDonald, Murray, Nolan, Richardson, Ryan, Simpson, and White—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 752—An Act to make an appropriation of money for the general improvement and extension of the Lake Tahoe wagon road, a state highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 752 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Richardson, Ryan, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 891—An Act amending Section 589 of the Political Code of the State of California, relating to the salary of the Insurance Commissioner and his deputy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 891 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, Moorhouse, Morgenstern, Nolan, Peairs, Ryan, Scott, Shannon, Shartel, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Walsh, and Weisel—49.

NOES—Messrs. Johnson, Geo. H., and Weldon—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 266—An Act appropriating \$2,500 for the restoration and rebuilding of the old Greek chapel and Russian fort, known as Fort Ross, at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 266 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Stuckenbruck, Sutherland, Weisel, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 167—An Act to make an appropriation for the completion of the road from Meyers station, at the head of the Tahoe state wagon road along the west shore of Lake Tahoe, to McKinneys.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 167 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Richardson, Ryan, Scott, Shannon, Shartel, Slater, Smith, Sutherland, Tulloch, and Wyllie—46.

NOES—Mr. Guiberson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 943—An Act to amend Section 4272 of the Political Code of the State of California, relating to the salaries and fees of officers of counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 943 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McCarthy, McDonald,

Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Wyllie—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 443—An Act making application to repay L. H. Boggs, moneys paid into the state treasury for state lands, which lands were not conveyed to said L. H. Boggs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, White, Woodley, and Wyllie—54.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1014—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing for repayment to the State, and appropriating the sum of \$75,000 therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1014 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—52.

NOES—Mr. Kingsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 158—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor, and providing an appropriation to carry this Act into effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 158 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray,

Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HOOR OF RECESS EXTENDED.

Mr. Bohnett moved that the hour of recess be extended until all county government and appropriation bills be passed.

Motion carried.

Senate Bill No. 1094—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis, and making appropriation therefor, and authorizing cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1094 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Guiberson, Guill, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Schmitt, Simpson, Smith, Sutherland, Tulloch, Woodley, and Wyllie—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1225—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basket ball courts and tennis courts, and for laying out playgrounds for the training school, and equipping same, all at San Jose State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1225 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Roberts, Simpson, Slater, Smith, Sutherland, Tulloch, Woodley, and Wyllie—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1216—An Act to amend Section 4239 of the Political Code of the State of California, relating to officers and salaries, fees and compensation thereof, in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1216 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Ford, Gates, Gelder, Guiberson, Guill, Hinkle, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Richardson, Ryan, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, and Woodley—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 666—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 666 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Cary, Chandler, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnston, T. D., Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Sutherland, and Tulloch—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 995—An Act making an appropriation for office equipment for the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 995 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, and Tulloch—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 337—An Act to amend Section 3676 of the Political Code of the State of California, relating to the subpoena of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1701—An Act to make an appropriation for improving, repairing and protecting the water supply system of the Preston School of Industry.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 515—An Act authorizing the superintendent of public instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State and making an appropriation of two thousand dollars for such purpose.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 974—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1213—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers, and employees of the Legislature.

Bill read second time.

Senate Bill No. 1239—An Act providing for the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis, and for investigation of its prevalence and making an appropriation therefor.

Bill read second time.

Senate Bill No. 1212—An Act to amend Section 245 of the Political Code relating to the number, designation, election, and appointment of officers and employees of the Senate.

Bill read second time.

Senate Bill No. 1779—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Bill read second time.

Senate Bill No. 1782—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Bill read second time.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 1782, 1779, 1212, 1239 and 1213 and Assembly Bill No. 2123.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 1782, 1779, 1212, 1239 and 1213 and Assembly Bill No. 2123 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 1782, 1779, 1212, 1239 and 1213, and Assembly Bill No. 2123, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Bills ordered on file for third reading.

RECESS.

At twelve o'clock and fifteen minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker pro tem. Johnstone in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 295—An Act to amend Section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 295 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Green, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Nelson, Nolan, Palmer, Schmitt, Scott, Shannon, Shartel, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, and Woodley—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1236—An Act to amend Section 1496 of the Political Code, relating to the admission of pupils from other states to the normal schools of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1236 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bowman, Brown, Bush, Byrnes, Cary, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Wyllie—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 619—An Act to amend Sections 2, 3 and 4 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 619 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bush, Byrnes, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Wyllie—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 144—An Act to amend Sections 3, 5, 6 and 7 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 144 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Cary, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Wyllie—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1255—An Act to provide for assessments in reclamation districts where such districts have issued bonds pursuant to an Act entitled “An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation purposes, and their payment by taxation upon the property situated in such reclamation districts.” approved March 27, 1895, or amendments thereof, and providing for the payment of such bonds by levying and collecting assessments, pursuant to the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1255 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gates, Green, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Scott, Shannon, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Woodley, and Wyllie—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

On motion of Mr. Bohnett, the above bill was re-referred to Committee on Ways and Means, with instructions to report back to the Assembly on this legislative day.

Senate Bill No. 11—An Act to amend the Political Code of the State of California by adding thereto a new article, to be designated and numbered Article IXa of Chapter III, of Article III, of Part III of said code, relating to elementary and secondary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 11 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Brown, Bush, Byrnes, Canepa, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Walsh, and Weisel—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1177 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Morgen-

stern, Mouser, Murray, Nelson, Polsley, Richardson, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Wyllie—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 258—An Act in relation to fences and other structures erected to annoy, and for the abatement of nuisances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 258 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Canepa, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Schmitt, Scott, Shannon, Shartel, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Weisel—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 265—An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water-works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 265 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Finnegan, Ford, Gates, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Richardson, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Wyllie—47.

NOES—Messrs. Clark, Wm. C., Ferguson, and Fitzgerald—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1092—An Act to amend Section 1775 of the Code of Civil Procedure of the State of California, relating to the powers and duties of guardians of insane and incompetent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1092 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McCarthy, Morgenstern, Polsley, Richardson, Schmitt, Scott, Shannon, Simpson, Slater, Sutherland, Tulloch, Wall, Walsh, and Weisel—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1568 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Wyllie—49.

NOES—Mr. Finnegan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1630 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Schmitt, Scott, Shannon, Shartel, Simpson, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 788—An Act to provide for the indicating of the net quantity of food stuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 788 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Schmitt, Scott, Shannon, Shartel, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Wyllie—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1298—An Act to amend Section 598 of the Civil Code, relating to the selling, mortgaging, aliening, encumbering or granting of the real property of religious, social and benevolent corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1298 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Polsley, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1686—An Act to amend Section 542a of the Code of Civil Procedure of the State of California, relating to attachment liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1686 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Finnegan, Fitzgerald, Ford, Gabbert, Green, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, White, Woodley, and Wyllie—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 989—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1871, relating to the testimony of expert witnesses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 989 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Bryan, Canepa, Cary, Chandler, Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, and Woodley—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 747—An Act to amend Section 667 of the Penal Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 747 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Guiberson, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Nolan, Peairs, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, and Wyllie—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 172—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the County of Yuba, thence to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

Read second time.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools—which was re-referred to us from the Committee on Education, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills No. 1529 and 172.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Senate Bills Nos. 1529 and 172 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 1529 and 172, and do now report the same back, and recommend that they do pass.

YOUNG, Chairman.

Senate Bill No. 172 ordered to third reading.

Senate Bill No. 1529 read second time on previous day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1125—An Act to amend Section 302 and 303 of the Political Code of the State of California, relating to the attendance and examination of witnesses before the Legislature and committees thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1125 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford,

Gates, Green, Guiberson, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Morgenstern, Mouser, Nelson, Nolan, Palmer, Peairs, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Wyllie—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1005—An Act to add a new section to the Political Code of the State of California, to be numbered 1097*a*, relating to elections and the registration of voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1005 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Peairs, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Wyllie—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 810—An Act to amend Section 499*a* of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 810 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Green, Hinkle, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Wyllie—49.

NOES—Messrs. Finnegan, Johnson, Geo. H., and Palmer—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 706—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California, relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 706 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Hayes, Johnstone, W. A., Judson, Kingsley, Morgenstern, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, and Wyllie—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247a and 1247c of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeal, in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 531 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, and White—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 155—An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 155 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Green, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Tulloch, Walsh, and Weisel—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1496—An Act to amend an Act entitled “An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes,” approved March 31, 1897, by amending Section 78 thereof, relating to the exclusion of lands from such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1496 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Cary, Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Walsh, and Weisel—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 133—An Act to add a new section to the Penal Code of the State of California, relating to the regulation of loading and unloading of vessels, to be known as and numbered 368*a* of said code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 133 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Ryan, Scott, Shannon, Simpson, Slater, Smith, Sutherland, Tulloch, Walsh, Weisel, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 516—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 516 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Cram, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Guiberson, Hinkle, Johnstone, W. A., Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Walsh—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1240—An Act to amend Sections 10*e* and 10*n* of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, amended, approved April 5, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1240 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Hinkle, Johnstone,

W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Sutherland, Tulloch, Walsh, and Weisel—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 202—An Act to amend Section 2197 of the Political Code of the State of California, relating to actions brought by the State Commission of Lunacy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 202 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, and Weisel—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 518—An Act to amend Section 2153 of the Political Code of the State of California, relating to medical superintendents of hospitals and the home for feeble-minded.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 518 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Brown, Cary, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, McDonald, Morgenstern, Mouser, Murray, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Smith, Tulloch, Wall, and Walsh—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 881—An Act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an Act entitled "An Act to permit asexualization of inmates of state hospitals and the California Home for the Care and Training of Feeble-Minded Children and convicts in the state prisons," approved April 26, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 881 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Johnstone, W. A., Judson, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Smith, Strine, Stuckenbruck, Tulloch, and Weisel—41.

NOES—Messrs. Bagby, Brown, Bush, Clark, Wm. C., Collins, Dower, Ellis, Ferguson, Ford, Griffin, Hinkle, Killingsworth, Kingsley, McCarthy, McDonald, Nolan, Palmer, Richardson, Shearer, Simpson, Slater, Walsh, and Weldon—23.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 49—An Act relating to the sale and carrying of dangerous weapons.

During third reading of the bill, Mr. Ryan moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 2, line 7, strike out "or any airgun, spring-gun or other instrument or weapon in which the propelling force is a spring or air, or any instrument or weapon commonly known as a toy pistol or in which any loaded or blank cartridges are used, or may be used,".

Motion carried.

The Speaker appointed Mr. Ryan as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 49, with instructions, do now report that the instructions of the Assembly have been carried out.

RYAN, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 343—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 343 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Clark, Wm. C., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gates, Gelder, Green, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Smith, Walsh, Weisel, and Woodley—45.

NOES—Messrs. Cram, and Slater—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 670—An Act to amend an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, approved May 1, 1911," to be known as Section 14a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 670 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Johnstone, W. A., Killingsworth, Kingsley, McDonald, Mouser, Roberts, Ryan, Schmitt, Shannon, Simpson, Slater, Smith, Strine, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1627—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting

the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and amended April 14, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. McDonald moved a call of the House.

Motion lost.

The vote was announced, and Senate Bill No. 1627 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Dower, Ferguson, Finnegan, Fitzgerald, Ford, Gelder, Hinkle, Kingsley, McCarthy, Mouser, Nolan, Richardson, Ryan, Schmitt, Scott, Shannon, Smith, Tulloch, Walsh, and Woodley—29.

NOES—Messrs. Beck, Bowman, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Murray, Nelson, Roberts, Shartel, Slater, Strine, Weisel, Weldon, and Wyllie—30.

NOTICE OF MOTION TO RECONSIDER.

Mr. McDonald gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1627 was this day refused passage.

SPEAKER IN THE CHAIR.

At three o'clock and thirty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Senate Bill No. 362—An Act to regulate the use of drinking cups, glasses or vessels of any kind to be used in common, for the purpose of drinking therefrom, on railroad trains, public schools, halls, churches and other places, and providing for the punishment for violation of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 362 refused passage by the following vote:

AYES—Messrs. Beck, Brown, Bush, Byrnes, Collins, Ferguson, Fitzgerald, Gelder, Johnson, Geo. H., Kingsley, McCarthy, Murray, Richardson, Ryan, Schmitt, Scott, Smith, Tulloch, Wall, and Walsh—20.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bowman, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Ford, Gates, Green, Guiberson, Guill, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Mouser, Roberts, Slater, Sutherland, Weisel, Weldon, Woodley, and Wyllie—33.

Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement house in incorpo-

rated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1900, page 948,' and approved April 10, 1911, Statutes of California of 1911, page 860.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 389 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Richardson, Roberts, Schmitt, Scott, Slater, Smith, Sutherland, Tulloch, Wall, Walsh, Woodley, Wyllie, and Mr. Speaker—41.

NOES—Messrs. Guiberson, Guill, and McCarthy—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 565 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Byrnes, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Hinkle, Johnstone, W. A., Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Richardson, Roberts, Scott, Shannon, Slater, Smith, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—45.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1035 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnson, Geo. H., Kingsley, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Clark, Wm. C., Cram, Ellis, Emmons, Farwell,

Finnegan, Fish, Fitzgerald, Gates, Gelder, Guiberson, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Morgenstern, Mouser, Nelson, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—51.

NOES—Messrs. Collins, Ferguson, Ford, Gabbert, McDonald, and Nolan—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 263—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporations to the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 263 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1257 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions on the power of counties, cities and other subdivisions of the State to incur indebtedness.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 34 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hinkle, Johnstone, W. A., Judson, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Pairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Sutherland, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—56.

NOES—Mr. Johnson, Geo. H.—1.

Senate Constitutional Amendment No. 34 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 34.

A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 18 of Article XI thereof, relating to restrictions on the power of counties, cities and other subdivisions of the state to incur indebtedness.

The legislature of the State of California, at its regular session, commencing on the sixth day of January, 1913, two thirds of all of the members elected to each of the houses voting in favor thereof, hereby proposes to the qualified electors of the State of California an amendment to the Constitution of the State of California, by amending section eighteen of article eleven thereof.

SECTION 1. Section eighteen of article eleven is hereby amended to read as follows:

Section 18. No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; *provided, however*, that the city and county of San Francisco may at any time pay the unpaid claims, with interest thereon at the rate of five per cent per annum, for materials furnished to and work done for said city and county during the forty-first, forty-second, forty-third, forty-fourth, and fiftieth fiscal years, and for unpaid teachers' salaries for the fiftieth fiscal year, out of the income and revenue of any succeeding year or years, the amount to be paid in full of said claims not to exceed in the aggregate the sum of five hundred thousand dollars, and that no statute of limitations shall apply in any manner to these claims; *and provided, further*, that the city of Vallejo, of Solano county, may pay its existing indebtedness, incurred in the construction of its waterworks, whenever two thirds of the electors thereof, voting at an election held for that purpose, shall so decide, and that no statute of limitations shall apply in any manner. Any indebtedness or liability incurred contrary to this provision, with the exceptions hereinbefore recited, shall be void. The city and county of San Francisco, the city of San Jose, and the town of Santa Clara may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred by it, to commence at a time after the incurring of such indebtedness of no more than a period of one fourth of the time of maturity of such indebtedness, which shall not exceed seventy-five years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void; *and provided, further*, that the county of Alameda may, upon the assent of two thirds of the qualified electors thereof voting at an election to be held for that purpose, incur a bonded indebtedness of not to exceed one million dollars, and the legislative authority of said county of Alameda shall issue bonds therefor and grant and turn over to the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California, March 22, 1910, the proceeds of said bonds for stock in said company or under such other terms and conditions as said legislative authority may determine, the same to be used and disbursed by said exposition company for the purposes of an exposition to be held in the city and county of San Francisco to celebrate the completion of the Panama canal; said bonds, so issued, to be of such form and to be redeemable, registered and converted in such manner and amounts, and at such times not later than forty years from the date of their issue as the legislative authority of said county of Alameda shall determine; the interest on said bonds not to exceed five per centum per annum, and said bonds to be exempt from all taxes for state, county and municipal purposes, and to be sold for not less than par at such times and places, and in such manner, as shall be determined by said legislative authority; the proceeds of said bonds, when sold, to be payable immediately upon such terms or conditions as said legislative body may determine, to the treasurer of said Panama-Pacific International Exposition Company, upon demands

of said treasurer of said exposition company, without the necessity of the approval of such demands by other authority, than said legislative authority of Alameda county, the same to be used and disbursed by said Panama-Pacific International Exposition Company for the purposes of such exposition, under the direction and control of said exposition company; and the legislative authority of said county of Alameda is hereby empowered and directed to levy a special tax on all taxable property in said county each year after the issue of said bonds to raise an amount to pay the interest on said bonds as the same become due, and to create a sinking fund to pay the principal thereof when the same shall become due.

Senate Bill No. 1856—An Act to amend Section 529 of the Political Code, relating to printing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1856 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bohnett, Bowman, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnstone, W. A., Judson, Knuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Ryan, Schmitt, Shannon, Simpson, Slater, Tulloch, Weisel, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. L. D. BOHNETT IN THE CHAIR.

At four o'clock p.m., Hon. L. D. Bohnett, Assemblyman from the Forty-fourth District, in the chair.

Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Ryan moved a call of the House.

Motion lost.

The vote was announced, and Senate Bill No. 1199 refused passage by the following vote:

AYES—Messrs. Ambrose, Bohnett, Bush, Collins, Dower, Ellis, Farwell, Finnegan, Fish, Gelder, Kingsley, McCarthy, Morgenstern, Mouser, Peairs, Roberts, Shannon, Slater, Sutherland, Tulloch, Wall, Walsh, and Woodley—23.

NOES—Messrs. Alexander, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Hinkle, Judson, Killingsworth, Kuck, Murray, Nelson, Polsley, Ryan, Schmitt, Stuckenbruck, Weisel, Weldon, and Wyllie—31.

NOTICE OF MOTION TO RECONSIDER.

Mr. Ryan gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 1199 was this day refused passage.

Senate Bill No. 1053—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for

the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add to said Act a new section, to be numbered 34, relating to the manner of effecting certain local improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1053 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Fish, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kuck, Libby, Morgenstern, Mouser, Peairs, Polsley, Roberts, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Woodley—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 743—An Act to amend Sections 2, 3, 4, 16 and 30 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, and to add two new sections to said Act, to be numbered Sections 25a and 33a, relating to reassessments and the form of certain notices, resolutions, orders and determinations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 743 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Peairs, Roberts, Ryan, Schmitt, Shannon, Shartel, Simpson, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Woodley—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1665—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248b, 1248c and 1248d, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of referees and exceptions thereto, to the hearing thereof, and to judgments in such proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1665 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck,

McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Polsley, Roberts, Ryan, Schmitt, Shannon, Simpson, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—55.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 16 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Pears, Polsley, Richardson, Roberts, Ryan, Shannon, Shartel, Simpson, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—54.
NOES—None.

Senate Constitutional Amendment No. 16 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 16.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XI thereof, to be designated as Section 20 of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Resolved by the senate, the assembly concurring, That the legislature of the State of California, at its regular session, commencing on the sixth day of January, nineteen hundred thirteen, two thirds of all the members elected to each of the houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California that a new section be added to Article XI of the Constitution of the State of California, to be known and designated as Section 20 of Article XI of the Constitution of the State of California, and to read as follows:

Section 20. The state, or any county, city and county, or incorporated city or town, taking or appropriating property within the limits thereof for public use for any proposed public improvement, may also take and appropriate, under the powers of eminent domain, additional adjoining or neighboring property within the limits thereof, to or occupied by the proposed improvement, and such additional property so taken shall be deemed to be taken for public use. The estate in such additional property so taken shall be a fee simple estate, and such additional property may be sold, leased or otherwise disposed of, in whole or in part, under such terms and restrictions as may be appropriate to preserve or further the improvement made or proposed to be made. For the purpose of acquiring, constructing, enlarging or improving a public park, playground, boulevard, street, building or grounds therefor, any county, city and county, incorporated city or town may condemn lands outside of its boundaries and within the distance of ten miles therefrom; *provided*, that no lands within any other county, city and county, incorporated city or town shall be taken without its consent, to be given in any manner that may be provided by law. The conditions under which such additional property may be so taken or appropriated, the manner and method of providing payment therefor and the terms and restrictions under which such property may be sold, leased or otherwise disposed of, shall be prescribed by general law.

Senate Bill No. 627—An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 627 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guiberson, Guill, Hinkle, Johnson, Geo. H., Killingsworth, Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Shartel, Simpson, Smith, Tulloch, Wall, Walsh, Weisel, Weldon, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII of Title II of Part IV of Division First of said Civil Code, relating to mortgage insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1419 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Guill, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Ryan, Schmitt, Shannon, Smith, Stuckenbruck, Weisel, Weldon, and Wyllie—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the Title to Chapter II of Title II of Part IV of Division First of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code forming part of said Chapter II, and to add to said Civil Code a new chapter, to be known as Chapter VII of Title II of Part IV of Division First of said Civil Code, relating to title insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1478 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Guill, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, Kuck, Morgenstern, Mouser, Murray, Nelson, Polsley, Richardson, Ryan, Schmitt, Shannon, Simpson, Smith, and Tulloch—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 965—An Act to amend Section 535 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 965 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram,

Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guiberson, Hinkle, Johnson, Geo. H., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Richardson, Roberts, Ryan, Schmitt, Smith, Stuckenbruck, Weldon, and Wyllie—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1736—An Act to amend an Act entitled “An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts.” approved December 24, 1911, by amending Section 3 of said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1736 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Cary, Collins, Dower, Ellis, Emmons, Finnegan, Fish, Ford, Gabbert, Guiberson, Hinkle, Johnson, Geo. H., Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nolan, Schmitt, Scott, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Wyllie—42.

NOES—Messrs. Clark, Wm. C., Ferguson, Judson, McDonald, Morgenstern, Roberts, and Smith—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 13—An Act to amend an Act entitled “An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.” approved June 16, 1906, so as to provide that actions authorized thereby may be commenced on or before the 31st day of December, 1917, but not thereafter.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 13 refused passage by the following vote:

AYES—Messrs. Bohnett, Bush, Byrnes, Clarke, Geo. A., Collins, Ellis, Finnegan, Ford, Gelder, Hinkle, Judson, Kingsley, McCarthy, McDonald, Ryan, Scott, and Smith—17.

NOES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Emmons, Ferguson, Gabbert, Guiberson, Guill, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Moorhouse, Mouser, Murray, Nelson, Nolan, Roberts, Schmitt, Shannon, Simpson, Slater, Stuckenbruck, Walsh, Weldon, and Wyllie—33.

Senate Bill No. 633—An Act to amend the Code of Civil Procedure by adding thereto Title Va Part III, relating to the support of bastards, and proceedings therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 633 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Collins, Cram, Emmons, Ferguson, Fish, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Mouser,

Murray, Nelson, Nolan, Richardson, Roberts, Ryan, Schmitt, Scott, Slater, Smith, Sutherland, and Weisel—45.

NOES—Messrs. Johnston, T. D., and Wyllie—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 28—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 28 refused passage by the following vote:

AYES—Messrs. Morgenstern and Roberts—2.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nelson, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, White, Woodley, and Wyllie—54.

NOTICE OF MOTION TO RECONSIDER.

Mr. Finnegan gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 28 was this day refused passage.

Senate Bill No. 1460—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 604a, providing for the formation of religious corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1460 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Gabbert, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, and Wyllie—48.

NOES—Mr. Fish—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1512 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, White, Woodley, and Wyllie—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In accordance with the notice given by Mr. Bradford on a previous day, Mr. Clark moved that the vote whereby Senate Bill No. 1185 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Collins, Dower, Farwell, Finnegan, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, McCarthy, McDonald, Murray, Nelson, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Stuckenbruck, Walsh, Weldon, and Wyllie—41.

NOES—Messrs. Ambrose, Bohnett, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Ferguson, Hinkle, Johnson, Geo. H., Judson, Kuck, Moorhouse, Morgenstern, Mouser, Roberts, Shartel, Smith, Sutherland, Weisel, and White—22.

Senate Bill No. 1185—An Act to amend Section 4131 of the Political Code of the State of California, relating to the duties of county recorders.

During third reading of the bill, Mr. Walsh moved that the Speaker appoint a select committee of one to amend the bill as follows:

On page 1, line 5, strike out the words "or by photograph".

Motion carried.

The Speaker appointed Mr. Walsh as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 1185, with instructions, do now report that the instructions of the Assembly have been carried out.

WALSH, Select Committee.

Report of select committee and amendment adopted.

Bill ordered to reprint, and on file for passage.

SPEAKER IN THE CHAIR.

At five o'clock and forty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Ellis:

WHEREAS, Thirteen men now confined in the San Quentin and Folsom prisons are under sentence of death by virtue of judicial decree; and

WHEREAS, In the year 1912 an initiative petition, subscribed to by over forty-two thousand qualified electors of the State of California, was duly filed with the Secretary of State, with a view to ultimately abolish capital punishment, but failed of expression by virtue of lapse of statutory time; and

WHEREAS, The California Anti-Capital Punishment League is now circulating an initiative petition relative to the question of the abolition of capital punishment, said petition to place said question on the ballot at the next state election; and

WHEREAS, The execution of the men now under sentence of death in the State of California will but subserve the purpose of arbitrary destruction, and be in accord with a law enacted before equal suffrage obtained; and

WHEREAS, The reprivieging of the present condemned men until such time as the people of the State of California can express their will at the polls on the question of the abolition of capital punishment will be in accord with the modern doctrines of

conservation, and tend to create that regard for the sacredness of human life as is essential to its protection; therefore, be it

Resolved, That the Assembly of the Legislature of the State of California earnestly request the Governor of California to grant reprieves to all men confined in the state penitentiaries awaiting the death penalty until said question of the abolition of capital punishment is determined by the electorate.

Resolution read, and referred to Committee on Rules.

By Mr. Polsley:

WHEREAS, The progress, happiness and prosperity of the people of a nation depend upon a homogeneous population having mutual aims and high aspirations for the protection of the home, for guarding the interests of labor, for the encouragement of industry and for the dissemination of knowledge;

WHEREAS, The influx from the overpopulated Asiatic nations, of people who are unfit for American citizenship and for assimilation with the Caucasian race, whose aims and purposes are not in sympathy with our people, has resulted and will result in lowering the American standard of life, the dignity and wage-earning capacity of American laborers and the development of the national qualities needed to accomplish the destiny hoped for by the fathers and patriots of the republic;

WHEREAS, The acquisition and holding of agricultural lands in the State of California and other states of the Union has already disturbed, and will continue if not prevented in some legal way to seriously disturb, the economic and social welfare of the people;

WHEREAS, In the State of California there exists a large number of agricultural communities where the evils growing from such acquisition and holding of agricultural land demand early correction at the hands of the State and Nation within the respective jurisdiction of each;

WHEREAS, The Legislature of the State of California, by virtue of its sovereign right in the premises, which rights it hereby asserts, has passed a law intended to remedy this evil;

WHEREAS, There is now in force between the Government of the United States and the Empire of Japan, one of the Asiatic nations affected by the provisions of said law, a treaty granting certain rights and privileges to the citizens of each nation;

WHEREAS, It is reported that the Empire of Japan, one of the contracting parties to said treaty, is alleging that the State of California is exceeding its authority as a state, by the passage of said law;

WHEREAS, Pending consideration by the Legislature of the State of California of such law, the Hon. William J. Bryan, Secretary of State of the United States, representing the President of the United States, in a conference with the members of the Legislature, expressed the following sentiments: "The President has impressed upon me at all times that I should emphasize the fact that his only purpose is to confer with the Legislature as to the national and international phases of the question under consideration, and that he confers not as an unsympathetic friend, but as one who desires to aid to the extent of his ability where he has not only a constitutional duty to perform, but where he may be assumed to be able to judge of the effect of legislation upon our relations with other countries";

WHEREAS, Having full confidence in the patriotic desires of the President of the United States to protect the rights of the people of the several states, and recognizing the obligations imposed upon him as President to maintain the national honor, in behalf of the people of California, the members of the Senate and Assembly express the hope that all questions at issue between the Empire of Japan and the Government of the United States be considered and adjusted by diplomatic means at as early a date as can possibly be arranged consistent with the rights of the two governments and those of the people of the State of California; therefore, be it

Resolved, That the President of the United States be memorialized to initiate diplomatic negotiations between the United States and the Empire of Japan with a view of adjusting any differences that may exist between the two nations, and also to make effective the desires of the people of the State of California, to stop the further purchase of agricultural lands within the confines of said state; be it further

Resolved, That the Legislature of the State of California also memorializes the Senate of the United States to lend its aid to the people of the State of California in securing the relief they so much desire; be it further

Resolved, That the Legislature of the State of California hereby memorializes the House of Representatives of the United States to lend such assistance in this effort as may be within the rights of that branch of Congress to aid the people of the State of California; be it further

Resolved, That the Governor of the State of California be and he is hereby directed and instructed to appoint a commission of five citizens of the State to proceed to the national capital for the purpose of presenting this memorial to the President of the United States, and to the Senate and House of Representatives

thereof, and to use all honorable means to accomplish the objects of these resolutions, and, also, pending diplomatic negotiations, if initiated, represent the State of California; and be it further

Resolved, That the Governor be and he is hereby requested to transmit the foregoing to the President, Secretary of State, President of the Senate and Speaker of the House of Representatives of the United States.

Resolution read, and referred to Committee on Rules.

By Mr. Farwell:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of three hundred ninety-five and 20-100 dollars (\$395.20) in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, the same being for the payment of the following bills attached:

R. L. Estes	\$8 00
Kane & Trainor Ice Co.	38 60
Kilcore & Tracy	1 70
Wahl Stationery Co.	42 55
Wahl Stationery Co.	16 90
Wahl Stationery Co.	17 90
Shasta Aristo Water Co.	160 00
Wm. Eberhardt	6 05
Wm. Eberhardt	4 95
Pacific Telephone and Telegraph Co.	34 30
Mrs. McCall	14 75
Wasserman-Gattman Co.	7 50
C. K. Harder	34 00
Julius Johnson	8 00

\$395 20

Resolution read, and referred to Committee on Contingent Expenses.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

WHEREAS, There has been an unprecedented demand for the various bills and other printed matter during the present session of the Legislature; and

WHEREAS, Many requests have already been made for the final history and chaptered laws:

Resolved, That the Chief Clerk of the Assembly be, and he is hereby, authorized and directed to compile, prepare and have printed, after final adjournment, one thousand (1,000) copies of the final calendar of the legislative business of the fortieth session, comprising a history of all bills, resolutions, etc., introduced, their authors, the number that have become laws, those that have been read on second reading, and any other information that will create a permanent guide and history to the session's business. Together with this shall be the expenditures of the Assembly and Senate and of printing; such information being prepared not only for the book, but as a guide for the forty-first session of the Legislature. When the said final calendar is prepared, the Chief Clerk is directed to mail or express one copy of such calendar to each public library in the State which may apply for the same within the next sixty days after the adjournment of the Legislature, and two copies to each member of the Assembly. The Chief Clerk is further authorized and directed to have printed one thousand (1,000) copies of each bill, resolution or constitutional amendment which have passed both houses and been signed by the Governor, and to mail or express one set of said chaptered laws to each public library in the State which may apply for the same within the next sixty days following adjournment, and two copies to each member of the Assembly. For the payment of postage, expressage, telephoning, telegraphing and other expenses necessary to the carrying out of the above, the State Controller is hereby authorized and directed to draw his warrant in favor of L. B. Mallory, Chief Clerk of the Assembly, upon the appropriation for contingent expenses of the Assembly, in the sum of five hundred dollars (\$500.00) or such proportion of said amount as may be necessary to carry out the above, and the State Treasurer is hereby directed to pay the same.

For the purpose of carrying out the object of this resolution, the State Controller is hereby authorized and directed to draw his warrant upon the appropriation for

officers and employees of the Assembly, in favor of L. B. Mallory, Chief Clerk, in the sum of six hundred dollars (\$600.00), and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Bohnett moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bush, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Green, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, McDonald, Morgenstern, Murray, Nelson, Richardson, Ryan, Schmitt, Scott, Shannon, Slater, Sutherland, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—44.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

WHEREAS, It will be necessary for H. A. Harper, Minute Clerk of the Assembly, to remain after the final adjournment of the fortieth session of the Legislature to correct and prepare the final Journal of the Assembly;

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for pay of officers and employees of the Assembly in favor of said H. A. Harper for the sum of forty dollars, and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Bohnett moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, and Mr. Speaker—55.

NOES—None.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 946—An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act entitled "An Act to amend an Act entitled 'An Act to provide for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts,'" approved March 22, 1905, amended, approved March 3, 1909, by amending Section 6 thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISII, Chairman.

Bill read second time, and ordered on file for third reading.

RECESS.

At five o'clock and fifty-five minutes p.m., on motion of Mr. Bohnett, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 53—A resolution proposing to the people of the State of California an amendment to Section 19 of Article XI of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 9, 1913, passed Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Constitutional Amendment No. 53 read first time, and referred to Committee on Constitutional Amendments.

Senate Bill No. 182 read first time, and referred to Committee on Medical and Dental Laws.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 390—An Act to amend Section 1 of an Act entitled "An Act in relation to pandering; to define and prohibit the same, to provide for punishment thereof; for the competency of certain evidence at the trial therefor," approved February 8, 1911.

Also: Committee Substitute for Senate Bill No. 1299—An Act relating to real estate brokers in the State of California, creating a board to be known as the state advertising board; providing for the appointment of its members; prescribing their powers and duties; fixing their term of office; creating a state advertising fund; and providing for its collection and expenditure.

Also: Senate Bill No. 1109—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provisions for fire drills in certain schools.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1576—An Act to provide for the formation and establishment of road districts; the construction, acquisition, maintenance, control and use of roads; defining the term road; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commission to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2038—An Act making appropriation for sewer

construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Also: Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries, by adding a provision thereto relating to employers and employees.

Also: Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Also: Assembly Bill No. 2122—An Act making an appropriation for the Legislative Printing Fund.

Also: Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an Assembly Hall at the Stockton State Hospital.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 7, 1913, passed Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 594—An Act making an appropriation for the location and survey of a proposed highway to connect the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Also: Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants, making an appropriation therefor, and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the state hygienic laboratory.

Also: Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Malibu county road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Also: Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor.

Also: Assembly Bill No. 612—An Act to amend Section 4278 of the Political Code of the State of California, relating to the compensation of officers of counties of the forty-ninth class.

Also: Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Also: Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns; said section to be numbered 1281a.

Also: Assembly Bill No. 580—An Act to amend Section 628c of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 970—An Act to establish a legislative counsel bureau and making an appropriation therefor.

Also: Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as Kings River Canyon road, to authorize changes in the location of said road, and to repeal all Acts and parts of Acts in conflict herewith.

Also: Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Also: Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Also: Assembly Bill No. 861—An Act to provide for the instruction of blind students in certain state institutions.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 689—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Also: Assembly Bill No. 690—An Act to amend Section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

Also: Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and miles of jurors in counties of the thirty-seventh class.

Also: Assembly Bill No. 1920—An Act to amend Sections 1094, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Also: Assembly Bill No. 214—An Act to amend Section 3247a of the Political Code relating to the purchase of supplies for the state by boards, committees and other persons.

Also: Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 7, 1913, adopted the report of the Committee on Free Conference on Senate Bill No. 215—An Act to amend Section 1 of, and to add new Sections 4, 5, and 6 to, an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

Also: Senate Bill No. 1397—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 402f, providing that certain buildings shall be provided with fire escapes.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 43—An Act to amend Section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 5, 1913, passed, as amended, Assembly Bill No. 1198—An Act to amend Section 14 of an Act, entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved, April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1198?"

AMENDMENT No. 1.

On page 2, in line 7, of the printed bill, before the figures "14", insert the word "Section".

AMENDMENT No. 2.

On page 2, in line 7, of the printed bill, after the word "franchise", insert a comma.

AMENDMENT No. 3.

On page 2, in line 9, of the printed bill, after the word "year", insert a comma.

AMENDMENT No. 4.

On page 2, in line 12, of the printed bill, after the word "corpartners", insert a comma.

AMENDMENT No. 5.

On page 2, in line 14, of the printed bill, after the word "secretary", insert a comma.

AMENDMENT No. 6.

On page 3, in line 8, of the printed bill, strike out the word "describe", and insert in lieu thereof the word "prescribe".

AMENDMENT No. 7.

On page 3, in line 14, of the printed bill, after the word "California", insert a comma.

AMENDMENT No. 8.

On page 3, make a new paragraph commencing with the word "In", in line 16, of the printed bill.

AMENDMENT No. 9.

On page 3, line 19, of the printed bill, after the figure "5", insert a comma.

AMENDMENT No. 10.

On page 3, line 37, of the printed bill, strike out the word "boards", and insert in lieu thereof the word "bears".

AMENDMENT No. 11.

On page 4, of the printed bill, make a new paragraph commencing with the word "The", in line 9.

AMENDMENT No. 12.

On page 4, in line 11, of the printed bill, after the word "value", insert the following: "on the first Monday in March of said year".

AMENDMENT No. 13.

On page 4, line 12, of the printed bill, after the word "franchise", insert a comma.

AMENDMENT No. 14.

On page 4, in line 18, of the printed bill, after the word "reports", insert a comma.

AMENDMENT No. 15.

On page 4, line 36, of the printed bill, after the word "value" and preceding the word "of", insert the following: "on the first Monday of March of said year".

AMENDMENT No. 16.

On page 5, line 1, of the printed bill, after the word "indebtedness", insert the following: "and all other outstanding securities".

AMENDMENT No. 17.

On page 5, line 3, of the printed bill, after the word "that", insert the word "if".

AMENDMENT No. 18.

On page 5, of the printed bill, strike out all of lines 22, 23, 24, 25 and 26.

The roll was called, and Senate amendments to Assembly Bill No. 1198 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Farwell, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Griffin, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Stuckenbruck, Sutherland, Weisel, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1600—An Act to amend Section 4274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class.

Also: Assembly Bill No. 367—An Act to amend Section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

Also: Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Also: Assembly Bill No. 1452—An Act to amend Section 628b of the Penal Code, relating to the protection of fish.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1600?"

On page 3, line 22, strike out the word "clerk".

Also: On page 5, line 9, immediately following the period, insert the following: "In the superior court".

Also: Strike out the capital "J" in "Juror's" and insert in lieu thereof a small "j".

The roll was called, and Senate amendments to Assembly Bill No. 1600 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Gram, Dower, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Griffin, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser, Nolan, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Stuckenbruck, Sutherland, Weisel, Wyllie, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 367?"

On page 2, line 22, strike out the word "eighty-five", and insert in lieu thereof the word "fifty".

The roll was called, and Senate amendment to Assembly Bill No. 367 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Nolan, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Stuckenbruck, Sutherland, Weisel, Wyllie, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1790?"

On page 2 of the printed bill, strike out all of lines 6 to 12, inclusive, and in lieu thereof insert the following: "the petition, or be published once a week for such time as the court shall, by its order, direct, but in no case less than two weeks."

The roll was called, and Senate amendment to Assembly Bill No. 1790 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Griffin, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Scott, Shartel, Stuckenbruck, Sutherland, Weisel, Wyllie, and Mr. Speaker—47.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1452?"

AMENDMENT No. 1.

On page 2, line 11, after the word "bass", insert the following: "Sacramento perch, crappie, blue-gill sun fish or green sun fish".

AMENDMENT No. 2.

On page 2, line 15, after the word "length", insert the following: "; or who sells or offers for sale any Sacramento perch, crappie, blue-gill sun fish or green sun fish".

AMENDMENT No. 3.

On page 2, line 17, strike out the words "first day of September", and insert in lieu thereof the following: "thirtieth day of November".

AMENDMENT No. 4.

On page 2, line 19, after the word "bass", insert the following: ", Sacramento perch, crappie, or blue-gill sunfish".

AMENDMENT No. 5.

On page 2, line 22, after the word "bass", insert the following: ", Sacramento perch, crappie, or blue-gill sunfish".

AMENDMENT No. 6.

On page 2, line 23, after the word "bass", insert the following: ", Sacramento perch, crappie, or blue-gill sunfish".

The roll was called, and Senate amendments to Assembly Bill No. 1452 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Stuckenbruck, Sutherland, Weisel, Wyllie, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1913.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 215—An Act to amend Section 1 of and to add new sections, 4, 5 and 6, to an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases—report that we have met a like committee of the Senate, consisting of Senators Lyon, Jones and Hewitt, and we report that the Committee on Free Conference have agreed to recommend the following: That the Senate concur in all the Assembly amendments to said Senate bill; and, also, that said Senate bill as amended and passed by the Assembly be amended further as follows:

On page 2, between lines 7 and 8, insert the following:

"SEC. 2. Three new sections, numbered 4, 5 and 6, are hereby added to said Act to be designated and to read as follows:".

LYON, Chairman.

The question being on the adoption of the report.

The roll was called, and report adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Ryan, Scott, Shannon, Slater, Sutherland, Weisel, Wyllie, and Mr. Speaker—56.

NOES—None.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1136—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channel of Napa River, in Napa County, and improving the navigability of such stream in said county and for acquiring land for necessary rights of way—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

SPECIAL RULE SUSPENDED.

Mr. Bohnett moved that Special Joint Rule No. 1 be suspended and Assembly Bills Nos. 1136 and 2123 be taken up for consideration.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—64.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Bohnett:

Resolved, That Assembly Bills Nos. 2123 and 1136 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Stuckenbruck, Sutherland, Walsh, Weldon, Wyllie, and Mr. Speaker—64.

NOES—None.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1136—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channel of Napa River, in Napa County, and improving the navigability of such stream in said county and for acquiring land for necessary rights of way.

Bill read second time.

Assembly Bill No. 2123—An Act appropriating money to pay the claim of Joseph Mulligan against the State of California.

Bill read second time, and ordered to third reading.

Mr. Bohnett moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 1136.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Young in the chair.

Assembly Bill No. 1136 considered.

Mr. Bohnett moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1136, and do now report the same back, and recommend that it do pass.

YOUNG, Chairman.

Bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1136—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channel of Napa River, in Napa County, and improving the navigability of such stream in said county and for acquiring land for necessary rights of way.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1136 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nolan, Peairs, Roberts, Ryan, Schmitt, Simpson, Slater, Stuckenbruck, Sutherland, Walsh, Wyllie, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2123—An Act appropriating money to pay the claim of Joseph Mulligan against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2123 passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Slater, Sutherland, Walsh, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In accordance with the notice given by Mr. Slater on a previous day, Mr. Bohnett moved that the vote whereby Senate Bill No. 177 was refused passage be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Messrs. Bagby, Bohnett, Bradford, Collins, Finnegan, Ford, Gelder, Griffin, Kingsley, McDonald, Mouser, Nolan, Richardson, Ryan, Slater, and Walsh—16.

NOES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Bush, Byrnes,

Chandler, Ellis, Emmons, Farwell, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Killingsworth, Kuck, Libby, Moorhouse, Morgenstern, Murray, Nelson, Peairs, Polsley, Roberts, Shartel, Simpson, Stuckenbruck, Sutherland, Weisel, Weldon, and Mr. Speaker—40.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 366—An Act to amend Section 976 of the Code of Civil Procedure of the State of California, relating to appeals to Superior Courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 366 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Ryan, Schmitt, Scott, Shannon, Slater, Stuckenbruck, Sutherland, Weisel, Weldon, Wyllie, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. W. A. SUTHERLAND IN THE CHAIR.

At eight o'clock and fifty-five minutes p.m., Hon. W. A. Sutherland, Assemblyman from the Fifty-first district, in the chair.

Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

Bill read third time.

PREVIOUS QUESTION.

Mr. Inman moved the previous question.

Motion lost.

Mr. Schmitt moved that debate be limited to three minutes.

Mr. Weldon moved as a substitute that the time be unlimited.

The roll was called, and substitute motion lost by the following vote:

AYES—Messrs. Bagby, Benedict, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Collins, Dower, Ferguson, Finnegan, Ford, Griffin, Guiberson, Johnston, T. D., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Murray, Peairs, Polsley, Scott, Simpson, Slater, Stuckenbruck, and Weldon—28.

NOES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Byrnes, Cram, Ellis, Farwell, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kuck, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Roberts, Ryan, Schmitt, Smith, Sutherland, Tulloch, Wall, Weisel, and Woodley—36.

Original motion of Mr. Schmitt withdrawn.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Bohnett moved a call of the House.

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Beck, Bohnett, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Mouser, Nolan, Ryan, Schmitt, Scott, Shannon, Smith, Sutherland, Walsh, and White—34.

NOES—Messrs. Alexander, Ambrose, Benedict, Bradford, Brown, Collins, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Green, Hayes, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Nelson, Peairs, Polsley, Roberts, Shartel, Simpson, Stuckenbruck, Weisel, Weldon, and Woodley—29.

Time, eleven o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Woodley—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

MOTION.

At eleven o'clock and forty minutes p.m., Mr. McDonald moved that further proceedings under call of the House be dispensed with.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bradford, Brown, Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Green, Griffin, Hayes, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Nelson, Peairs, Polsley, Roberts, Shartel, Simpson, Stuckenbruck, Weisel, Weldon, and Woodley—32.

NOES—Messrs. Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Gabbert, Gates, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Mouser, Nolan, Richardson, Ryan, Schmitt, Scott, Shannon, Sutherland, Wall, Walsh, White, Wyllie, and Mr. Speaker—36.

MOTION.

At eleven o'clock and forty-five minutes p.m., Mr. Nelson moved that further proceedings under call of the House be dispensed with.

Roll call regularly demanded.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Brown, Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Green, Griffin, Guill, Hayes, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Nelson, Peairs, Polsley, Roberts, Shartel, Simpson, Smith, Stuckenbruck, Weisel, Weldon, Woodley, and Wyllie—38.

NOES—Messrs. Bohnett, Bowman, Bush, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Gabbert, Gates, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Mouser, Nolan, Ryan, Schmitt, Scott, Shannon, Sutherland, Wall, Walsh, White, and Mr. Speaker—32.

The roll of absentees was called, and Senate Bill No. 323 refused passage by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Gabbert, Gates, Gelder,

Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Morgenstern, Mouser, Nolan, Richardson, Ryan, Schmitt, Scott, Shannon, Sutherland, Wall, Walsh, and White—37.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bobnett, Bradford, Brown, Collins, Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Green, Griffin, Guill, Hayes, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Nelson, Pairs, Polsley, Roberts, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—41.

NOTICE OF MOTION TO RECONSIDER.

Mr. Bobnett gave notice that on the next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 323 was this day refused passage.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

MR. SPEAKER: In voting for Senate Bills Nos. 323, 324, 325, 326, 327 and 386, known as the "cemetery" bills, I did so because in the past two weeks I have received a great many communications and telegrams from various improvement associations, and also my own constituents in the city and county of San Francisco, asking me to vote for the Boynton and Cassidy bills, and believing that before any action will be taken on the question of removing the bodies from the various cemeteries in San Francisco that the board of supervisors of the said city will submit the question of removing the bodies from the various cemeteries to a vote of the people of the said city, and believing in abiding by the majority of the citizens of the said city, I am willing to submit the question of removing the said bodies from the said cemeteries and that the above question will be decided by the citizens of San Francisco themselves.

VICTOR J. CANEPA.

SPEAKER IN THE CHAIR.

At eleven o'clock and fifty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Attachés:

Resolved, That the following named attachés and employees of the Assembly heretofore employed for the positions and at the per diem set opposite their names be stricken from the roll, to date from and include Sunday, May 11, 1913.

Name.	Position.	Per diem.
Keith, D. E., Assistant Sergeant-at-Arms	-----	\$5 00
Gray, R. S., Legislative Expert	-----	6 00
Ellison, Leon E., Clerk to Ways and Means	-----	6 00
Wood, Percy A., Clerk to Judiciary	-----	6 00
Bruce, L. R., Stenographer	-----	5 00
Bush, Geo. J., Stenographer	-----	5 00
Libby, Odette, Clerk	-----	4 00
Conner, Evelyn M., Stenographer	-----	5 00
Deitch, Mary M., Stenographer	-----	5 00
Hayes, Gertrude, Stenographer	-----	5 00
Hood, Florence, Stenographer	-----	5 00
Johnson, Jean, Stenographer	-----	5 00
Lathrop, Mrs. E. T., Stenographer	-----	5 00
Liston, Mary, Stenographer	-----	5 00
Loofburrow, Agnes, Stenographer	-----	5 00
Martin, Anna, Stenographer	-----	5 00
McDonnell, C. M., Stenographer	-----	5 00
Pick, Mrs. F. H., Stenographer	-----	5 00
Strouse, Vera, Stenographer	-----	5 00
Tabor, Faith, Stenographer	-----	5 00
Washburn, Effie A., Stenographer	-----	5 00
Friel, L. V., Stenographer	-----	5 00
Fortha, Mrs. M., Matron	-----	4 00
Wall, Mrs. L. G., Assistant Mailing Clerk	-----	4 00

Name.	Position.	Per diem.
Bevens, W. E., Assistant Bill Clerk	-----	\$4 00
Grossman, Edgar, Assistant Bill Clerk	-----	4 00
Sherman, Frank C., Assistant Bill Clerk	-----	4 00
Lewis, R. T., Bill Filer	-----	4 00
Logomasino, L., Bill Filer	-----	4 00
McColgan, E. J., Bill Filer	-----	4 00
McKiernan, Wm., Bill Filer	-----	4 00
Sparling, Wayne H., Bill Filer	-----	4 00
Allen, Maude, Committee Clerk	-----	4 00
Allen, Newton M., Committee Clerk	-----	4 00
Cunningham, J. H., Committee Clerk	-----	4 00
Ellis, B. H., Committee Clerk	-----	4 00
Emanuel, A., Committee Clerk	-----	4 00
Guiberson, Claire, Committee Clerk	-----	4 00
Haslett, Nat, Committee Clerk	-----	4 00
Dufort, Olive, Committee Clerk	-----	4 00
Ireland, Nellie, Committee Clerk	-----	4 00
Johnston, Mrs. Ada, Committee Clerk	-----	4 00
Kilgarriff, Regina, Committee Clerk	-----	4 00
Laing, Gordon B., Committee Clerk	-----	4 00
Naylor, H. B., Committee Clerk	-----	4 00
Nichols, Mabel, Committee Clerk	-----	4 00
Palmer, Mrs. J. F., Committee Clerk	-----	4 00
Regan, Conrad, Committee Clerk	-----	4 00
Reynolds, J. E., Committee Clerk	-----	4 00
Shartel, Mrs. A. F., Committee Clerk	-----	4 00
Simpson, Mrs. Ethel, Committee Clerk	-----	4 00
Thompson, Wm., Committee Clerk	-----	4 00
Tulloch, Mrs. D. W., Committee Clerk	-----	4 00
Young, Jno. T., Committee Clerk	-----	4 00
Gerner, W. R., Porter	-----	3 00
Smith, Fred C., Porter	-----	3 00
Chambers, Ben, Porter	-----	3 00

Also:

Resolved, That the name of Frank W. Smith, heretofore employed as assistant Sergeant-at-Arms at a per diem of five dollars, be stricken from the roll, to date from and include Sunday, May 4, 1913.

SMITH, Chairman.

Mr Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guiberson, Guill, Hayes, Hinkle, Inman, Kingsley, Moorhouse, Mouser, Nelson, Peairs, Ryan, Schmitt, Smith, Sutherland, Walsh, Weisel, Wyllie, and Mr. Speaker—42.

NOES—Messrs. Bush, Collins, Dower, Farwell, Ford, Gates, Griffin, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kuck, Libby, McCarthy, McDonald, Nolan, Richardson, Roberts, Scott, Simpson, Wall, Weldon, and Woodley—22.

By Mr. Farwell:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in the sum of seventeen and 23-100 dollars (\$17.23) in favor of L. B. Mallory, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

Pacific Telephone and Telegraph Co.	-----	\$3 75
Wells Fargo & Co.	-----	12 93
Total	-----	\$16 68

Read, and referred to Committee on Contingent Expenses.

By Mr. Bohnett:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in the sum of seventeen and 23-100 dollars (\$17.23) in favor of L. B. Mallory,

Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

Pacific Telephone and Telegraph Co. -----	\$4 30
Wells Fargo & Co.-----	12 93
Total -----	\$17 23

Read, and referred to Committee on Contingent Expenses.

RECONSIDERATION POSTPONED.

On request of Mr. Finnegan, consideration of motion to reconsider the vote whereby Assembly Bill No. 2000 was refused passage was postponed until the next legislative day.

On request of Mr. Bagby, consideration of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 91 was refused passage was postponed until the next legislative day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 53—A resolution proposing to the people of the State of California an amendment to Section 19 of Article XI of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same be adopted as amended.

CLARK, WM. C., Chairman.

Senate constitutional amendment ordered on file for adoption.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the sum of one hundred and fifty dollars, or so much thereof as may be needed, is hereby appropriated from the Contingent Fund of the Assembly, being in payment of telegraphing, telephoning, expressage, postage, hack hire (call of the house), branding furniture, etc.

The State Controller is hereby directed to draw his warrant in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, for the amount expended under the authority of this resolution, and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Byrnes, Canepa, Cary, Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Green, Guiberson, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Pairs, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Sutherland, Walsh, Weisel, and Mr. Speaker—49.

NOES—None.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bills Nos. 38, 64, 77, 245, 276, 338, 340, 452, 530, 534, 595, 596, 597, 609, 629, 639, 640,

641, 642, 643, 644, 724, 838, 859, 885, 899, 964, 1044, 1113, 1202, 1232, 1304, 1364, 1369, 1486, 1524, 1587, 1602, 1622, 1687, 1742—have had the same under consideration, and respectfully report the same back, without recommendation.

BENEDICT, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 52—An Act to create a reservation for fish, shellfish, shrimp, and crabs, within the sloughs, rivers, streams, and creeks tributary to the bay of San Francisco and the bay of San Pablo, and to prohibit the taking of the same from such reservation by means of weirs, dams, nets, traps, or seines.

Senate Bill No. 173—An Act to amend Section 626 of the Penal Code, relating to the protection of game.

Senate Bill No. 603—An Act to amend Section 626 $\frac{1}{2}$ of the Penal Code of the State of California, relating to the protection of fish and game.

Senate Bill No. 1015—An Act to amend Section 628, Section 635 $\frac{1}{2}$, and Section 636 of the Penal Code of the State of California, all relating to the protection and preservation of fish.

Senate Bill No. 1190—An Act to amend Section 626a of the Penal Code of the State of California, relating to the preservation and protection of wild game.

Senate Bill No. 1471—An Act to amend Section 635 $\frac{1}{2}$ of the Penal Code of the State of California, relating to the fishing for smelt or bait with seines in the sixth district.

Have had the same under consideration, and respectfully report the same back, without recommendation.

GUILL, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 70—An Act to amend Section 1 of Chapter 338 of the Laws of 1911, being Section 628 of the Penal Code of the State of California, relating to the production and preservation of fish.

Assembly Bill No. 80—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 96—An Act to amend Section No. 636 of the Penal Code, relating to unlawful nets and lines.

Assembly Bill No. 189—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration, approved March 22, 1909, by amending Section 3 thereof.

Assembly Bill No. 202—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection of fish and shellfish.

Assembly Bill No. 204—An Act to repeal Section 632 $\frac{1}{2}$ of the Penal Code, relating to the protection of steelhead trout.

Assembly Bill No. 205—An Act to amend Section 628 of the Penal Code, relating to the protection of clams.

Assembly Bill No. 207—An Act to amend Section 632 of the Penal Code, relating to the protection of trout.

Assembly Bill No. 280—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by amending Sections 1 and 3 thereof, and adding a new section thereto to be known and numbered as Section 7 $\frac{1}{2}$.

Assembly Bill No. 331—An Act to amend Section 343 of the Political Code of the State of California, relating to the number and designation of civil executive officers of the State.

Assembly Bill No. 472—An Act to amend Sections 599f, 626e, 626f, 626h, 626i, 626j, 627a, 627b, 628, 628c, 628e, 629, 630b, 631, 631a, 631b, 632, 632 $\frac{1}{2}$, 632a, 632b (2), 633, 634, 635, 635 $\frac{1}{2}$, 636, 636a, 636b, 637, 637a, 637c, and 637e of the Penal Code of the State of California, and to repeal Sections 626k, 628a, and 637b of the Penal Code of the State of California, relating to the protection and preservation of the fish and game.

Assembly Bill No. 473—An Act to amend Section 602 of the Penal Code of the State of California, relating to trespass.

Assembly Bill No. 474—An Act to further divide the State into fish and game districts by establishing a district especially suited for propagation of game, and to provide for the management and protection thereof.

Assembly Bill No. 500—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 577—An Act to amend Sections 626, 626d, and 626f of the Penal Code of the State of California, all relating to the protection of fish and game.

Assembly Bill No. 578—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts, approved March 21, 1911.

Assembly Bill No. 581—An Act to amend Section 599 of the Penal Code of the State of California, relating to and prescribing a penalty for killing or destroying any of the species of sea birds known as gulls.

Assembly Bill No. 583—An Act to amend Sections 628a, 634, and to repeal Section 636b, of the Penal Code of the State of California, all relating to the protection and preservation of fish.

Assembly Bill No. 629—An Act to amend Section 1 of an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Assembly Bill No. 685—An Act to amend Section 626d of the Penal Code of the State of California, relating to the number of game birds that may be killed.

Assembly Bill No. 772—An Act to amend Sections 2, 4 and 6 of an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909, relating to the issuance of licenses to hunt wild birds and animals, and providing for the disposition of the moneys collected therefrom.

Assembly Bill No. 798—An Act to amend Section 626f of the Penal Code of the State of California, relating to the protection and preservation of male deer.

Assembly Bill No. 799—An Act to amend Section 626g of the Penal Code of the State of California, relating to the protection and preservation of tree squirrels.

Assembly Bill No. 810—An Act to repeal Section 626k of the Penal Code of California, relative to the sale of certain game.

Assembly Bill No. 812—An Act to add a new section to the Political Code of the State of California, to be numbered Section 635, relating to the expenditure of money by the State Fish and Game Commissioners.

Assembly Bill No. 913—An Act to amend an Act entitled "An Act to prohibit the use of nets, seines, traps, or weirs for the catching of fish in Cache Slough and its tributaries in the counties of Solano and Yolo," approved February 20, 1911.

Assembly Bill No. 943—An Act to amend Section 632 of the Penal Code, relating to the protection of trout.

Assembly Bill No. 947—An Act to amend Section 632½ of the Penal Code of the State of California, relating to the protection of steelhead trout.

Assembly Bill No. 981—An Act to amend Section 628 of the Penal Code of California, relating to the protection of fish, shrimps, catfish, sturgeon, shellfish, and lobsters.

Assembly Bill No. 1055—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection of fish, shrimps, catfish, sturgeon, crabs, shellfish and lobsters.

Assembly Bill No. 1085—An Act to repeal Section 626o of the Penal Code of California, relative to the shooting of wild ducks from launches propelled by steam or other power while said launches are in motion.

Assembly Bill No. 1086—An Act to repeal Section 626n of the Penal Code of California, relative to the use of animals as blinds for the purpose of approaching wild duck, geese, ibis, plover or other waterfowl for the purpose of shooting at or killing such wild birds.

Assembly Bill No. 1087—An Act to repeal Section 628b of the Penal Code of the State of California, relating to fish.

Assembly Bill No. 1233—An Act to appropriate the sum of two thousand dollars for the purpose of clearing obstructions from certain streams.

Assembly Bill No. 1254—An Act to amend Section 628 of the Penal Code, relating to the protection of fish, shrimp, catfish, sturgeon, shellfish and lobsters, and for the preservation of the same.

Assembly Bill No. 1290—An Act to amend Section 627a of the Penal Code of the State of California, relating to the protection and preservation of wild game.

Assembly Bill No. 1348—An Act to amend Section 626f of the Penal Code of the State of California, in relation to the protection of male deer.

Assembly Bill No. 1350—An Act to amend Section 599f of the Penal Code of the State of California, relating to the killing of elk, white deer and black deer.

Assembly Bill No. 1351—An Act to amend Section 626a of the Penal Code of the State of California, relating to the killing of doves.

Assembly Bill No. 1389—An Act to amend Section 632½ of the Penal Code of the State of California, relating to steelhead trout.

Assembly Bill No. 1395—An Act to amend Section 628 of the Penal Code, relating to protection of shellfish.

Assembly Bill No. 1429—An Act to regulate the vocation of dealing in salmon by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish in the State of California.

Assembly Bill No. 1432—An Act to amend Section 626a of the Penal Code, relating to the protection of doves.

Assembly Bill No. 1435—An Act to amend Sections 631a, 631b, 631c of the Penal Code of the State of California, and to add thereto three new sections to be numbered Sections 631d, 631e, and 631f, all relating to the protection of game.

Assembly Bill No. 1440—An Act to amend Section 635½ of the Penal Code of the State of California.

Assembly Bill No. 1441—An Act to amend Section 626 of the Penal Code, relating to the protection of game.

Assembly Bill No. 1443—An Act to amend Section 3 of an Act entitled "An Act to regulate the vocation of dealing in fish and in wild game and animals by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish and game in the State of California," approved April 14, 1911.

Assembly Bill No. 1444—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by amending Sections 2, 3, 5, 6 and 7.

Assembly Bill No. 1446—An Act to amend Section 626 of the Penal Code of the State of California, relating to the protection of fish and game.

Assembly Bill No. 1455—An Act to amend Section 628e of the Penal Code, relating to the protection of fish.

Assembly Bill No. 1449—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 627, relating to the protection and preservation of game.

Assembly Bill No. 1457—An Act to amend Section 4085½ of the Political Code of the State of California, relating to authorizing the board of supervisors of the several counties of the State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

Assembly Bill No. 1458—An Act to amend Section 626 of the Penal Code, relating to the protection of fish and game.

Assembly Bill No. 1460—An Act to amend Section 628 of the Penal Code, relating to the protection of Pismo clams.

Assembly Bill No. 1462—An Act to amend Sections 626m, 626n, and 626o, and to add a new section to the Penal Code of the State of California to be numbered 626g, relating to the protection of fish and game.

Assembly Bill No. 1472—An Act to amend Section 374½ of the Penal Code of the State of California, relating to discharging or depositing coal tar, refuse, or residuary products of coal, petroleum and other carbonaceous material or substances in any of the navigable waters of the State or upon the waters of the Pacific Ocean within a certain point of the coast line of the State and prescribing a penalty therefor.

Assembly Bill No. 1545—An Act to divide the State of California into eight fish and game districts.

Assembly Bill No. 1769—An Act relating to hunting licenses granting permission to kill wild game for sale, providing what such license fees shall state, by whom to be issued and disposition to be made of fees, and imposing fine for violation of Act.

Assembly Bill No. 1880—An Act to amend Section 632½ of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 1882—An Act to amend Section 634 of the Penal Code, relating to salmon, shad and striped bass.

Assembly Bill No. 1992—An Act to promote the enforcement of the game laws of the State of California by designating each member of the Legislature as a game warden with full authority of peace officers for the purposes of this Act.

Assembly Bill No. 1998—An Act to amend Section 626 of the Penal Code of the State of California.

Have had the same under consideration, and respectfully report the same back, without recommendation.

GUILLY, Chairman.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Assembly Bill No. 304—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and mediums of treating the sick and afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911.

Also: Assembly Bill No. 347—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and mediums of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, amended by a certain Act approved March 19, 1909, amended by a certain Act approved May 1, 1911, by adding a new section thereto; such section to be numbered 16a relating to the issuance of a license to practice medicine and surgery to any physician or surgeon who was previous to the year 1896 licensed to practice in any other state or territory of the United States.

Also: Assembly Bill No. 501—An Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, and 15 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners

in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment providing for the appointment of a board of eclectic medical examiners; and amending said Act by adding thereto a new section to be numbered 6a, relating to reciprocity with other states and territories and the District of Columbia in the matter of granting licenses without examinations.

Also: Assembly Bill No. 504—An Act authorizing surgeons retired or relieved from active duty or honorably discharged from the medical department of the United States Army or Navy, regular or volunteer, to practice medicine in the State of California.

Also: Assembly Bill No. 624—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended by a certain Act approved March 21, 1907, by amending Sections 1 and 16 thereof.

Also: Assembly Bill No. 732—An Act to amend Section 6 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907; amended March 19, 1909; amended May 1, 1911.

Also: Assembly Bill No. 801—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this Act.

Also: Assembly Bill No. 821—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and as amended by an Act approved March 19, 1909, and as amended by an Act approved May 1, 1911, by amending Section 6 thereof.

Also: Assembly Bill No. 932—An Act to regulate the practice of mechanotherapy in the State of California and to provide for a state board of mechanotherapeutic examiners, and to punish persons violating this Act.

Also: Assembly Bill No. 946—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by repealing Section 3, of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered 13b, relating to the practice of medicine and surgery in the State of California by members of the medical department of the United States army or navy, regulars or volunteers.

Also: Assembly Bill No. 1275—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by amending Section 6 of said Act by striking out therefrom the provisions heretofore contained therein for the issuance of a certificate to any person who has practiced a special branch of medicine and surgery for the period of thirty-five years, fifteen years of which time shall have been within the State of California, and by inserting therein a further requirement that any applicant to practice medicine and surgery, osteopathy or other systems or modes of treating the sick or afflicted, whose application to practice shall be made subsequent to the first day of January, 1919, shall prove to the satisfaction of the board that, at the time such applicant matriculated with the legally chartered college, the diploma from which he files with his application as in said Act provided, he did then possess the requirements as to preliminary education and qualifications in no particular less than those prescribed at such time by the Association of American Medical Colleges for the matriculation of students of colleges which are members of said association.

Also: Assembly Bill No. 1276—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners, in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act to be known as Section 20, providing for the issuance in certain cases of a certificate to practice medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, without any examination other than that required by the provisions of this Act.

Also: Assembly Bill No. 1282—An Act to regulate the practice of suggestive therapeutics, in the treatment of mental and bodily ailments within the State of California.

Also: Assembly Bill No. 1475—An Act to amend Section 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907.

Also: Assembly Bill No. 1363—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Also: Assembly Bill No. 1483—An Act to add a new section to the Penal Code of California to be numbered 306, relating to the advertisement of medicines and medical treatment and providing for violations thereof.

Also: Assembly Bill No. 1512—An Act to regulate the practice of medicine, surgery and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners, and a board of drugless examiners.

Also: Assembly Bill No. 1597—An Act to amend Section 3 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and amended April 21, 1909.

Also: Assembly Bill No. 1678—An Act to amend Sections 6 and 12a of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and amended by an Act approved March 19, 1909, and still further amended by two certain Acts approved May 1, 1911, and adding a new section to said Act, to be numbered Section 6a, relating to reciprocity with other states and territories and the District of Columbia in the matter of granting license to practice medicine and surgery to any physician or surgeon who was previous to the year 1906 licensed to practice in any other state or territory of the United States.

Also: Assembly Bill No. 1838—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, and amending said Act by adding thereto a new section to be numbered 6a.

Also: Assembly Bill No. 1839—An Act defining the liability of doctors and others who may injure the health of any person by vaccination.

Also: Assembly Bill No. 1888—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 4, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act, which section shall be numbered 6a, relating to the issuance of certificates entitling the owners thereof to practice medicine and surgery within the State of California, without the passing of an examination, but upon certain conditions in said section expressed.

Also: Assembly Bill No. 1997—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and mediums of treating the sick and afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, by adding a new section to said Act, such section shall be numbered 16a, relating to the issuance of a license to practice medicine and surgery to any physician and surgeon who was previous to the year 1896 licensed to practice in any other state or territory of the United States.

Also: Assembly Bill No. 2028—An Act to amend an Act entitled "An Act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, and amended in Chapter 422 of the Statutes of 1907, approved March 21, 1907, and in Chapter 277 of the Statutes of 1909, approved March 19, 1909, by amending sections two (2) and five (5) of said Act, and by repealing section four (4) thereof.

Also: Assembly Bill No. 820—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by an Act approved March 19, 1909, as amended by an Act approved May 1, 1911, by adding a new section to said Act

which section shall be numbered 13b, relating to what person or persons shall be deemed to be practicing medicine.

I have had the same under consideration, and respectfully report the same back, without recommendation.

PEAIRS, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 47—An Act to amend Section 1665a of the Political Code of the State of California, relating to the establishment of cosmopolitan schools in certain cities or cities and counties.

Also: Assembly Bill No. 74—An Act to promote education in social science and the arts, and making an appropriation therefor.

Also: Assembly Bill No. 238—An Act to amend Section 1858, paragraph 5, of the Political Code of the State of California, relating to units of attendance in the public schools.

Also: Assembly Bill No. 239—An Act to amend Section 1696, paragraph 6, of the Political Code of the State of California, relating to making report, transfer, attendance in the public schools of the State of California.

Also: Assembly Bill No. 413—An Act to provide for retirement salaries for public school teachers of this State, and to provide for the revenue therefor.

Also: Assembly Bill No. 414—An Act to amend an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder, to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911, by amending Section 25 thereof.

Also: Assembly Bill No. 415—An Act to amend Section 1532 of the Political Code of the State of California, relating to the duties of the Superintendent of Public Instruction.

Also: Assembly Bill No. 435—An Act to amend Section 1714 of the Political Code of the State of California," relating to the apportionment of school library funds in cities.

Also: Assembly Bill No. 439—An Act to amend Section 1617 of the Political Code of the State of California, relating to the powers and duties of boards of school trustees and boards of education in cities.

Also: Assembly Bill No. 440—An Act to repeal Section 1624 of the Political Code of the State of California, relating to the appointment of school census marshals.

Also: Assembly Bill No. 466—An Act entitled "An Act to amend Section 1583 of the Political Code of the State of California, relating to joint districts by changing the apportionment from census children to average daily attendance."

Also: Assembly Bill No. 467—An Act to amend Section 1662 of the Political Code of the State of California, relating to course of study for the elementary day and evening schools, the admission of pupils to such schools, and the exclusion of pupils from such schools.

Also: Assembly Bill No. 588—An Act to amend Section 1649 of the Political Code of the State of California, providing for the election of a clerk.

Also: Assembly Bill No. 587—An Act to amend Section 1858 of the Political Code of the State of California, relating to the apportioning of school moneys by the county superintendent of schools.

Also: Assembly Bill No. 595—An Act to amend Section 1543 of the Political Code of the State of California, defining the duties of the county superintendent of schools for each county.

Also: Assembly Bill No. 602—An Act to amend Section 1549 of the Political Code of the State of California, relating to the appointment of deputy county superintendents, and their compensation.

Also: Assembly Bill No. 603—An Act to amend Section 1662 of the Political Code of the State of California defining the length of the elementary school course, school age, and conditions of admission to and exclusion from the day and evening elementary schools.

Also: Assembly Bill No. 610—An Act to amend Sections 1712, 1713, and 1714 of the Political Code of the State of California, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and expended for such libraries.

Also: Assembly Bill No. 613—An Act to amend Section 1622 of the Political Code of the State of California, relating to expenditure of state and county school money.

Also: Assembly Bill No. 632—An Act to amend Section 1576a of the Political Code of the State of California relating to the hiring of a clerk by certain districts.

Also: Assembly Bill No. 635—An Act to amend Section 1577 of the Political Code relative to the formation of new districts, to changes of boundaries, to the formation of joint districts, to the pupils in newly formed districts, and to the disposal of the funds of districts which have been combined.

Also Assembly Bill No. 636—An Act to amend Sections 1560, 1562 and 1564 of the Political Code relating to the teachers' institutes, joint institutes, and penalties for failure to hold institutes.

Also: Assembly Bill No. 668—An Act to amend Section 1696 of the Political Code of the State of California relating to the duties of teachers.

Also: Assembly Bill No. 695—An Act to add a new section to the Political Code, to be known as Section 1840g.

Also: Assembly Bill No. 710—An Act confirming and validating the organization of school districts.

Also: Assembly Bill No. 711—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Assembly Bill No. 712—An Act to amend Section 1597 of the Political Code, relating to the time that polls shall be open at elections in school districts.

Also: Assembly Bill No. 713—An Act to amend Section 1746 of the Political Code, relating to the issuance of bonds of high school districts.

Also: Assembly Bill No. 714—An Act to amend Section 1745 of the Political Code, relating to proceedings for the issuance of bonds of high school districts.

Also: Assembly Bill No. 715—An Act to amend Sections 1837 and 1740 of the Political Code, relating to district school tax.

Also: Assembly Bill No. 822—An Act entitled "An Act to amend Section 1615 of the Political Code of the State of California, relating to the election of school trustees in newly formed districts by changing the date of the beginning of their terms from July to May.

Also: Assembly Bill No. 823—An Act to amend Section 1597 of the Political Code of the State of California, which provides the time of opening and closing polls at a school election by changing from 500 children to an average daily attendance of 350.

Also: Assembly Bill No. 933—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities of the State and making an appropriation of two thousand dollars for such purposes.

Also: Assembly Bill No. 938—An Act entitled "An Act to amend Section 1532 of the Political Code of the State of California, defining the duties of the State Superintendent of Public Instruction."

Also: Assembly Bill No. 988—An Act to amend Section 443 of the Political Code, relating to the state school fund.

Also: Assembly Bill No. 1058—An Act to amend Section 1560 of the Political Code of the State of California, relating to teachers' institutes.

Also: Assembly Bill No. 1081—An Act to amend Section 1768 of the Political Code of the State of California, relating to county boards of education.

Also: Assembly Bill No. 1106—An Act to amend Section 1617 of the Political Code of the State of California, relating to duties and powers of school trustees.

Also: Assembly Bill No. 1154—An Act to amend Section 1818 of the Political Code, relating to the levy of county or city and county school tax.

Also: Assembly Bill No. 1164—An Act adding a new section to the Political Code of the State of California to be numbered 1527, relating to the selection of text-books for use in the public schools of the State of California.

Also: Assembly Bill No. 1169—An Act to amend Section 1750 of the Political Code, relating to courses of study in high schools.

Also: Assembly Bill No. 1190—An Act to amend Section 1874 of the Political Code of the State of California, relating to the publishing and distributing of free text-books to the elementary day and evening schools of California.

Also: Assembly Bill No. 1283—An Act to amend Section 1532 of the Political Code of the State of California, defining the duties of the State Superintendent of Public Instruction.

Also: Assembly Bill No. 1284—An Act to amend Section 443 of the Political Code of the State of California, relating to the state school fund.

Also: Assembly Bill No. 1286—An Act to amend Section 1 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903.

Also: Assembly Bill No. 1396—An Act to amend Section 1755 of the Political Code of the State of California, relating to the estimate of tax for building high schools and to making additions thereto.

Also: Assembly Bill No. 1406—An Act to create the office of registrar of teachers and to define the powers and duties thereof.

Also: Assembly Bill No. 1420—An Act to amend Section 1698 of the Political Code, relating to the dismissal of teachers in the elementary and secondary schools of the State of California, and appeals from orders of dismissal.

Also: Assembly Bill No. 1413—An Act to amend Sections 1768, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1778 and 1779 of the Political Code of the State of California, relating to the appointment of members of county boards of education and the powers and duties of county boards of education.

Also: Assembly Bill No. 1414—An Act to amend Sections 1663, 1684, 1685, 1686, and 1687 of the Political Code of the State of California, relating to the admission of the pupils into the public schools, submission of pupils to authority of the teachers, suspension or expulsion of pupils, liability of parents or guardians for property destroyed by pupils, and beginning pupils to be taught by experienced teachers.

Also: Assembly Bill No. 1415—An Act to amend Section 1662 of the Political Code, relating to courses of study in the day and evening elementary schools.

Also: Assembly Bill No. 1520—An Act to amend Section 1716 of the Political Code, relating to school libraries.

Also: Assembly Bill No. 1522—An Act to amend Section 1505 of the Political Code, relating to superintendents of public instruction visiting schools.

Also: Assembly Bill No. 1524—An Act to amend Section 1617 of the Political Code, relating to the powers and duties of boards of school trustees and city boards of education.

Also: Assembly Bill No. 1526—An Act to repeal an Act entitled "An Act to make women eligible to educational offices," approved March 12, 1874.

Also: Assembly Bill No. 1527—An Act to amend Section 1687 of the Political Code, relating to a class of teachers required to teach beginners in the elementary and secondary schools, and their compensation.

Also: Assembly Bill No. 1539—An Act to add a new section to the Political Code of the State of California, to be numbered 1662a, relating to the establishment of separate schools for negro children.

Also: Assembly Bill No. 1566—An Act to amend Section 1062 of the Political Code of the State of California, relative to courses of study, ages of admission, separate schools for Indians, etc., evening schools, ages of admission.

Also: Assembly Bill No. 1603—An Act to amend Section 3 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, relating to investigation of charges of violation of the Act.

Also: Assembly Bill No. 1759—An Act to add a new section to the Political Code, to be known as Section 1617b of said Code, relating to the sale or leasing of school property by boards of trustees of common school districts and by boards of education in city school districts.

Also: Assembly Bill No. 1762—An Act to provide for instruction in the elementary principles and practice of road building, improvement and maintenance, in the public schools of the State of California.

Also: Assembly Bill No. 1774—An Act to amend an Act entitled "An Act to provide for the change of name of school districts, and the manner of making such change," approved March 16, 1903.

Also: Assembly Bill No. 1776—An Act to repeal Section 1758 of the Political Code of the State of California, relating to high school pupils.

Also: Assembly Bill No. 1810—An Act to amend Section 2236 of the Political Code of the State of California, relating to and changing the name of the California Institution for the Deaf and Blind.

Also: Assembly Bill No. 1831—An Act to amend Sections 1517, 1518, 1520 and 1522 of the Political Code of the State of California, relating to the State Board of Education and its powers.

Also: Assembly Bill No. 1832—An Act to amend Section 650 of the Civil Code, relating to the powers of boards of trustees of colleges and seminaries of learning.

Also: Assembly Bill No. 1834—An Act to amend Section 1662 of the Political Code of the State of California, defining the length of the elementary school course, school age, and conditions of admission to and exclusions from the day and evening elementary schools.

Also: Assembly Bill No. 1835—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Also: Assembly Bill No. 1837—An Act to repeal Section 1840 of the Political Code of the State of California, said section relating to the support of schools, estimates of moneys needed, levy of tax and funds, and for what purpose available.

Also: Assembly Bill No. 1908—An Act to amend Section 1756 of the Political Code of the State of California, relating to the maintenance of high schools.

Also: Assembly Bill No. 1909—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

Also: Assembly Bill No. 2046—An Act to provide for the teaching of technical and agricultural topics in the secondary and elementary schools of the State.

Have had the same under consideration, and respectfully report the same back, without recommendation.

WYLLIE, Chairman.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 28—An Act to amend Section 1, Section 5, Section 12, and Section 23 of Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909."

Also: Assembly Bill No. 149—An Act to amend Section 1142 of the Political Code of the State of California, relating to boards of election.

Also: Assembly Bill No. 264—An Act to provide for and regulating primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909. (Approved April 7, 1911; amended December 24, 1911.)

Also: Assembly Bill No. 265—An Act to amend Section 1142 of the Political Code of the State of California, relative to the boards of election.

Also: Assembly Bill No. 498—An Act to amend Section 30 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911.

Also: Assembly Bill No. 584—An Act to amend Section 1142 of the Political Code of the State of California, relative to boards of elections.

Also: Assembly Bill No. 741—An Act to amend Section 1188 of the Political Code, relative to independent candidates for office.

Also: Assembly Bill No. 742—An Act to amend Section 8 of the direct primary law, relative to filing nomination papers with Secretary of State, and providing for payment of fees received from candidates.

Also: Assembly Bill No. 816—An Act to amend Section 1094 of the Political Code of the State of California, relating to registration of voters.

Also: Assembly Bill No. 852—An Act to amend Section 1115 of the Political Code of the State of California, relating to the index to registrations.

Also: Assembly Bill No. 864—An Act to amend an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909 (approved April 7, 1911; amended December 24, 1911, as to Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24; amendment constitutes Chapter 17 of Statutes of special session of 1911 [amended sections here incorporated])," by amending Sections 5, 6, 24 and 32.

Also: Assembly Bill No. 865—An Act to amend an Act entitled "An Act to provide for the expression by the qualified electors of the several political parties of their choice for nomination by their party for President of the United States, and to provide for the election of the delegates of said political parties to their respective national conventions, and to call an election in conformity with the provisions of this Act" (approved December 24, 1911), by amending Sections 2 and 4.

Also: Assembly Bill No. 1082—An Act to amend Sections 16, 17 and 24 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911.

Also: Assembly Bill No. 1117—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

Also: Assembly Bill No. 1145—An Act to repeal Subdivision 6 of Section 12 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act

to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator," approved March 24, 1909," approved April 7, 1911.

Also: Assembly Bill No. 1146—An Act to amend Section 23 of an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909"; approved April 7, 1911.

Also: Assembly Bill No. 1398—An Act to amend Sections 1127 and 1129 of the Political Code in regard to the size of election precincts.

Also: Assembly Bill No. 1538—An Act providing for voting by mail, and defining all regulations and duties of citizens and officials relating thereto.

Also: Assembly Bill No. 1579—An Act to facilitate the operation of the initiative, referendum and recall provisions of the Constitution of the State of California.

Also: Assembly Bill No. 1592—An Act to amend Section 1142 of the Political Code.

Also: Assembly Bill No. 1652—An Act to amend Section 54 of the Penal Code of the State of California, relating to elections.

Also: Assembly Bill No. 1664—An Act to amend Section 1094 of the Political Code, relating to registration of voters and elections, and repealing all Acts and parts of Acts in conflict herewith.

Also: Assembly Bill No. 1668—An Act to amend Section 1142 of the Political Code, relating to boards of elections.

Also: Assembly Bill No. 1669—An Act to amend Section 1096 of the Political Code, relating to registration of electors.

Also: Assembly Bill No. 1707—An Act to amend the "direct primary law," approved April 7, 1911, by adding a new section thereto, to be numbered 36, relating to and making certain sections of the Political Code apply to the "direct primary law."

Also: Assembly Bill No. 1708—An Act to amend Sections 1083, 1096, 1097, 1197, 1199, and 1204 of the Political Code, and to add two new sections thereto, to be numbered 1204b and 1230a, all relating to elections.

Also: Assembly Bill No. 1733—An Act to amend Section 1239 of the Political Code, relating to rules for determining place of residence of electors.

Also: Assembly Bill No. 1737—An Act to create and establish a state election commission, and to provide for the appointment of a state election commissioner, and to prescribe the qualifications, powers, rights and duties of such commissioner, and to provide for executing and carrying into effect efficiently the powers, rights and duties of such commissioner, and providing for the support and maintenance of such commission and its necessary assistants.

Also: Assembly Bill No. 1738—An Act to amend Section 3 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privileges of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.'"

Also: Assembly Bill No. 1746—An Act to amend Section 1044 of the Political Code of the State of California, relating to the municipal elections—how conducted.

Also: Assembly Bill No. 1747—An Act to amend Section 1094 of the Political Code of the State of California, relating to the keeping of a great register and providing therein for the registration of voters and transfers.

Also: Assembly Bill No. 1748—An Act to amend Section 1120 of the Political Code of the State of California, relating to the qualifications of voters.

Also: Assembly Bill No. 1749—An Act to amend Section 1121 of the Political Code of the State of California, repealing said section.

Also: Assembly Bill No. 1751—An Act to amend Section 1192 of the Political Code of the State of California, relating to the filing of certificates of nomination.

Also: Assembly Bill No. 1753—An Act to amend Section 1198 of the Political Code of the State of California, relating to the recording of ballots.

Also: Assembly Bill No. 1754—An Act to amend Section 1199 of the Political Code of the State of California, relating to the distribution of ballots by county clerks.

Also: Assembly Bill No. 1757—An Act to amend Section 1288 of the Political Code of the State of California, relating to duty of county clerk with respect to state returns.

Also: Assembly Bill No. 1758—An Act to repeal Section 1361 of the Political Code of the State of California.

Also: Assembly Bill No. 1781—An Act to amend Section 117 of the Political Code, relating to the division of the State into congressional districts.

Also: Assembly Bill No. 1782—An Act to amend Section 90 of the Political Code, providing for Assembly districts.

Also: Assembly Bill No. 1783—An Act amending part two, title one, chapter two, article one, of the Political Code of California, by adding a new section thereto to be known as Section 79, providing for Senatorial districts at large.

Also: Assembly Bill No. 1784—An Act to amend Section 1343 of the Political Code, providing for the election of Representatives to the Congress of the United States.

Also: Assembly Bill No. 1785—An Act to amend Section 12 of the Act approved April 7, 1911, and known as Chapter 398 of the Statutes of 1911, providing for the designation of political parties on the ballot.

Also: Assembly Bill No. 1789—An Act to amend the Political Code by adding a new section thereto, to be numbered 1244, relating to the right to vote.

Also: Assembly Bill No. 1817—An Act to provide for county civil service commissions who shall have the power to appoint boards of elections, and prescribing the qualifications for members of boards of election and the duties of county civil service commissions.

Also: Assembly Bill No. 1818—An Act requiring all qualified electors in the State of California to register and to vote at general elections and prescribing a poll tax upon all electors who fail or neglect so to register or to vote; and prescribing punishment for those persons who swear falsely in such matters and prescribing certain duties for county clerks, tax collectors and boards of election.

Also: Assembly Bill No. 1833—An Act to provide for the consolidation of special elections in counties, cities and counties, cities and towns.

Also: Assembly Bill No. 1877—An Act to amend Section 1142 of the Political Code, relating to boards of election.

Also: Assembly Bill No. 1887—An Act to provide for the filling of any vacancy that may occur in any state, county or municipal elective office.

Also: Assembly Bill No. 1891—An Act to amend Section 1195 of the Political Code, relating to submitting of constitutional amendments.

Also: Assembly Bill No. 1892—An Act to amend Section 1339 of the Political Code of the State of California, relating to primary elections.

Also: Assembly Bill No. 1898—An Act relating to the arrangement of names of candidates for President and Presidential Electors on the official ballot, and providing how an elector may designate his choice for candidates for President and Presidential Electors.

Also: Assembly Bill No. 1902—An Act to amend an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,'" approved March 24, 1909.

Also: Assembly Bill No. 1921—An Act to add two new sections to the Code of Civil Procedure to be known and numbered as Sections 1128 and 1129, respectively, each relating to contesting elections.

Also: Assembly Bill No. 1931—An Act to amend Section 1281 of the Political Code, relating to the canvass of election returns.

Also: Assembly Bill No. 1932—An Act to amend Section 1265 of the Political Code, relating to the keeping of ballots unopened.

Also: Assembly Bill No. 1933—An Act to amend Section 272a of the Political Code, relating to the transfer of compensation by election officers.

Also: Assembly Bill No. 1985—An Act to amend Section 1096 of the Political Code of the State of California, relating to affidavits of registration.

Also: Assembly Bill No. 1999—An Act to provide for the conveyance of infirm and crippled voters to the polls on election days, and prohibiting candidates from conveying them or contributing to the same.

Also: Assembly Bill No. 2008—An Act relating to the use of state funds for the payment of legitimate campaign expenses by any political party of the State.

Also: Assembly Bill No. 2018—An Act to amend an Act entitled "An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections, and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,'" approved March 24, 1909, amended December 24, 1911, by adding a new section thereto to be numbered Section 334.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BOHNETT, Chairman.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 27—An Act authorizing any county in the State which claims to have sustained a net loss in county revenue by the withdrawal of railroad property from county taxation in accordance with the provisions of Section 14, of Article XIII, of the Constitution of the State of California, as said Constitution was

amended November 8, 1910, to commence suit against the State of California for the recovery of such loss, and to prosecute such suit to final judgment, and regulating the procedure to be followed in such suits and the time within which such suits must be commenced.

Also: Assembly Bill No. 217—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act, approved March 20, 1905, amended, approved June 13, 1906; amended, approved March 19, 1907; amended, approved March 19, 1909; amended, approved April 24, 1911, by providing certain terms and conditions whereby corporations which have failed to pay the license tax mentioned in said Act may pay the same and be restored to their former rights.

Also: Assembly Bill No. 306—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, amended, approved June 13, 1906, amended, approved March 20, 1907, amended, approved March 19, 1909, amended, approved April 24, 1911.

Also: Assembly Bill No. 368—An Act to repeal Chapter IX of Title IX of Part III of the Political Code relating to poll taxes.

Also: Assembly Bill No. 432—An Act to amend Sections 3692, 3696, 3714, 3732, 3737, 3746, 3756 of the Political Code of the State of California, all of said sections relating to the assessment, equalization and collection of taxes of the counties and the State.

Also: Assembly Bill No. 452—An Act to amend Section 3629 of the Political Code of the State of California relating to assessors.

Also: Assembly Bill No. 497—An Act to amend the Political Code of the State of California by adding a new section thereto to be numbered 3746a, relating to the payment of taxes by a taxpayer who exercises the elective franchise.

Also: Assembly Bill No. 616—An Act to amend Section 3804 of the Political Code, relating to taxes erroneously collected.

Also: Assembly Bill No. 975—An Act to amend Section 10 of Article XIII of the Constitution of the State of California, adding a new section to Article XI, and repealing Section 14 of Article XIII thereof, all relating to revenue and taxation.

Also: Assembly Bill No. 1060—An Act to amend Section 3824 of the Political Code, relating to excess taxes.

Also: Assembly Bill No. 1200—An Act to amend Sections 10 and 28 of an Act entitled "An Act to carry into effect the provisions of Section 14 of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies, for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911.

Also: Assembly Bill No. 1229—An Act to amend Section 3 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds: to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905.

Also: Assembly Bill No. 1312—An Act to reimburse the county of Nevada for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation.

Also: Assembly Bill No. 1356—An Act to amend Section 3839 of the Political Code of the State of California, relating to persons liable to poll tax.

Also: Assembly Bill No. 1568—An Act to repeal an Act entitled "An Act to provide for the appointment of a commission to carry out the work mentioned and provided for in an Act entitled 'An Act authorizing the Governor to appoint an expert in taxation and public finance, to sit as a member of a commission to be composed of himself and a general committee of the Senate and Assembly of the thirty-sixth session of the Legislature of the State of California, of which commission the Governor shall be ex officio a member and chairman, to investigate the system of revenue and taxation in force in this State, and to recommend a plan for the revision and the reform thereof; to provide for the creation of said commission, and to define its powers and making an appropriation therefor,' approved March 20, 1905, and making an appropriation therefor," approved March 25, 1909.

Also: Assembly Bill No. 1569—An Act to repeal an act entitled "An Act authorizing the Governor to appoint an expert in taxation and public finance, to sit as a member of a commission to be composed of himself and a general committee of the Senate and Assembly of the thirty-sixth session of the Legislature of the State of California, of which commission the Governor shall be ex officio a member and

chairman to investigate the system of revenue and taxation in force in this State, and to recommend a plan for the revision and reform thereof; to provide for the creation of said commission, and to define its powers; and making an appropriation therefor," approved March 20, 1905.

Also: Assembly Bill No. 1632—An Act to amend Section 3897 of the Political Code of the State of California, relating to sales of real property sold to the State.

Also: Assembly Bill No. 1779—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, (providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 2, 3, 4, 5, 24 and 35.)

Also: Assembly Bill No. 1822—An Act to amend Section 3824 of the Political Code, relating to the payment and recovery of excess amounts of taxes and limiting the time for demand and suit to recover the same; the apportionment thereof and liability of the treasurer therefor.

Also: Assembly Bill No. 1978—An Act to amend Section 359 of the Civil Code of the State of California, relating to bonded indebtedness, how created and increased.

Also: Assembly Bill No. 1986—An Act to reimburse the county of Calaveras in the State of California for loss of revenue sustained in the year 1911 and the year 1912, under the provisions of Section 14, of Article XIII, of the Constitution of the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 1987—An Act to reimburse the county of El Dorado in the State of California for loss of revenue sustained in the year 1911 and the year 1912, under the provisions of Section 14, of Article XIII, of the Constitution of the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 2002—An Act to amend an Act entitled "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by amending Sections 2, 3, 4, 5, 24 and 35.

Also: Assembly Bill No. 2003—An Act to impose, levy and collect an income tax.

Also: Assembly Bill No. 2004—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905; amended, approved June 13, 1906; amended, approved March 19, 1907; amended, approved March 20, 1907; amended, approved March 19, 1907; amended, approved March 19, 1909, by providing certain terms and conditions whereby corporations which have failed to pay the license tax mentioned in said Act may pay the same and be restored to their former rights.

Have had the same under consideration, and respectfully report the same back, without recommendation.

SUTHERLAND, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 117—An Act to protect pedestrians at the intersection of highways.

Also: Assembly Bill No. 231—An Act to amend an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, as amended March 23, 1907, by amending Section 1, Subdivision 1; and Section 5, Subdivisions 1, 2, 3, 4, 5, and adding thereto a new subdivision to be numbered Subdivision 6.

Also: Assembly Bill No. 460—An Act to amend Subdivision 5 of Section 2 of Act 2331 of the General Laws of the State of California, relating to motor vehicles (approved March 22, 1905, Stats. 1905, p. 816), amended 1907, p. 914.

Also: Assembly Bill No. 654—An Act to amend Section 588 of the Penal Code of the State of California.

Also: Assembly Bill No. 929—An Act repealing "An Act to amend an Act entitled 'An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony,' and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory

thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purpose aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the terms of office and compensation of such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof, approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 1, 1½, 2, 3, 7, 9, 11, 17 and 19 thereof and by adding a new section thereto to be numbered Section 6a, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries,' approved April 8, 1911, and amending Sections 1, 1½, 2, 17, of an Act known as Chapter 183 of the Statutes of 1907 of the State of California.

Also: Assembly Bill No. 877—An Act to establish the Pioneer state road; to define its course; to provide for its supervision, survey, construction, repair and maintenance, and to make an appropriation therefor.

Also: Assembly Bill No. 978—An Act to provide for the survey, location and construction of a state bridle trail from Meyer's Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation.

Also: Assembly Bill No. 1057—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads.

Also: Assembly Bill No. 1353—An Act to amend an Act entitled "An Act to regulate the operation of motor vehicles on public highways and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905.

Also: Assembly Bill No. 1529—An Act providing for the displaying of lights indicating the rate of speed of automobiles and other auto vehicles.

Also: Assembly Bill No. 1562—An Act to amend an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, by adding thereto six new sections to be known as Sections 84, 85, 86, 87, 88 and 89.

Also: Assembly Bill No. 1641—An Act to amend Sections 5, 6, 9 and 11 of an Act entitled "An Act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds, and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers."

Also: Assembly Bill No. 1715—An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the construction therein or thereon of sidewalks, sewers, manholes, cesspools, tunnels, curbing, crosswalks, gutters, culverts, bridges, dykes and levees; for the payment of the cost thereof by special assessments upon a district in installments or otherwise; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts.

Also: Assembly Bill No. 1910—An Act to amend Section 2 of an Act entitled "An Act providing for the laying out, constructing, straightening, improving, and repair of main public highways in any county, providing for the voting, issuing, and selling of

county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such works and improvements, and authorizing cities and towns to improve the portion of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, relating to the appointment of a county highway commission.

Have had the same under consideration, and respectfully report the same back, without recommendation.

GABBERT, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 18—An Act defining the powers of the State Board of Harbor Commissioners of San Francisco, or their successors, in granting ferry privileges to be used for the purpose of ferrying passengers to and from San Francisco and any city or town situated on the bay of San Francisco owning and prepared to operate a union ferry passenger depot.

Also: Assembly Bill No. 919—An Act authorizing and empowering any municipal corporation to which tide lands and submerged lands, situated within the limits thereof, have been granted by the State of California, to grant portions of such lands to the United States for public purposes and validating and confirming grants of such lands made by such municipal corporation to the United States.

Also: Assembly Bill No. 935—An Act to amend Section 368 of the Political Code, relating to the appointment of certain executive officers.

Also: Assembly Bill No. 1077—An Act granting to the town of Redwood City the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the town of Redwood City, and regulating the management, use and control thereof.

Also: Assembly Bill No. 1121—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain Acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain Acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts, parts of Acts, amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the chief engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Also: Assembly Bill No. 1129—An Act to provide for the accomplishment of the work of constructing a breakwater in Port San Luis, California, and making an appropriation for such work.

Also: Assembly Bill No. 1409—An Act amending Section 2349 of the Political Code of the State of California, declaring navigable certain streams and waters, and declaring the same to be public ways.

Also: Assembly Bill No. 1612—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 643½, relating to the boarding of vessels in the waters of the State of California.

Also: Assembly Bill No. 1613—An Act to repeal an Act entitled "An Act granting to the city of Los Angeles the tide lands and submerged lands of the State within the boundaries of said city," approved May 1, 1911.

Also: Assembly Bill No. 1614—An Act to repeal an Act entitled "An Act granting certain tide lands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof," approved May 1, 1911.

Also: Assembly Bill No. 1615—An Act to repeal an Act entitled "An Act granting to the city of Long Beach the tide lands and submerged lands of the State of California within the boundaries of said city," approved May 1, 1911.

Also: Assembly Bill No. 1616—An Act to repeal an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Also: Assembly Bill No. 1617—An Act to repeal an Act entitled "An Act granting certain lands and salt marsh and tide lands of the State of California, including the right to wharf out therefrom, to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911.

Also: Assembly Bill No. 1643—An Act granting to the city of Vallejo the tide lands and submerged lands of the State of California within the boundaries of said city.

Also: Assembly Bill No. 1766—An Act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of San Mateo, and regulating the management, use and control thereof.

Also: Assembly Bill No. 1767—An Act granting to the city of Burlingame the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, to the city of Burlingame, and regulating the management, use and control thereof.

Have had the same under consideration, and respectfully report the same back, without recommendation.

INMAN, Chairman.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1913.

MR. SPEAKER: Your Committee on Normal Schools, to whom was referred Assembly Bill No. 1719—An Act appropriating money for repairing the old training school building at San Jose State Normal School.

Also: Assembly Bill No. 1720—An Act appropriating money for completing the grading of the school grounds and for laying concrete walks at San Jose State Normal School.

Also: Assembly Bill No. 1721—An Act appropriating money for building an assembly hall at San Jose State Normal School.

Also: Assembly Bill No. 1722—An Act appropriating money for the purchase of furniture and equipment for San Jose State Normal School.

Also: Assembly Bill No. 1723—An Act appropriating money for the construction of an outdoor gymnasium, equipping the same, and the building of basket ball courts and tennis courts and for laying out playgrounds for the training school, and equipping the same, all at the San Jose State Normal School.

Also: Assembly Bill No. 1724—An Act appropriating money for repairing the old manual training building at the San Jose State Normal School.

Also: Assembly Bill No. 1725—An Act appropriating money for the construction of a manual training and domestic science building at San Jose State Normal School.

Also: Assembly Bill No. 1412—An Act to amend Sections 354 and 1489, and to repeal Sections 1488, 1490, 1491, and 1492 of the Political Code of the State of California, relating to state normal schools.

Also: Assembly Bill No. 650—An Act establishing a state normal school in the city of Lodi, county of San Joaquin, and making an appropriation for the maintenance of said school.

Also: Assembly Bill No. 49—An Act establishing a state normal school at Santa Rosa, county of Sonoma, State of California, and making an appropriation for the maintenance of said school.

Also: Assembly Bill No. 833—An Act appropriating money for the purchase of furniture and equipment for the State Normal School of San Diego, California.

Also: Assembly Bill No. 557—An Act to repeal an Act entitled "An Act to provide for the dedication to public use for street purposes of certain lands of the state normal school at Los Angeles; to prescribe the conditions of such dedication; to authorize and empower the board of trustees of said state normal school to convey said lands to the city of Los Angeles to public use for street purposes, and to authorize and empower said board of trustees to make certain changes, alterations and repairs in the buildings and other improvements upon the lands of said state normal school arising out of such dedication," approved March 25, 1909.

Have had the same under consideration, and respectfully report the same back, without recommendation.

STRINE, Chairman.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to whom was referred Assembly Bill No. 1239—An Act to add a title to Part XIV of Division First of the Civil Code, to be known as Title XIIb, relating to societies for the prevention of cruelty to animals.

Also: Assembly Bill No. 126—An Act to amend Sections 2 and 6 of an Act entitled "An Act to authorize the establishment of the California state trades and training school for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909, and to transfer and make available for the purchase and location of said California Trades and Training School the site heretofore selected and purchased by a commission under and in pursuance of an Act entitled "An Act to establish the California state reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911, and to appropriate, transfer and make available the moneys heretofore appropriated under the Act of which this Act is amendatory, for the purposes of the said Act, providing for the state reformatory, and to make further appropriations for the purpose of said trades and training school.

Also: Assembly Bill No. 569—An Act to amend an Act of the Legislature of the State of California, entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies and organizations engaged in such work and known as children's home finding societies," approved April 24, 1911.

Also: Assembly Bill No. 36—An Act concerning children receiving public or charitable aid, providing a placing out system therefor; providing for inspection of institutions therefor; defining the duties of officials in relation thereto.

Also: Assembly Bill No. 448—An Act to amend Section 2283 of the Political Code of the State of California, relating to the support, maintenance of orphans, half-orphans, and abandoned children and granting aid to mothers of half-orphans living in their own homes, making such payments obligatory where need is shown, and defining the amounts to be paid and ages of orphans, and half-orphans receiving such aid and adding a new section thereto to be known as Section 2283a of the Political Code of the State of California giving to the State Board of Control authority to examine all cases coming under Section 2283 of the said code, and to reject or grant aid as it shall determine.

Also: Assembly Bill No. 450—An Act to amend Section 224 of the Civil Code, relating to the adoption of abandoned and deserted children and the taking of acknowledgments to the consent to such adoption.

Also: Assembly Bill No. 585—An Act amending the Civil Code by adding a new section thereto to be known and designated as Section 607h and providing for a "state humane commission, composition, rights and duties thereof and regulations for the more efficient transaction of humane work."

Also: Assembly Bill No. 586—An Act amending the Civil Code by adding a new section thereto to be known and designated as Section 607i, and providing for the term of office of commissioners, meetings, compensation, partial disposition of fines imposed in humane cases, penalties attached to violation of the provisions of Section 607h of the Civil Code and of this section.

Also: Assembly Bill No. 859—An Act to provide for the partial support of poor women, whose husbands are dead, or convicts, or for any other reason incapacitated, when such women are mothers of children under the age of fifteen (15) years and reside in counties, or cities and counties of the first, second, third, fourth, fifth and sixth classes, to be known as the "Mothers' Compensation Act"; creating a mothers' compensation board; defining its powers and rules, and prescribing the number and qualifications of the members thereof.

Also: Assembly Bill No. 860—An Act to amend an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and amended April 5, 1911.

Also: Assembly Bill No. 1264—An Act to amend Section 2 of an Act entitled "An Act to create a state board of charities and corrections, prescribing its duties

and powers, and appropriating money therefor," approved March 25, 1903, as amended by Act approved May 1, 1911.

Also: Assembly Bill No. 1308—An Act to amend Section 10r of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, as amended April 5, 1911, relating to probation officers in counties of the fourth class and their salaries, and to add two new sections thereto to be known as Sections 10p and 10q.

Also: Assembly Bill No. 1661—An Act to amend Section 1 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, defining the words "dependent person" and "delinquent person."

Also: Assembly Bill No. 1797—An Act to amend Section 13 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children, providing for the punishment of persons responsible for, or contributing to the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved April 5, 1911.

Assembly Bill No. 1884—An Act concerning neglected, dependent and delinquent persons; providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons, and fixing the salaries of probation officers and also their qualifications; providing for detention homes for such persons; providing for the punishment of persons responsible for, or contributing to, the neglect, dependency or delinquency of such persons, and giving the Superior Court jurisdiction of such offenses, and providing for appeal from any order or judgment of such Superior Court and repealing inconsistent Acts.

Also: Assembly Bill No. 1894—An Act to amend Section 10u of an Act entitled "An Act to amend an Act entitled, 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909," approved April 5, 1911.

Assembly Bill No. 1919—An Act to amend Section 10d of an Act entitled, "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to probation officers in counties of the fourth class and their salaries.

Have had the same under consideration, and respectfully report the same back, without recommendation.

RYAN, Committee.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 173—An Act appropriating money for building a staff house for assistant physicians at Agnews State Hospital.

Also: Assembly Bill No. 566—An Act to amend Section 2145 of the Political Code of the State of California, relating to state hospitals and the corporate names of each, and to change the name of the Napa State Hospital to that of the Tulocay State Hospital.

Also: Assembly Bill No. 906—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitués near Stockton, California, and to provide for the government and management thereof, and making an appropriation therefor.

Also: Assembly Bill No. 908—An Act to amend Section 2185c of the Political Code, relating to arrest, hearing and commitment of inebriates and drug habitués to a state hospital.

Have had the same under consideration, and respectfully report the same back, without recommendation.

CRAM, Chairman.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to whom was referred Assembly Bill No. 360—An Act to amend Section 3 of an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other Acts or parts of Acts now in force relating to estrays," approved March 23, 1901.

Also: Assembly Bill No. 574—An Act to provide for the destruction of animals exhibiting physical symptoms of the disease known as glanders; providing for the testing of horses, mules and asses which have been in contact with an animal showing physical symptoms of glanders; providing for the manner in which animals giving positive reactions to such tests shall be kept; providing for the inspection of such animals by the State Veterinarian; providing for penalties for violations of this Act, and repealing all Acts and parts of Acts in conflict with this Act.

Also: Assembly Bill No. 575—An Act to prevent the sale, except by slaughter, of any bovine animal affected with tuberculosis; providing for the issuance of a permit by the State Veterinarian to the owner of such an animal before said animal shall be slaughtered for food purposes; and providing for post-mortem inspection to be made of the carcass and viscera of such animal at the time of slaughter by said State Veterinarian; and providing for the disposition of the carcass and viscera of said animal when lesions of disease are found sufficient to warrant its condemnation; and providing for penalties for violation of this Act.

Also: Assembly Bill No. 1320—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending Sections 3, 4 and 9 thereof, and by adding a new section thereto, to be known and numbered as Section 11½, providing for the deposit of the funds of said board in the state treasury.

Also: Assembly Bill No. 1467—An Act to improve and regulate the quality of milk and cream produced in the State of California; to promote sanitary methods in producing, handling, transporting and marketing the same; to establish uniform rules and regulations and provide penalties for the violation of the same, and to provide for licensing persons who test milk and cream.

Also: Assembly Bill No. 1468—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as 381c, relating to the licensing of persons who test milk and cream.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BYRNES, Chairman.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Universities, to whom was referred Assembly Bill No. 845—An Act to amend Section 1393 of the Political Code of the State of California, relating to fees and rates of tuition in the University of California—have had the same under consideration, and respectfully report the same back, without recommendation.

GATES, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 1595—An Act making an appropriation, to be expended by the State Mining Bureau for the purpose of investigating and examining any prob-

able fake or "wild cat" mining organization affecting mining properties within the State of California, and directing the State Mineralogist to bring suspicious cases of this character to the attention of the Attorney General.

Also: Assembly Bill No. 461—An Act to provide for the use of land for the purpose of dumping ore or waste by miners in developing mines or mining claims.

Have had the same under consideration, and respectfully report the same back, without recommendation.

WHITE, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Concurrent Resolution No. 22—An Act relative to approving three certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the qualified electors of the said city of San Diego, at a special election held thereon for that purpose, on the 27th day of February, 1913—have had the same under consideration, and respectfully report the same back, without recommendation.

SCOTT, Chairman.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to whom was referred Assembly Bill No. 23—An Act authorizing the State Board of Prison Directors to fix the price, terms, and conditions of sale at which jute bags should be sold for the State, providing for the prosecution and punishment for offenses under the same, and repealing certain Acts.

Also: Assembly Bill No. 127—An Act to amend Sections 16 and 17 of an Act entitled "An Act to establish the California state reformatory; to provide for the purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911; to transfer the lands heretofore selected and purchased under the provisions of this Act to the commission appointed under, and to make available for the purposes of an Act entitled "An Act to authorize the establishment of the California state trades and training school for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909; and to appropriate, transfer and make available for the purpose of the Act of which this Act is amendatory the moneys heretofore appropriated under the provisions of said Act relating to the establishment of a state trades and training school.

Also: Assembly Bill No. 1063—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 1596a.

Also: Assembly Bill No. 1780—An Act to establish a board of parole and pardon commissioners, and prescribing their powers and duties.

Also: Senate Bill No. 1211—An Act authorizing the State Board of Control to establish and enforce rules and regulations for the payment of wages to inmates committed to any state school or reformatory in this State, and authorizing and providing for the payment of such wages in pursuance of such rules and regulations.

Also: Senate Bill No. 1284—An Act entitled "An Act to repeal an Act entitled 'An Act to regulate and govern the operation of the rock-crushing plant at the state prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom,' and to provide for the disposition of the money in the fund created by said Act."

Have had the same under consideration, and respectfully report the same back, without recommendation.

ELLIS, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 2005—An Act amending an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make survey and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers,"

approved Dec. 24, 1911, by adding a section thereto to be numbered Section 5, relating to the commencement of an action by a land owner against the State of California, whose land may fall within the line of any by-pass or flowage channel or drainage way or canal, and regulating the procedure in connection therewith.

Also: Assembly Bill No. 792—An Act amending Section 2 of an Act entitled "An Act approving the report of the California Débris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans and examinations for the purpose of perfecting the plans contained in said report of the California Débris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, by adding a provision thereto, in reference to the approval of plans, where the same are not inconsistent with the plans of the California Débris Commission.

Also: Assembly Bill No. 1791—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the estates subject to public use in eminent domain proceedings.

Also: Assembly Bill No. 2020—An Act to amend Sections 3462, 3466 of the Political Code, relating to reclamation districts.

Also: Assembly Bill No. 910—An Act to amend Sections 6 and 9 of an Act entitled "An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands."

Also: Assembly Bill No. 1115—An Act creating a reclamation district to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Have had the same under consideration, and respectfully report the same back, without recommendation.

MORGENSTERN, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bills Nos. 1426, 1901, 1148, 2030, 775, 384, 553, 571, 1425, 1423, 1014, 1015, 627, 626, 2081, and Senate Bills Nos. 1370 and 678—have had the same under consideration, and respectfully report the same back, without recommendation.

NOLAN, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bills Nos. 317, 1499, 1079 and 829—have had the same under consideration, and respectfully report the same back, without recommendation.

JUDSON, Chairman.

ON LIBRARIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Libraries, to whom was referred Assembly Bill No. 1139—An Act to amend Section 528 of the Political Code, relative to printing the laws enacted by the Legislature and disposition of same.

Also: Assembly Bill No. 1930—An Act to amend Sections 2292, 2293 and 2295 of the Political Code as to the board of trustees of the State Library and term of office of said trustees and the general powers and duties of said board and the general duties of the State Librarian.

Have had the same under consideration, and respectfully report the same back, without recommendation.

CLARKE, Chairman.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Conservation, to whom was referred Assembly Bill No. 562—An Act to amend Section 1411 of the Civil Code of the State of California, relating to the appropriation of water.

Also: Assembly Bill No. 489—An Act to preserve for use within the State, electricity generated by water power from the waters of the lakes, rivers, creeks and streams of this State and to prevent the transmission out of the State of electricity so generated.

Also: Assembly Bill No. 1068—An Act to amend Section 384 of the Penal Code, relating to forest fires.

Also: Assembly Bill No. 1069—An Act to amend an Act entitled "An Act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a state board of

forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violation of the provisions of this Act, and making an appropriation therefor." approved March 18, 1905.

Have had the same under consideration, and respectfully report the same back, without recommendation.

CARY, Chairman.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Banking, to whom was referred Assembly Bill No. 499—An Act to amend Section 61 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909.

Also: Assembly Bill No. 617—An Act to amend Section 96 of the "Bank Act," relating to trust companies to deposit bonds with State Treasurer.

Also: Assembly Bill No. 618—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Section 100 thereof.

Also: Assembly Bill No. 619—An Act to amend an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Section 23 of said Act in relation to banks doing departmental business.

Also: Assembly Bill No. 750—An Act to amend an Act entitled "An Act to define and regulate the business of banking in the State of California," approved March, 1909, as amended April 21, 1911, by amending Sections 3, 11, 19, 20, 21, 23, 25, 32, 33, 44, 47, 61, 67, 68, 83, 90, 96, 97, 98, 99, 101, 106, 124, 134 and 143 of said Act, and by repealing Section 65 of said Act and by adding a new section to said Act to be designated as Section 31a, relating to the manner in which two or more banks may consolidate.

Also: Assembly Bill No. 773—An Act to amend Section 1 of an Act entitled "An Act to authorize the deposit of state moneys in banks in this State, and to repeal all Acts or parts of Acts in conflict with this Act," approved February 28, 1907.

Also: Assembly Bill No. 1611—An Act to amend Section 141 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909; amended, approved April 21, 1911; relating to the posting outside his office of certain information by the Superintendent of Banks.

Also: Assembly Bill No. 1713—An Act to amend an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by amending Sections 96, 97 and 100 thereof, relating to trust companies.

Also: Assembly Bill No. 1714—An Act to add a new section, numbered 12b, to an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, providing that certain foreign corporations transacting the business of life insurance in this State shall not be subject to certain provisions of said Act.

Have had the same under consideration, and respectfully report the same back, without recommendation.

ROBERTS, Chairman.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Building and Loan Associations, to whom was referred Assembly Bill No. 834—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, of the Civil Code of the State of California, and repealing Section 648a, of the Civil Code of the State of California, all relating to land and building corporations.

Also: Assembly Bill No. 1143—An Act to amend Section 633, Section 638, Section 642, Section 644 and Section 648 of the Civil Code of the State of California, relative to building and loan associations.

Also: Assembly Bill No. 1971—An Act to amend Section 648a of the Civil Code of the State of California, relating to building and loan associations.

Have had the same under consideration, and respectfully report the same back, without recommendation.

HAYES, Chairman.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Manufactures, to whom was referred Assembly Bill No. 966—An Act to provide for the indicating of the net quantity of foodstuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers and providing penalties for the violation thereof.

Also: Assembly Bill No. 1316—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 382a, relative to the manufacture and sale of boots, shoes, slippers, buskins and sandals.

Also: Assembly Bill No. 1319—An Act to amend Section 6 of the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs, and making an appropriation therefor."

Have had the same under consideration, and respectfully report the same back, without recommendation.

BUSH, Chairman.

REVISION OF CRIMINAL PROCEDURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to whom was referred Assembly Bill No. 796—An Act to amend Section 1070 of the Penal Code, relating to the number of peremptory challenges to which the State and defendant shall be entitled.

Also: Assembly Bill No. 904—An Act to add a new section to the Penal Code of the State of California to be known as Section 1168, providing for indeterminate sentences of persons convicted of criminal offenses for the first time, and to provide for the release of such persons within the time for which they are sentenced to imprisonment.

Also: Assembly Bill No. 980—An Act to add a new section to Chapter 1, Title VIII, Part II of the Penal Code of California, to be numbered 1208, relating to modifying judgments, and suspending the execution of judgments, in criminal actions.

Also: Assembly Bill No. 1391—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 946, relating to the powers of grand juries, and providing for the appointment of a special attorney by grand juries.

Also: Assembly Bill No. 1820—An Act to amend Section 1483 of the Penal Code, relating to the hearing on the return of habeas corpus proceedings and providing for transfer thereof from the Superior Court to the District Court of Appeals, where the constitutionality or judicial construction of a statute is involved.

Also: Assembly Bill No. 1864—An Act to repeal Sections 1108 and 1111 of the Penal Code of the State of California, relating to the corroboration of the testimony of persons upon whom or with whom certain crimes have been committed, and to the corroboration of the testimony of an accomplice.

Also: Assembly Bill No. 1925—An Act to amend Section 1408 of the Penal Code of the State of California, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Also: Assembly Bill No. 876—An Act to amend Section 487 of the Penal Code, relating to grand larceny.

Also: Assembly Bill No. 705—An Act to amend Section 1247 of the Penal Code of the State of California, relating to appeals and transcribing and filing of reporters' notes to be used upon appeal.

Also: Assembly Bill No. 898—An Act to amend Section 666 of the Penal Code, relating to punishment for a second offense after conviction of petit larceny.

Also: Assembly Bill No. 899—An Act to amend Section 954 of the Penal Code, relating to the charging of different offenses or different statements of the same offenses under separate counts in one indictment or information.

Also: Assembly Bill No. 900—An Act to amend Sections 1096 and 1097 of the Penal Code and to add new sections thereto to be designated as 1097a, 1097b and 1097c, relating to the presumption of innocence, the doctrine of reasonable doubt, and instructions to be given by the court.

Also: Assembly Bill No. 901—An Act to amend Section 1070 of the Penal Code, relating to the number of peremptory challenges to which the prosecution and defendant shall be entitled.

Also: Assembly Bill No. 903—An Act to amend Section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty, and the suspension of the imposition or execution of sentence during the term of probation, and the disposition of such execution after full compliance with the terms of probation.

Have had the same under consideration, and respectfully report the same back, without recommendation.

WEISEL, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 492—An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, approved April 16, 1909, Statutes of California, of 1909, page 948," approved April 10, 1911.

Also: Assembly Bill No. 656—An Act to amend Section 4 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under the constitutional provision, without the Governor's approval, February 25, 1901.

Also: Assembly Bill No. 666—An Act to amend Sections 1, 2, 3, 5, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19 and 22 of "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby," approved April 21, 1909; and to add to said Act certain sections to be numbered Sections 184, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, and 46, relating to proceedings to effect local improvements, and providing a system of improvement bonds to represent the assessments for the cost of such improvements, and for the payment and effect of such bonds.

Also: Assembly Bill No. 674—An Act to amend Section 6 of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such corporations." (Approved March 27, 1895.)

Also: Assembly Bill No. 707—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending Section 2 thereof, relating to the procedure for the calling of an election therefor.

Also: Assembly Bill No. 708—An Act to amend Section 875 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees of cities of the sixth class.

Also: Assembly Bill No. 709—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Assembly Bill No. 1382—An Act to permit municipal corporations and counties to declare certain property sold for the non-payment of taxes to be public property and to validate the tax deeds and certificates of sale executed therefor.

Also: Assembly Bill No. 771—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

Also: Assembly Bill No. 846—An Act relating to franchises and licenses and to the granting, exercise and termination of franchises, authorizing municipal corporations and counties to grant franchises, providing for the method whereby and the terms upon which they may be granted, providing for the construction of extensions, requiring the filing of maps showing the location of works constructed under franchises, vesting the Railroad Commission of the State of California with jurisdiction to make determinations in connection with the granting, exercise and termination of franchises, providing penalties for offenses in connection with the granting and exercise of franchises, and repealing conflicting Acts.

Also: Assembly Bill No. 920—An Act to amend Section 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Assembly Bill No. 927—An Act to amend Sections 2 and 4 of an Act which became a law February 25, 1901, entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," as amended by an Act approved March 19, 1907.

Also: Assembly Bill No. 937—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

Also: Assembly Bill No. 1365—An Act authorizing the incurring of indebtedness by cities or towns which, subsequent to the issuance of bonds or the incurring of other indebtedness, have annexed territory, to refund such indebtedness, to issue bonds therefor, and to provide for the payment of the same from taxation of the property within the former boundaries of such city or town.

Also: Assembly Bill No. 1366—An Act authorizing any incorporated city or town to refund its indebtedness; to incur indebtedness for the acquisition of public utilities or for the construction, improvement or extension of public utilities owned by any such city or town, to authorize the mortgage of the property or and income therefrom to secure the payment of any such indebtedness and to issue bonds therefor.

Also: Assembly Bill No. 1471—An Act to amend Sections 3, 16 and 23 of "An Act to provide for the laying out, opening, extending, widening or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, and to the manner of effecting certain local improvements.

Also: Assembly Bill No. 1530—An Act to amend Section 4 of "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 7, 1893.

Also: Assembly Bill No. 1537—An Act to amend Sections 2, 3, 10 and 12 of "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and to add to said Act a certain section to be numbered Section 3½, relating to proceedings to effect local improvements.

Also: Assembly Bill No. 1742—An Act amending Chapter 420, approved April 10, 1911, entitled "An Act authorizing municipal corporations, other than freeholder charter cities to levy and collect a tax for park, music and advertising purposes."

Also: Assembly Bill No. 1799—An Act to amend Sections 862 and 882 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 1883—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895.

Also: Assembly Bill No. 2087—An Act to authorize municipal corporations to make water rates and charges a lien on property and to provide for the enforcement of such lien.

Have had the same under consideration, and respectfully report the same back, without recommendation.

SCOTT, Chairman.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to whom was referred Senate Bill No. 182—An Act to amend Section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

PEAIRS, Chairman.

Bill read second time, and ordered on file for third reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways; for the charge, supervision and control thereof by the Department of Engineering of the State of California and the State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating, connecting, or other railroad lines, or trains and rolling stock, on equal terms as to charges and equal rights as to privileges—have had the same under consideration, and respectfully report the same back, without recommendation.

FISH, Chairman.

Bill read second time, and ordered on file for third reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 53—A resolution to propose to the people of the State of California an amendment to Section 12, Article XIII, of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it be adopted, as amended.

CLARK, Chairman.

Senate Constitutional Amendment No. 53—A resolution to propose to the people of the State of California an amendment to Section 19, Article XI, of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations.

During consideration of the Senate constitutional amendment, the following amendment was submitted by the committee:

On pages 1 and 2, strike out all of the printed resolution from and including line 7, page 1, to and including line 16, page 2, and insert in lieu thereof the following:
"Sec. 19. Any municipal corporation shall have power to acquire by purchase, lease, condemnation or otherwise, in whole or in part, or to construct and to own, maintain, equip and operate public utilities; and to grant franchises to persons, firms or private corporations to establish, equip, maintain and operate public utilities upon such conditions and under such regulations as may be prescribed under the organic law of such municipality or otherwise by law. Any municipal corporation may furnish the product or service of any public utility conducted or operated by it to other municipal corporations and the inhabitants thereof, and to consumers and users outside of its limits."

Amendment adopted.

Assembly constitutional amendment ordered to reprint, and on file for adoption.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 1748—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Section 349b and Section 349c, relating to labor unions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McDONALD, Chairman.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At twelve o'clock midnight, on motion of Mr. Bohnett, the Assembly was declared adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Sunday, May 11, 1913.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Assistant Chief Clerk T. G. Walker, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Benedict, the further reading was dispensed with.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 668—An Act to establish a state school to train persons for practical service in governmental work of city, county and state and to make an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 31—Relative to leave of absence for Senators.

Also: Senate Concurrent Resolution No. 33—Relative to leave of absence for certain state officials.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1390—An Act to amend Section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Also: Senate Bill No. 1391—An Act to amend Section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Senate Bill No. 668 read first time, and referred to Committee on Engrossment and Enrollment.

Senate Concurrent Resolution No. 31 read first time, and referred to Committee on Rules.

Senate Concurrent Resolution No. 33 read first time, and referred to Committee on Rules.

Senate Bill No. 1390 read first time, and referred to Committee on County Government.

Senate Bill No. 1391 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1512—An Act to amend section two thousand two hundred and eighty-seven of the Civil Code of the State of California, relating to vacant trusteeships filled by the court.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1963—An Act to amend Section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel.

Also: Assembly Bill No. 2035—An Act to add a new section to the Penal Code of California to be numbered 499d, relating to the taking, using, operating or removing, or causing to be taken, used, operated or removed, an automobile or motor vehicle from a garage, stable or other building or place, or from any place or locality on a private or public highway, park, parkway, street, lot, field, enclosure, or other space, by any chauffeur or other person, for his profit, use or purpose, without the consent of the owner; and providing the punishment for a violation thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also :

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California to amend Section 13 of Article XI relating to supervision, regulation and conduct of the affairs of irrigation, reclamation or drainage districts.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The above Assembly constitutional amendment ordered to enrollment.
Also :

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 897—An Act to amend Section 1408 of the Penal Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Also: Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Also: Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and prescribing their powers and duties.

Also: Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 9, 1913, passed Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Amendments to Senate Bill No. 1512—An Act to amend Section 2287 of the Civil Code of the State of California, relating to vacant trusteeships filled by the court.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Also: Assembly Bill No. 1006—An Act making appropriations for the support of the Government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

And respectfully requests your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1535?"

AMENDMENT No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period after the word "Code", and insert in lieu thereof a comma and add the following: "relating to the general powers of boards of supervisors."

AMENDMENT No. 2.

On page 2, line 2, strike out the word "therefor", and in lieu thereof insert the word "thereof".

AMENDMENT No. 3.

On page 2, line 36, after the word "county", insert a comma.

AMENDMENT No. 4.

On page 3, line 3, strike out the semicolon, and in lieu thereof insert a comma and the following: "and to improve, preserve, take care of, manage and control the same."

AMENDMENT No. 5.

On page 3, line 14, strike out the word "supervisors", and insert in lieu thereof the word "supervisory".

AMENDMENT No. 6.

On page 3, line 25, strike out the words "to provide", and in lieu thereof insert the word "provided".

AMENDMENT No. 7.

On page 4, line 34, strike out the word "of", appearing before the word "work", and in lieu thereof insert a semicolon and the word "the".

AMENDMENT No. 8.

On page 4, line 35, strike out the semicolon after the word "board", and in lieu thereof insert the word "or". Also, before the word "combination", insert the letter "a".

AMENDMENT No. 9.

On page 5, line 8, strike out the word "and", and in lieu thereof insert a comma; also, after the word "equip", insert the words "and maintain"; also, on page 5, line 9, strike out the word "and", appearing before the word "apparatus", and after the word "apparatus", insert the words "motor vehicles".

AMENDMENT No. 10.

On page 6, line 2, strike out the word "five", and in lieu thereof insert the word "three".

AMENDMENT No. 11.

On page 9, after line 6, insert a new paragraph as follows:

"29a. To provide for the care and maintenance of the indigent sick or dependent poor of the county, and for such purposes to levy the necessary property or poll taxes or both."

AMENDMENT No. 12.

On page 9, strike out all of subdivision 33, being lines 17 to 27 inclusive, and in lieu thereof insert the following:

"33. To levy a special tax not to exceed two cents on the \$100.00 of the assessed valuation of all property within the county to be used for advertising, exploiting and making known the resources of the county for the purposes of inducing immigration to, and increasing the trade and commerce of, said county, or for the purpose of exhibiting or advertising the agricultural, mineral, manufacturing or other resources

of the county: *provided, however*, that if said rate of two cents will not raise \$5,000 in any one year the boards of supervisors may appropriate from the general fund of the county an amount sufficient to make up the deficiency existing between the amount raised as the result of the two cent levy and \$5,000; *and provided, further*, that such tax shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund to be used for collecting, preparing and maintaining an exhibition in any domestic or foreign exposition."

AMENDMENT No. 13.

On page 11, line 8, after the word "on", insert the following: "the public roads and highways, and on and about".

AMENDMENT No. 14.

On page 11, after line 11, insert a new paragraph as follows:

"39a. To assume and discharge such municipal functions of the cities and towns within the county as may be authorized by any county charter framed under the provisions of Section 7½ of Article XI of the Constitution of the State of California."

AMENDMENT No. 15.

On page 11, after line 26, insert a new paragraph, as follows:

"40a. To provide for the sale, at not less than cost, of copies of such maps as may be prepared by the surveyor for the use of the assessor under the provisions of Section 4218 of the Political Code of California, as may be deemed desirable by the board of supervisors."

The roll was called, and Senate amendments to Assembly Bill No. 1535 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bowman, Bradford, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Murray, Nolan, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1006?"

On page 26, section 1, strike out lines 5, 6, 7, 8 and 9.

The roll was called, and Senate amendment to Assembly Bill No. 1006 was concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bowman, Bradford, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Griffin, Guiberson, Guill, Hayes, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending sections two, three, thirty, thirty-one, thirty-two, forty-one, forty-three, and sixty-one thereof, and to add two new sections to said Act to be numbered thirty-two and one half and fifty-four and one half, said new sections relating respectively to selling for less than par bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1162?"

AMENDMENT No. 1.

On page 1, in the thirteenth line of the title, strike out the words "increasing the rate of interest on", and insert in lieu thereof the following: "selling for less than par".

AMENDMENT No. 2.

Strike out all from and including the word "until" in line 25, on page 3, down to and including the word "feasible" in line 10, on page 4, and insert in lieu thereof the following: "for one month, or from time to time, not exceeding one month in all. Upon receiving a copy of said resolution, the state engineer shall make or cause to be made such an investigation as may be practicable, with a view to determining whether any condition or conditions exist that would justify him in reporting against the organization of the proposed district. He shall report in writing on the matter to the board of supervisors from which the copy of said resolution was received, and said report shall be made within one month from the date of the adoption of said resolution, but failure by the state engineer to perform any duty required herein shall not invalidate the organization of any district nor shall any board of supervisors, because of failure to receive a report from the state engineer, delay the proceedings herein required for a longer time than is allowed herein. If the state engineer shall report that the supply of water available for the use of the proposed district, or that may be acquired by any practicable means, including the condemnation of existing rights, is not sufficient or that the project is not feasible for any other reason or reasons and if such report shall be filed with the said board of supervisors before the expiration of one month from and after the date of the adoption of the aforesaid resolution".

AMENDMENT No. 3.

On page 5, line 5, strike out the words "approved by the state engineer".

AMENDMENT No. 4.

On page 9, strike out all from and including the word "earlier", in line 16, down to and including the word "series" in line 19, and insert in lieu thereof the following: "the end of shorter periods than are specified herein and the number of series in any issue may be less than twenty, if the number of series in the proposed issue and the proposed periods at the end of which the respective series shall be payable".

AMENDMENT No. 5.

On page 12, line 36, strike out the period in said line and insert in lieu thereof a semicolon, and add the following: "*and provided, further,* that any warrant of the district payable on demand, if presented to the treasurer for payment when funds are not available for the payment thereof, shall thereafter draw interest at the rate of five per cent per annum until public notice is given that such funds are available. Upon the presentation of any such warrant for payment when funds of the district are not available to pay the same, the treasurer of the district shall indorse thereon the words 'funds not available for payment,' with the date of presentation, and shall sign his name thereto. He shall keep a record showing the number and amount of each such warrant, the date of its issuance, the person in whose favor it was issued and the date of its presentation for payment. Whenever there is sufficient money in the treasury to pay all such outstanding warrants, or whenever the board of directors shall order that all such warrants presented for payment prior to a certain date be paid and there is sufficient money available for such payments, the treasurer shall give notice in some newspaper published in the district, or, if none is published therein, then in some newspaper published in the county in which the district or any portion thereof is situated, or, if none is published in such county, then the treasurer shall post such notice conspicuously in the place in which the board of directors of the district holds its regular meetings, stating that he is prepared to pay all warrants of the district for the payment of which funds were not available upon their original presentation, or all such warrants which were presented for payment prior to the date fixed by the board of directors, as the case may be, and no further description of the warrants entitled to payment shall be made in such notice. Upon the presentation of any warrant entitled to payment under the terms of such notice, the treasurer shall pay it, together with interest thereon at the rate of five per cent per annum from the date of its original presentation for payment to the date of the first publication or posting of the aforesaid notice, and all warrants for the payment of which funds are declared in said notice to be available shall cease to draw interest at the time of the first publication or posting of said notice. The treasurer shall enter in the record hereinbefore required to be kept the dates of the payment of all such warrants, the names of the persons to whom payments are made and the amount paid to each person."

Also: On page 9, line 30, of the printed bill, strike out the words "at the rate of five per cent per annum", and insert in lieu thereof the following: "at a rate to be determined by the board of directors of the district issuing them, but not exceeding six per cent per annum".

The roll was called, and Senate amendments to Assembly Bill No. 1162 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Bohnett, Bowman, Bradford, Cary, Chandler, Clark, Wm. C. Clarke, Geo. A. Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 2095—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2095?"

On page 10, line 20, of the printed bill, after the word "sound" and before the word "bell", insert the word "such".

Also: On page 1, line 1 of title, strike out the word "motor".

Also: On page 1, line 7 of title, strike out the word "motor".

Also: On page 2, line 23, strike out the figures "20" and insert "—".

Also: On line 10, page 8, after the word "aforesaid," insert the following: "who shall apply therefor".

Also: Strike out of line 26, page 2, the following: "[1] mile" and insert in lieu thereof "[] miles" (inserting in the blank space preceding the word "miles" the rate of speed prescribed by law).

Also: On page 5, line 24, after the word "motor", insert the word "vehicle".

Also: On page 6, line 1, strike out the word "therefor", and insert the word "thereof".

Also: On page 7, line 12, strike out the word "herein", and insert in lieu thereof the word "therein".

Also: On page 8, line 17, strike out the word "therefore", and insert in lieu thereof the word "therefor".

Also: On page 9, line 4, strike out the comma following the word "name", and insert in lieu thereof the word "and".

The roll was called, and Senate amendments to Assembly Bill No. 2095 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Cary, Chandler, Clarke, Geo. A. Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, Moorhouse, Mouser, Murray, Nolan, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 505—An Act to permit counties to

acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits and authorizing the State to accept the same.

Also: Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Also: Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting," in municipal elections.

Also: Assembly Bill No. 1734—An Act to amend Section 1083 of the Political Code, relating to the right to vote and the registration of voters.

Also: Assembly Bill No. 1731—An Act to amend Section 1366a of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1731?"

AMENDMENT No. 1.

On page 2, line 10, insert a comma (,) immediately after the word "deputy" and before the word "and".

AMENDMENT No. 2.

On page 2, line 24, strike out the word "register" and insert in lieu thereof the word "registrar".

The roll was called, and Senate amendments to Assembly Bill No. 1731 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Cary, Chandler, Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Murray, Nolan, Polsley, Roberts, Ryan, Schmitt, Sharter, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 505?"

On page 1, line 5, after the word "California," strike out the words "or the California highway commission".

Also: On page 2, line 4, after the word "California", strike out the words "or the California highway commission".

The roll was called, and Senate amendments to Assembly Bill No. 505 were concurred in by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Strine, Sutherland, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1858?"

AMENDMENT No. 1.

On page 4, line 33, strike out the word "fifty", and insert in lieu thereof the word "seventy-five".

AMENDMENT No. 2.

On page 5, line 7, strike out the word "one half", and insert in lieu thereof the words "seventy-five per centum".

AMENDMENT No. 3.

On page 5, line 11, strike out the word "one half", and insert in lieu thereof the words "seventy-five per centum".

The roll was called, and Senate amendments to Assembly Bill No. 1858 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Gabbert, Griffin, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1923?"

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, strike out the words "The method of making nominations, and", and insert in lieu thereof the following: "Candidates for municipal offices to be voted for at elections held under the provisions of this Act, shall be nominated in the manner prescribed by general laws of the state for the nomination of candidates for municipal offices by petition of electors. For the purpose of holding and conducting elections under the provisions of this Act".

AMENDMENT No. 2.

On page 1, line 7 of the printed bill, strike out the words "general election".

AMENDMENT No. 3.

On page 1, line 8 of the printed bill, insert between the word "state" and the semicolon (;) immediately after the same, the following: "relating to general elections".

The roll was called, and Senate amendments to Assembly Bill No. 1923 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Chandler, Clark, Wm. C., Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Griffin, Guiberson, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, Moorhouse, Mouser, Murray, Nolan, Polsley, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Weldon, Woodley, Wyllie, and Mr. Speaker—41.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1734?"

AMENDMENT No. 1.

Amend the title of the printed bill, by striking out in line 2 of the title the words "Sections 1083 and 1096", and insert in lieu thereof the following: "Section one thousand eighty-three".

AMENDMENT No. 2.

On page 2 of the printed bill, strike out all of line 10, and insert in lieu thereof the following: "native female person shall be deemed to lose her citizenship by reason of her marriage to a citizen of a foreign country."

The roll was called, and Senate amendments to Assembly Bill No. 1734 were concurred in by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Chandler, Clark, Wm. C., Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Guiberson, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Murray, Nolan, Polsley, Roberts, Schmitt, Shartel, Simpson,

Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Weldon, Woodley, Wyllie, and Mr. Speaker—41.

NOES—None.

Bill ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Gates:

Providing for a legislative investigation as to an alleged unlawful combination, which exists to maintain high and unwarranted prices for fish.

WHEREAS, The cost of living in California has for many years gradually and steadily increased until the payments for actual necessities of life have become a burden and a just cause of complaint; and

WHEREAS, Practically all fish that are sold in this State are taken from waters belonging to the people of the State of California; and

WHEREAS, The said waters are largely stocked with fish by this State and the fish life in said waters is propagated and protected at the expense of the people of this State; and

WHEREAS, The fishermen and dealers in fish pay only a small percentage of the cost of propagating said fish and of stocking said waters and of conserving and protecting the fish life therein; and

WHEREAS, Under the existing conditions it is claimed that the fishermen are not receiving a fair return for the results of their labor and that the consumer is paying a price for fish that is unjust and burdensome and that the difference in the price between what is paid to the fisherman for his catch of fish and the price charged to the consumer is unjust and unwarranted; and

WHEREAS, It appears that the difference between what is paid to the fisherman for his catch and the price charged to the consumer is due to a combination which exists in violation of law, to maintain these high and unwarranted prices; and

WHEREAS, The anti-trust law now in force in the State of California has not been productive of any appreciable results so far as the reduction in the cost of living is concerned; therefore, be it

Resolved, That a special committee of five Assemblymen be appointed by the Speaker of the Assembly to investigate the conditions which permit such inequality in the cost of catching fish and the price of fish to the consumer and recommend to the Legislature at its next session such statutes as may ameliorate the present condition; and be it further

Resolved, That said committee shall have power to subpoena witnesses, send for persons and papers and issue subpoenas when necessary; and be it further

Resolved, That there is hereby set aside from the Contingent Fund of the Assembly for the purpose of defraying the necessary traveling and contingent expenses of said committee, the sum of \$2,000.

Read, and referred to Committee on Rules.

REPORT OF STANDING COMMITTEE.

The following report of Standing Committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 33—Relative to leave of absence for certain state officials—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BROWN, Chairman.

Mr. Brown moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Gelder, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Nolan, Pairs, Polsley, Ryan, Schmitt, Shartel, Slater, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—48.

NOES—None.

Senate Concurrent Resolution No. 33 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 33.

Relative to leave of absence for certain state officials.

Resolved by the Senate of the State of California, the Assembly concurring, That A. B. Nye, State Controller, and R. E. Collins, a member of the State Board of Equalization be and they are hereby granted permission to absent themselves from the State of California for a period not exceeding six months during the remainder of the term of office of each of the above named.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1529—An Act to amend Section 443 of the Political Code of the State of California, relating to the apportionment of funds for the maintenance of elementary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1529 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Schmitt, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1420—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1420 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Johnston, T. D., Johnstone, W. A., Judson, Kuck, Moorhouse, Mouser, Murray, Polsley, Ryan, Schmitt, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Wyllie and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 239—An act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 239 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Emmons, Farwell, Ferguson, Ford, Gabbert, Gelder, Green, Guill, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Nolan, Polsley, Ryan, Schmitt, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—49.

NOES—Mr. Weldon—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 539—An Act to amend Section 1333 of the Penal Code of the State of California, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 539 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Green, Guiberson, Guill, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Polsley, Roberts, Ryan, Schmitt, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1743—An Act to enlarge the powers of the Board of State Harbor Commissioners and to authorize said board to locate, construct, maintain, operate and extend public dry docks and appurtenances thereto, in and about such portion of the bay of San Francisco under its jurisdiction, and to fix, regulate, impose and collect tolls or compensation for and upon the use of the same and to regulate the use therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1743 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Morgenstern, Mouser, Murray, Nolan, Polsley, Roberts, Ryan, Schmitt, Shartel, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weldon, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 526—An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 526 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell,

Ferguson, Finnegan, Gabbert, Gates, Gellier, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kinsley, Morgenstern, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines and prescribing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1608 finally passed by the following vote:

AYES—Messrs. Alexander, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Moorhouse, Morgenstern, Mouser, Murray, Polsley, Roberts, Ryan, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Wyllie, and Mr. Speaker—43.

NOES—Mr. Cram—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 141—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 532a, relating to secret societies, fraternal societies, orders, or organizations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 141 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guill, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kuck, Morgenstern, Mouser, Murray, Polsley, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, White, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1744—An Act to amend Section 3937, and repealing Section 3938 of the Political Code, relating to the county boundary between Tuolumne and Mariposa counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1744 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Benedict, Bohnett, Bradford, Brown, Bush, Canepa, Cary, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Polsley, Ryan, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1745—An Act to amend Section 3927 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the north boundary of El Dorado County between said county and Placer County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1745 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Cary, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Morgenstern, Mouser, Peairs, Polsley, Roberts, Ryan, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Walsh, Weisel, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1746—An Act to amend Section 3924 of the Political Code of the State of California, so as to define with greater particularity the description of that portion of the south boundary line of Placer County, between said county and El Dorado County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1746 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Clarke, Geo. A., Cram, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Morgenstern, Peairs, Polsley, Richardson, Roberts, Ryan, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation and twisting, and providing a penalty for a violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 897 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Ford, Gabbert, Gelder, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Schmitt, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, and Weisel—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. L. D. BOHNETT IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Hon. L. D. Bohnett, Assemblyman from the Forty-fourth District, in the chair.

Senate Bill No. 401—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 581*b*, relating to the dismissal of actions for want of prosecution after change of place of trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 401 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Wyllie—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1740—An Act to add a new section to the Civil Code, to be numbered 955, relating to assignments of orders for wages or salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1740 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clark, Wm. C., Cram, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shartel, Simpson, Slater, Smith, Sutherland, Tulloch, Walsh, Weisel, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 590—An Act to amend Section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 590 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Gelder, Guiberson, Guill, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, and Weisel—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 870—An Act to amend Sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 870 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Fitzgerald, Gabbert, Guill, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, and White—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 513 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Peairs, Richardson, Roberts, Slater, Smith, Strine, Sutherland, Walsh, Weldon, White, and Wyllie—43.

NOES—Messrs. Canepa, Murray, and Tulloch—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 514—An Act to amend Section 599e, of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 514 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Morgenstern, Murray, Nelson, Polsley, Roberts, Ryan, Simpson, Sutherland, Tulloch, Walsh, and Weldon—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 540—An Act to carry into effect the provisions of Section 1½ of Article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code, to be numbered 3612.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 540 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Morgenstern, Mouser, Murray,

Peairs, Polsley, Roberts, Scott, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Ryan moved that the vote whereby Senate Bill No. 1199 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Scott, Slater, Smith, Sutherland, Weisel, and Mr. Speaker—42.

NOES—Mr. Cary—1.

Senate Bill No. 1199—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of, and government of, paroled prisoners," approved March 23, 1893.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1199 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Ford, Gabbert, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Scott, Simpson, Slater, Smith, Sutherland, Walsh, Weisel, Weldon, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1410—An Act dissolving Reclamation District No. 742, and providing for its liquidation and the payment of all outstanding indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1410 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Richardson, Schmitt, Scott, Simpson, Slater, Smith, Sutherland, Walsh, Weisel, Weldon, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, defining its duties and powers and prescribing a penalty for the violation of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 297 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gelder, Griffin, Guill, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Morgenstern, Mouser, Palmer, Peairs, Roberts, Shannon, Shartel, Slater, Smith, Sutherland, Wall, Weisel, Weldon, White, and Mr. Speaker—49.

NOES—Messrs. Ambrose, Bush, Hinkle, Judson, Kuck, Libby, McDonald, Murray, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Simpson, and Wyllie—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 672—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Bohnett moved a call of the House.

Motion carried.

Time, twelve o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Murray, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—69

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and twenty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Stuckenbruck.

The roll of absentees was called, and Senate Bill No. 672 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bradford, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Finnegan, Fish, Gabbert,

Gates, Guill, Inman, Johnstone, W. A., Judson, Kuck, Moorhouse, Morgenstern, Mouser, Pears, Polsley, Roberts, Scott, Slater, Smith, Strine, Sutherland, Tulloch, Woodley, Wyllie, and Mr. Speaker—35.

NOES—Messrs. Alexander, Bagby, Beck, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Collins, Dower, Ferguson, Fitzgerald, Ford, Gelder, Griffin, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Libby, McCarthy, McDonald, Murray, Nelson, Nolan, Palmer, Richardson, Ryan, Schmitt, Shannon, Simpson, Stuckenbruck, Wall, Walsh, Weisel, Weldon, and White—41.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

MR. SPEAKER: With the understanding that the passage of Senate Bill No. 672, as amended, would permit saloons within one and a half miles of Stanford University, I change my vote from aye to no.

L. B. CARY.

RECONSIDERATION.

Pursuant to notice given on a previous day, Mr. Bohnett moved that the vote whereby Senate Bill No. 323 was refused passage be reconsidered.

PREVIOUS QUESTION.

Mr. Sutherland moved the previous question.

Motion carried.

The question being on the motion to reconsider.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Bohnett moved a call of the House.

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Morgenstern, Mouser, Murray, Nolan, Palmer, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Sutherland, Wall, and White—40.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bradford, Brown, Collins, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Hayes, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Nelson, Polsley, Roberts, Strine, Stuckenbruck, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—29.

Time, twelve o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—75.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

At twelve o'clock and fifty minutes p.m., Mr. Libby moved that further proceedings under call of the House be dispensed with.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Brown, Collins, Cram, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Green, Hayes, Killingsworth, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Nelson, Peairs, Roberts, Slater, Strine, Weisel, Weldon, Woodley, and Mr. Speaker—29.

NOES—Messrs. Bagby, Beck, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Morgenstern, Mouser, Murray, Nolan, Palmer, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Smith, Sutherland, Wall, Walsh, and White—38.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At one o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Bohnett.

The roll of absentees was called, and motion to reconsider carried by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Smith, Sutherland, Tulloch, Wall, Walsh, and White—42.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bradford, Brown, Collins, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Green, Griffin, Hayes, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Peairs, Polsley, Roberts, Simpson, Slater, Strine, Stuckenbruck, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—35.

Senate Bill No. 323—An Act providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

PREVIOUS QUESTION.

Mr. Johnston moved the previous question.

Motion carried.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 323 refused passage by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Gabbert, Gates, Gelder, Guiberson, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Morgenstern, Mouser, Murray, Nolan, Palmer, Richardson, Ryan, Schmitt, Scott, Shannon, Shearer, Sutherland, Wall, Walsh, and White—36.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bradford, Brown, Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Green, Guill, Hayes, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Nelson, Peairs, Polsley, Roberts, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—37.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

MR. SPEAKER: The reason we voted "No" on Assembly Bill No. 672 is that as amended exempting cities of the sixth class it would affect Stanford University.

J. W. GUIBERSON.
J. A. MURRAY.

Senate Bill No. 379—An Act to amend Section 858 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 379 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuek, Libby, McDonald, Moorhouse, Mouser, Nelson, Peairs, Polsley, Ryan, Scott, Simpson, Slater, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—42.

NOES—Mr. Weldon—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 538—An Act to amend Section 204 of the Code of Civil Procedure of the State of California, relating to the qualifications, competency and exemptions and of the selecting and referring of jurors for courts of record.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 538 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Moorhouse, Mouser, Nelson, Peairs, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1732—An Act to amend Section 752 of the Political Code, relating to the fees to be collected by the clerk of the Superior Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1732 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Farwell, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Moorhouse, Mouser, Nelson, Peairs, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Sutherland, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 532—An Act to amend Section 3804 of the Political Code, relating to taxes erroneously collected.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 532 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Ford, Gab-

bert, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, Moorhouse, Nelson, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, and Mr. Speaker—43.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 533—An Act to amend Section 3819 of the Political Code, relating to payment of taxes under protest.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 533 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kuck, Moorhouse, Mouser, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Slater, Sutherland, Tulloch, Walsh, Weisel, Wyllie, and Mr. Speaker—41.

NOES—Messrs. Griffin and Weldon—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3787, 3897 and 3898 of the Political Code of the State of California, and to add to said Political Code two new sections, to be numbered 3773 and 3785*b*, all relating to property sold to the State for delinquent taxes, and providing for its disposal by sale and redemption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1085 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, Moorhouse, Mouser, Peairs, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1567—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3158, relating to the procedure to be observed by carriers, commission merchants, innkeepers and warehousemen in the sale of unclaimed property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1567 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clarké, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, Moorhouse, Mouser, Peairs, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 365—An Act to amend Section 974 of the Code of Civil Procedure of the State of California, and to repeal Section 975 thereof, both relating to appeals from judgment of justices' or police courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 365 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Gelder, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, Moorhouse, Mouser, Pairs, Polsley, Roberts, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 541—An Act to amend Section 4187 of the Political Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 541 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Pairs, Polsley, Roberts, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 208—An Act to amend Section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 208 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fish, Ford, Gabbert, Gelder, Green, Griffin, Guill, Hinkle, Johnson, Geo. H., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Pairs, Polsley, Roberts, Schmitt, Scott, Simpson, Slater, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Wyllie, and Mr. Speaker—44.

NOES—Mr. Johnstone, W. A.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1308—An Act to amend Sections 1, 3, 8, 20 and 21 of an Act approved March 23, 1901, and entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as 'An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in

the State of California,' approved March 12, 1885''; to repeal Sections 13 and 24 of said Act; also to amend Section 10, 12, 14 and 19 of said Act as amended by an Act approved March 20, 1903; also, to amend Section 21½ of said Act as added thereto by said Act, approved March 20, 1903; and also to amend Section 15 of said Act of March 23, 1901, as amended by an Act approved March 6, 1907; all relating to the Board of Dental Examiners of California and the regulation of the practice of dentistry in the State of California, approved April 6, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1308 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Ferguson, Fish, Ford, Gabbert, Gelder, Green, Guill, Hayes, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Palmer, Pairs, Polsley, Roberts, Schmitt, Scott, Slater, Stuckenbruck, Walsh, Weldon, Wyllie, and Mr. Speaker—43.

NOES—Mr. Hinkle—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1465—An Act to amend Section 1380 of the Code of Civil Procedure of the State of California, relating to giving special notices to heirs, devisees, legatees, or creditors during the administration of estates of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1465 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bradford, Brown, Bush, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Ferguson, Fish, Ford, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Pairs, Polsley, Schmitt, Slater, Smith, Stuckenbruck, Sutherland, White, Woodley, Wyllie, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1091—An Act to amend Section 412 of the Code of Civil Procedure of the State of California, relating to the requisites for the publication of summonses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1091 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Ferguson, Fish, Ford, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Pairs, Polsley, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1407—An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1407 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bohnett, Bradford, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Fish, Ford, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Morgenstern, Mouser, Palmer, Pairs, Roberts, Scott, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Walsh, Wyllie, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 34—Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the State to which it is consigned through the parcel post.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 34 finally adopted by the following vote:

AYES—Messrs. Alexander, Bohnett, Bowman, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gelder, Green, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Palmer, Pairs, Roberts, Schmitt, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Weldon, Wyllie, and Mr. Speaker—43.

NOES—None.

Senate Joint Resolution No. 34 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 34.

Relative to the amendment of the postal law of the United States, to permit inspection and subsequent treatment or destruction of nursery stock, shrubbery, ornamental plants and fruits, upon arrival in the State to which it is consigned through the parcel post.

WHEREAS, The present statutes of the United States prohibit any postmaster from delaying the delivery of any package or parcel or to open or inspect the same; and

WHEREAS, The new parcel post law is bringing into the several states nursery stock, shrubbery, ornamental plants, fruits, etc., in great quantities; and

WHEREAS, Our inspection officers are finding on some of these shipments serious insect and fungoid pests not yet in our State, which if introduced would do us incalculable damage; and

WHEREAS, Order 6696 of the United States postmaster general states that any postmaster "may" if requested inform the horticultural officer of any parcel of plants, trees or fruits received at his office and to whom delivered; and

WHEREAS, It is impossible to search out all of said importations for purpose of inspection; and

WHEREAS, It is imperative for the safety of the great fruit interests that there be thorough and universal inspection of all trees, plants and fruits received through the mails at the points of delivery; and

WHEREAS, This under the present law is entirely impossible; therefore, be it
Resolved by the Senate of the State of California and the Assembly, jointly, That Congress be and hereby is requested to take immediate and necessary measures permitting and requiring the postmaster general of the United States to order all nursery stock, shrubbery, ornamental plants, fruits, etc., sent through the mails, to be forwarded to certain conveniently located points where they may be inspected, and if found free from injurious pests or diseases, to be repacked and

remained to the consignee, and if infected, to be treated and remailed, or destroyed; and be it further

Resolved, That our Senators and Representatives in Congress be requested to use all honorable means to secure the action desired in this matter, for the purpose aforesaid; and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, the Postmaster General, the Secretary of Agriculture, the Secretary of the Senate, the Speaker of the House of Representatives and to each of our Senators and Representatives in Congress.

Senate Concurrent Resolution No. 29—Relative to the appointment of a senatorial inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California; including recreation in rural communities as well as in small and large towns.

The question being upon the adoption of the resolution.

A *viva voce* vote was taken, and the resolution adopted.

Senate Concurrent Resolution No. 29 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 29.

Relative to the appointment of a recreational inquiry committee for studying, investigating and reporting with recommendations upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities.

Resolved by the Senate of the State of California, the Assembly concurring, That a committee of seven persons, consisting of one member of the Senate and one member of the Assembly, and five other persons, be appointed for the purpose of studying, investigating and reporting upon recreation for both young and old in California, including recreation in rural communities as well as in small and large towns and cities.

The President of the Senate shall appoint the Senate member of said committee, and the Speaker of the Assembly shall appoint the Assembly member of said committee, and the Governor shall appoint the remaining five members of said committee, said five persons to be chosen for their knowledge or experience, or both, in public school work, in juvenile court work, in playground work, in public and private charities, and in police work, respectively. Such committee shall be appointed promptly; and the initial meeting thereof shall be called by the senate member of said committee, which shall thereupon choose from among its own members a chairman, a secretary and a treasurer.

Said committee shall make such study and investigation, and shall make such report on or before November 1, 1914, with such recommendation to the Governor, to be transmitted to the next regular session of the Legislature; and for the purpose of such study, investigation and report, such committee may solicit and receive gifts. The moneys received by such committee may be used to defray the expenses incurred by it in the performance of its duties in accordance with this resolution. The report to the Governor herein mentioned shall be accompanied by a financial statement showing the amount of all moneys received and the disposition of the same.

Senate Bill No. 1458—An Act creating an "Industrial Accident Fund," and appropriating moneys therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1458 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Green, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Knuck, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—45.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1076—An Act defining and regulating the carrying for sale, endeavoring to sell or sale of cotton duck canvas or articles

composed in whole or in part of cotton duck or canvas, awnings, paulins, wagon covers, tents, grain and hay covers, stable or tent tops, and requiring the same to be properly marked as to weight, size and use of fillers or other preparations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1076 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Chandler, Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Green, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Ryan, Schmitt, Shartel, Simpson, Slater, Smith, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1153—An Act to amend Section 99 of the Code of Civil Procedure of the State of California, relating to justices' courts and justices in townships having population between 250,000 and 400,000.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1153 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bradford, Byrnes, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Fish, Gabbert, Gates, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Walsh, Woodley, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1154—An Act to amend Section 100 of the Code of Civil Procedure of the State of California, relating to when and how original process returnable in justices' courts in townships having a population between 250,000 and 400,000.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1154 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Green, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Ryan, Schmitt, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER PRO TEM IN THE CHAIR.

At two o'clock and thirty minutes p.m., Hon. W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

Senate Bill No. 380—An Act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by the vote of not less than two thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 380 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Byrnes, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Fish, Ford, Gabbert, Gates Green, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Ryan, Schmitt, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Wyllie—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 824—An Act to amend Section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 824 refused passage by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ambrose, Bloodgood, Bohnett, Bowman, Bradford, Byrnes, Canepa, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Ferguson, Ford, Gates, Gelder, Hayes, Hinkle, Inman, Kuck, McDonald, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Schmitt, Shannon, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Wyllie—42.

Senate Bill No. 907—An Act to amend Section 1668 of the Political Code of the State of California, relating to the care of school rooms, health of pupils and to proper exercise of pupils in the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Canepa moved a call of the House.

Motion lost.

The vote was announced, and Senate Bill No. 907 refused passage by the following vote:

AYES—Messrs. Beck, Bloodgood, Bowman, Brown, Canepa, Clark, Wm. C., Collins, Dower, Ferguson, Fitzgerald, Ford, Gabbert, Hinkle, McDonald, Mouser, Murray, Palmer, Richardson, Ryan, Schmitt, Shannon, Shartel, Slater, and Weisel—24.

NOES—Messrs. Ambrose, Bohnett, Bradford, Byrnes, Clarke, Geo. A., Cram, Ellis, Gates, Gelder, Hayes, Inman, Judson, Libby, Nelson, Simpson, Smith, Stuckenbruck, Sutherland, Tulloch, Woodley, and Wyllie—21.

Senate Bill No. 1263—An Act to amend Section 1886 of the Political Code of the State of California, relating to the minimum rate of interest and sale of school bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1263 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Ferguson, Fitzgerald, Ford, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kuck, Libby, McDonald, Murray, Nelson, Palmer, Richardson, Ryan, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, and Wyllie—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 675—An Act in relation to prostitution and to persons cohabiting, dwelling or residing with prostitutes; to define and prohibit the same; to provide for punishment therefor and for the competency of certain evidence at the trial therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 675 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bradford, Clark, Wm. C., Ellis, Gabbert, Gates, Guill, Hayes, Hinkle, Johnstone, W. A., Kuck, Moorhouse, Nelson, Palmer, Polsley, Slater, Smith, Strine, Tulloch, Walsh, Weisel, Woodley, and Wyllie—26.

NOES—Messrs. Beck, Bowman, Brown, Dower, Ferguson, Fitzgerald, Ford, Gelder, Killingsworth, Libby, McDonald, Murray, Shearer, Simpson, Stuckenbruck, and Sutherland—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 676—An Act in relation to prostitution and to persons concerned in the encouragement and promotion thereof, to define and prohibit the same, to provide for punishment therefor, to provide for the jurisdiction of persons offending against the provisions of this Act and for the competency of certain evidence at the trial therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 676 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Clark, Wm. C., Dower, Ellis, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Libby, McDonald, Moorhouse, Murray, Nelson, Palmer, Polsley, Richardson, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, and Woodley—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 982 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Collins, Dower, Ellis, Emmons, Ferguson, Fish, Fitzgerald, Ford, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A.,

Judson, Killingsworth, Kuck, McDonald, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Ryan, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, and Wyllie—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1753—An Act to provide for the formation, management and dissolution of water districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of water district bonds and the payment thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1753 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Canepa, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Ferguson, Fish, Fitzgerald, Gabbert, Gelder, Guiberson, Guill, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, and Weisel—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1497—An Act to amend Section 1095 of the Code of Civil Procedure of the State of California, relating to the recovery of damages and awarding of costs in mandate proceedings, and said section as hereby amended providing for the recovery of damages and the awarding of costs against the State, counties and municipal corporations in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1497 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Canepa, Chandler, Ellis, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, and Weisel—43.

NOES—Messrs. Clark, Wm. C., and Walsh—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1157—An Act to amend Section 102b of the Code of Civil Procedure of California, relating to salary of justices, justices' clerk, assistant justices' clerks and deputy justices' clerks in townships having population between 250,000 and 400,000.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1157 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Chandler, Clark, Wm. C., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Moorhouse, Mouser, Murray, Nelson,

Nolan, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shearer, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, and Weldon—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 145—An Act to provide for the issuance of bonds by municipal corporations for the purpose of facilitating the performance of street or other public work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 145 finally passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Chandler, Clark, Wm. C., Collins, Dower, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guiberson, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, McDonald, Moorhouse, Mouser, Nelson, Palmer, Peairs, Polsley, Richardson, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weisel, and Weldon—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1723—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Ryan moved a call of the House.

Motion lost.

The vote was announced, and Senate Bill No. 1723 refused passage by the following vote:

AYES—Messrs. Bush, Canepa, Collins, Dower, Ellis, Emmons, Finnegan, Fitzgerald, Gabbert, Gelder, Hayes, Hinkle, McDonald, Mouser, Murray, Nolan, Palmer, Richardson, Roberts, Ryan, Shearer, Smith, Strine, Wall, Walsh, Weisel, and Woodley—27.

NOES—Messrs. Ambrose, Bagby, Benedict, Bowman, Brown, Cary, Chandler, Farwell, Ferguson, Fish, Green, Guiberson, Guill, Johnstone, W. A., Judson, Killingsworth, Moorhouse, Nelson, Peairs, Polsley, Shartel, Slater, Stuckenbruck, Sutherland, Weldon, and Wyllie—26.

Senate Bill No. 1165—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3524, providing for the issuing of patents to swamp and overflowed lands, where the original patent has been lost or destroyed, and not of record in the county where the land is situate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1165 finally passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Canepa, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Moorhouse, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Ryan, Shannon, Shearer, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Wall, Weisel, and Weldon—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1008—An Act to regulate the repayment of employees' advances; and providing penalties for the violation of its provisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1008 finally passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Moorhouse, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Weisel, and Weldon—50.

NOES—Mr. Bagby—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 586—An Act to amend Section 1663 of the Political Code of the State of California, defining the classification of the public schools, the qualification of teachers, the time for prescribing the courses of study, the granting of diplomas of graduation, and the amending of the courses of study.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 586 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Farwell, Ferguson, Finnegan, Fish, Gates, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, McDonald, Mouser, Nelson, Nolan, Palmer, Peairs, Roberts, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, Woodley, and Wyllie—44.

NOES—Messrs. Bagby, Chandler, Green, Johnson, Geo. H., and Polsley—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1034—An Act to amend "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1034 finally passed by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, McDonald, Moorhouse, Mouser, Nolan, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Smith, Strine, Stuckenbruck, Wall, Walsh, Weisel, and Woodley—47.

NOES—Messrs. Bagby, Chandler, Guiberson, Guill, Johnson, Geo. H., Judson, Killingsworth, Murray, Nelson, Palmer, Polsley, Slater, Weldon, and Wyllie—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1188—An Act for the relief of purchasers of state lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1188 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bradford, Brown, Bush, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Murray, Nelson, Pears, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Wall, and Weisel—42.

NOES—Messrs. Bowman, Cary, Johnson, Geo. H., Palmer, Slater, Weldon, and Wyllie—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 18—Memorializing the Congress of the United States for favorable consideration of the request of the Legislature of the State of California for investigations and surveys by the California Débris Commission under the provision of an Act of Congress, approved March 1, 1893, to aid in the preparation and making of a report on a project for the relief from floods in the San Joaquin Valley and the delta of the Sacramento and San Joaquin rivers and for improvements in aid of commerce and navigation.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 18 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canema, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Green, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Morgenstern, Murray, Nelson, Polsley, Richardson, Roberts, Ryan, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Weisel, Weldon, and Wyllie—49.

NOES—None.

Senate Joint Resolution No. 18 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 18.

Memorializing the Congress of the United States for favorable consideration of the request of the Legislature of the State of California, for investigations and surveys by the California Débris Commission under the provisions of an Act of Congress, approved March 1, 1893, to aid in the preparation and making of a report on a project for the relief from floods in the San Joaquin Valley and the delta of the Sacramento and San Joaquin rivers and for improvements in aid of commerce and navigation.

WHEREAS, Conditions injuriously affecting vast areas of valuable land adjacent to, and the interests of commerce and navigation in, the river systems of the San Joaquin Valley, within the power of the California Débris Commission to correct under the provisions of an Act of Congress, approved March 1, 1893, creating said commission and defining its duties, are identical with those existing in the river systems of the Sacramento Valley and require like remedial treatment; and

WHEREAS, The Sacramento and San Joaquin rivers form a delta, common to both, and by connecting water ways, their flood waters mingle, frequently involving great damage to property and to navigation; and

WHEREAS, The work involved and plans contemplated in said rivers and said delta, under the requirements of said Act, should be co-ordinated into one harmonious project; and

WHEREAS, The report of said commission made in accordance with the requirements of said Act, including maps and containing a project together with estimate of the cost thereof, for the relief from floods in the Sacramento Valley, transmitted to the Congress of the United States by the secretary of war, June 26, 1911, and

approved and recommended by him for adoption by Congress, now designated as House Document No. 81, sixty-second Congress, first session, applies only to the Sacramento River conditions, and said commission strongly urges "that work begin at once and provision be made for its early completion"; and

WHEREAS, As delay in treating these conditions in the river systems of the Sacramento Valley has greatly added to the injury done as well as to the cost of the proposed project, the same results will follow delay in treating like conditions in the river systems of the San Joaquin Valley; and

WHEREAS, As investigations and surveys are required preliminary to the making of a report by said commission on said river systems in the San Joaquin Valley, it is of the utmost importance that such investigations and surveys be commenced without unnecessary delay; and

WHEREAS, As said remedial work necessary in said river systems and said delta make the problem a vital one pressing for an early solution, the legislature of the State of California, has by appropriate legislation adopted the project contained in said report, has appropriated funds therefor and has in other ways indicated its willingness to co-operate with the United States, in furtherance of this great work; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the legislature of the State of California, in regular session assembled, memorializes the congress of the United States, for such legislation and direction, as will provide for such investigations and surveys by the California Débris Commission under the provisions of said Act, thereby hastening the preparation and making of the report on a project for the relief from floods in the San Joaquin Valley and said delta and for improvements in aid of commerce and navigation; be it further

Resolved, That our Senators and Representatives in Congress, be and they are hereby requested to use all honorable means to secure favorable consideration of this memorial; and be it further

Resolved, That duly authenticated copies of this memorial be transmitted by the Governor of the State of California, to the Senate and House of Representatives of the United States, the Secretary of War, the Chief of Engineers, United States army, the California Débris Commission, and to each of our Senators and Representatives in Congress.

Senate Joint Resolution No. 19—Memorializing the Congress of the United States for favorable consideration of the project contained in the report of the California Débris Commission, relating to "control of floods in the river systems of the Sacramento Valley and the adjacent San Joaquin Valley, California."

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 19 finally adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Fitzgerald, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Moorhouse, Morgenstern, Nelson, Pears, Richardson, Roberts, Ryan, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Woodley, and Wyllie—42.

NOES—None.

Senate Joint Resolution No. 19 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 19.

Memorializing the Congress of the United States for favorable consideration of the project contained in the report of the California Débris Commission relating to control of floods in the river systems of the Sacramento valley and the adjacent San Joaquin Valley, California.

WHEREAS, The secretary of war, on the 29th day of June, 1911, submitted to the House of Representatives of the United States, duly approved and recommended for adoption, the report of the California Débris Commission, relating to control of floods in the river systems of the Sacramento Valley and the adjacent San Joaquin Valley, California, now known and designated as House Document No. 81, sixty-second Congress, first session; and

WHEREAS, The approval of said report contains the suggestion "that work begin at once, and provision be made for its early completion"; and

WHEREAS, The construction and completion of the project proposed in said report is of vital importance to the people of this State and of the whole country; and

WHEREAS, The Legislature of the State of California, in extraordinary session assembled, did by an Act of said Legislature adopt the project and recommendations

set forth in said report of the California Débris Commission, and appropriate funds therefor, and has also in said Act provided for co-operation between the State of California and the government of the United States in putting into effect the proposed project and recommendations; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly. That the said Legislature memorializes the Congress of the United States for favorable consideration of the report of said California Débris Commission transmitted as aforesaid by the Secretary of War to Congress; be it further

Resolved. That duly authenticated copies of these resolutions be transmitted to the Senate and House of Representatives of the United States, the Secretary of War, and to each of our Senators and Representatives in Congress; be it further

Resolved. That our Senators in Congress be instructed, and our representatives in Congress requested, to use all honorable means to secure favorable action on said report and said project.

Senate Bill No. 440—An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled “An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,” which became a law under the provisions of the Constitution of the State of California without the Governor’s approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 440 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Hinkle, Innan, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Weisel, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 787—An Act to amend an Act entitled “An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations,” approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 787 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnstone,

W. A., Judson, Killingsworth, Moorhouse, Nelson, Palmer, Peairs, Polsley, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Sutherland, and Weisel—42.

NOES—Messrs. Johnson, Geo. H., Murray, Shearer, and Weldon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1025—An Act declaring section lines running through all agricultural land in this State and the lands on each side thereof for a distance of twenty feet, public highways, and providing for the condemnation of such land and for the opening of such highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1025 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Cary, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Fitzgerald, Gabbert, Gates, Gelder, Hinkle, Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Peairs, Ryan, Shartel, Strine, Weisel, and Wyllie—27.

NOES—Messrs. Alexander, Beck, Bowman, Bush, Canepa, Collins, Dower, Ferguson, Guiberson, Guill, Hayes, Johnson, Geo. H., Killingsworth, McDonald, Murray, Nelson, Polsley, Richardson, Scott, Shearer, Slater, Stuckenbruck, Sutherland, Wall, and Weldon—25.

SPEAKER IN THE CHAIR.

At five o'clock and twenty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

REPORTS OF STANDING COMMITTEES.

The followin reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 958—An Act to amend the Political Code of the State of California by amending Section 2141 thereof, relating to the powers of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHANDLER, Chairman.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 31—Relative to leave of absence for Senators—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BROWN, Chairman.

Mr. Brown moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Brown, Bush, Cary, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Morgenstern, Murray, Peairs, Polsley, Richardson, Ryan, Scott, Shannon, Simpson, Smith, Sutherland, Wall, Weisel, and Wyllie—42.

NOES—None.

Senate concurrent resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 31.

Relative to leave of absence for Senators.

Resolved by the Senate, the Assembly concurring. That leave of absence from the State of California for a period not exceeding six months, during the term of office of the senators herein named, be and the same is hereby granted to said senators, viz:

Senators John N. Anderson, J. L. Avey, D. J. Beban, Frank H. Benson, E. S. Birdsall, A. E. Boynton, A. H. Breed, William E. Brown, E. F. Bryant, Edwin M. Butler, A. Caminetti, A. E. Campbell, William J. Carr, George W. Cartwright, John J. Cassidy, Prescott F. Cogswell, P. C. Cohn, J. B. Curtin, Thomas F. Finn, William R. Flint, Lee C. Gates, Fred C. Gerdes, Edwin E. Grant, George J. Hans, Leslie R. Hewitt, Herbert C. Jones, L. W. Juilliard, William Kehoe, E. O. Larkins, Henry H. Lyons, D. W. Mott, James C. Owens, D. P. Regan, Benjamin F. Rush, J. B. Sanford, T. W. H. Shanahan, Edward K. Strobridge, Newton W. Thompson, Edward J. Tyrrell and Leroy J. Wright.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1565—An Act to add a new section to the Political Code of the State of California, to be numbered Section 4220a, relating to the duties of county surveyors and deputies.

Also: Senate Bill No. 1001—An Act to add a new section to the Political Code to be numbered 4235a, relating to and fixing the compensation of grand jurors in counties of the sixth class.

Also: Senate Bill No. 1717—An Act relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for advertising, exploiting and making known the resources of the counties, which tax hereby authorized to be levied shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collecting, preparing and maintaining exhibits at domestic and foreign expositions.

Also: Senate Bill No. 657—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Also: Senate Bill No. 1604—An Act authorizing boards of supervisors to levy taxes for the purchase or building, improvement or enlargement of a township hall.

Also: Senate Bill No. 658—An Act to amend Section 4278 of the Political Code, relating to salaries and fees of officers of counties of the forty-ninth class.

Also: Senate Bill No. 1603—An Act authorizing boards of supervisors to levy taxes for the purchase of an ambulance for use in townships.

Also: Senate Bill No. 1389—An Act to amend Section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Also: Senate Concurrent Resolution No. 5—Approving the charter of the county of Los Angeles, State of California, which was submitted to the qualified electors of said county and voted for and ratified by them at a general election held therein on the fifth day of November, nineteen twelve.

Also: Senate Bill No. 1002—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated and known as Section 4056b, relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions.

Have had the same under consideration, and respectfully report the same back, without recommendation.

WOODLEY, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 175—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California, and appropriating a sum of money therefor.

Also: Senate Bill No. 1651—An Act to regulate the use of common towels in the State of California and providing punishment for the violation of this Act.

Have had the same under consideration, and respectfully report the same back, without recommendation.

SCHMITT, Vice-Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 1495—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Section 39 thereof, relating to the levying and collection of assessments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MURRAY, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 258—An Act to amend an Act entitled "An Act to add a new section to the Political Code, to be known as Section 1665a, providing for the establishment and maintenance in cities of the first class of one or more public schools called cosmopolitan schools, in which shall be taught the French, Italian and German languages in connection with the English branches," approved March 18, 1909, relating to cities of the first and first and one half classes.

Also: Senate Bill No. 457—An Act to amend Sections 1712, 1713 and 1714 of the Political Code, relating to school libraries, books and apparatus to be purchased for school libraries, and moneys to be provided and expended for such libraries.

Also: Senate Bill No. 1274—An Act to amend Section 1560 of the Political Code of the State of California, relating to the holding of teachers' institute.

Also: Senate Bill No. 1629—An Act to amend Section 1750 of the Political Code of the State of California, relating to the course of study in high school.

Have had the same under consideration, and respectfully report the same back, without recommendation.

WYLLIE, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 12—Approving the charter of the city of San Rafael, State of California, voted for and ratified by the qualified voters of said city of San Rafael at a special municipal election held therein for that purpose on the 30th day of November, 1912—have had the same under consideration, and respectfully report the same back, without recommendation.

SCOTT, Chairman.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Assembly Bill No. 659—An Act to amend Section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Also: Assembly Bill No. 735—An Act to amend Section 4288 of the Political Code, relating to the payment of salaries of county officers.

Also: Assembly Bill No. 366—An Act to amend Section 737 of the Political Code relating to the salaries of superior judges.

Also: Assembly Bill No. 728—An Act to amend Section 4245 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the sixteenth class.

Also: Assembly Bill No. 751—An Act to amend Section 4041 of the Political Code of the State of California.

Also: Assembly Bill No. 842—An Act to amend Section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Also: Assembly Bill No. 688—An Act to amend Section 737 of the Political Code of the State of California, relating to the salaries of superior judges.

Also: Assembly Bill No. 677—An Act to add a new section to the Political Code to be known as Section 3804b.

Also: Assembly Bill No. 676—An Act to add a new section to the Political Code to be known as Section 4326.

Also: Assembly Bill No. 672—An Act to add a new section to the Political Code to be known as Section 3650b.

Also: Assembly Bill No. 843—An Act to amend Section 4041 of the Political Code of California, relating to the general, permanent powers of the board of supervisors.

Also: Assembly Bill No. 884—An Act to amend Section 1552 of the Political Code of the State of California, relating to the traveling expenses of the county superintendent of schools.

Also: Assembly Bill No. 976—An Act to amend Section 4099a of the Political Code of the State of California, relating to the compensation of county auditors.

Also: Assembly Bill No. 989—An Act to amend Section 2322d of the Political Code of the State of California, relating to salaries of county horticultural commissioners, deputies and inspectors.

Also: Assembly Bill No. 1000—An Act to amend Section 4290 of the Political Code, relating to fees and salaries of county officers.

Also: Assembly Bill No. 1049—An Act amending Section 5 of an Act known as Chapter 729 of the Statutes of 1909 of the State of California, relating to county boards of forestry.

Also: Assembly Bill No. 670—An Act to add a new section to the Political Code to be known as Section 3650c.

Also: Assembly Bill No. 680—An Act to add a new section to the Political Code to be known as Section 3650a.

Also: Assembly Bill No. 724—An Act to compensate the counties of the State for the cost of work performed in compiling the operative assessment rolls.

Also: Assembly Bill No. 719—An Act to add a new section to the Political Code of the State of California to be numbered 4142d, relating to the attendance of the county recorder or a deputy county recorder at a state convention of county recorders.

Also: Assembly Bill No. 478—An Act to amend Section 4041 of the Political Code of California, relating to the general, permanent powers of boards of supervisors.

Also: Assembly Bill No. 455—An Act to amend Section 4049a of the Political Code of the State of California, relating to county supervisors.

Also: Assembly Bill No. 453—An Act to amend Section 4049 of the Political Code of the State of California relating to county supervisors.

Also: Assembly Bill No. 402—An Act to amend Sections 4175, 4176 and 4290 of the Political Code relating to compensation of sheriffs for transporting prisoners and insane persons.

Also: Assembly Bill No. 387—An Act amending an Act entitled "An Act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes," approved April 27, 1911.

Also: Assembly Bill No. 382—An Act to amend Section 4236 of the Political Code of the State of California, relating to salaries of officers in counties of the seventh class.

Also: Assembly Bill No. 426—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Also: Assembly Bill No. 203—An Act to amend subdivision twenty-five of Section 4041 of the Political Code, relating to general, permanent powers of boards of supervisors.

Also: Assembly Bill No. 280—An Act to amend Section 4041 of the Political Code, relating to the general permanent powers of the board of supervisors.

Also: Assembly Bill No. 375—An Act to amend Section 1552 of the Political Code of the State of California, relating to the traveling expenses of the county superintendent of schools.

Also: Assembly Bill No. 1122—An Act to amend Section 4300a of the Political Code of the State of California, relating to county clerk's fees.

Also: Assembly Bill No. 1157—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officials.

Also: Assembly Bill No. 1202—An Act to amend Section 4041 of the Political Code of the State of California, relating to the general permanent powers of boards of supervisors.

Also: Assembly Bill No. 1288—An Act authorizing and directing the county boards of supervisors of the several counties of the State of California to levy a tax to create a fund for the aid of the indigent wives, widows and minor children of indigent or deceased soldiers of the United States.

Also: Assembly Bill No. 1310—An Act to amend Section 4257 of the Political Code, relating to county and township officers of counties of the thirty-first class.

Also: Assembly Bill No. 1311—An Act to amend Section 4263 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fourth class.

Also: Assembly Bill No. 1331—An Act to amend Section 4290 of the Political Code of the State of California, relating to salaries and fees of county and municipal officers.

Also: Assembly Bill No. 1332—An Act to provide for the regulation of the business of watchman, guards and private detectives in the State of California; to provide for the granting of permits to engage in such occupations, and prescribing penalties for the violation thereof.

Also: Assembly Bill No. 1358—An Act to amend Section 4013 of the Political Code of the State of California, relating to county offices.

Also: Assembly Bill No. 1359—An Act to amend Section 4243 of the Political Code of the State of California, relating to salaries and fees of jurors and public officers in counties of the fourteenth class.

Also: Assembly Bill No. 1387—An Act to amend Section 4253 of the Political Code of the State of California, relating to counties of the twenty-fourth class.

Also: Assembly Bill No. 1388—An Act to amend Section 4049a of the Political Code of the State of California.

Also: Assembly Bill No. 1402—An Act to amend Section 4131 of the Political Code of the State of California, relating to the duties of county recorders.

Also: Assembly Bill No. 1504—An Act to amend Section 4277 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

Also: Assembly Bill No. 1505—An Act to amend Section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Also: Assembly Bill No. 1546—An Act to amend Section 4243a of the Political Code, relating to juror's compensation in counties of the fourteenth class.

Also: Assembly Bill No. 1551—An Act to amend Section 4137 of the Political Code of California, relating to duties of county recorders.

Also: Assembly Bill No. 1552—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered 4099b, relating to the duties of county auditors.

Also: Assembly Bill No. 1555—An Act to amend Section 737 of the Political Code of the State of California.

Also: Assembly Bill No. 1571—An Act to amend Section 4268 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-ninth class.

Also: Assembly Bill No. 1594—An Act to amend Section 1737 of the Code of Civil Procedure.

Also: Assembly Bill No. 1637—An Act to amend Section 4017 of the Political Code in relation to the consolidation of county offices.

Also: Assembly Bill No. 1648—An Act to amend Section 4237 of the Political Code of the State of California, relating to the salaries of officers and their deputies in counties of the eighth class.

Also: Assembly Bill No. 1706—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Also: Assembly Bill No. 1716—An Act to amend an Act entitled "An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds therefor, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, by amending Section 13 of said Act, relating to the funds of sanitary districts.

Also: Assembly Bill No. 1717—An Act to amend an Act entitled "An Act to allow unincorporated towns and villages to establish, equip, and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, by amending Section 16 of said Act, relating to the disposition of the revenue of lighting districts.

Also: Assembly Bill No. 1718—An Act to amend an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, by amending Sections 11, 14 and 15 of said Act, relating to the board of supervisors of lighting districts and their duties.

Also: Assembly Bill No. 1727—An Act to amend Section 2 of an Act entitled "An Act to regulate and license the hunting of game birds and animals and to provide revenue therefrom, for game preservation and restoration and to make appropriation for the purpose of carrying out the objects of this Act," approved March 13, 1907, relating to hunting licenses.

Also: Assembly Bill No. 1728—An Act to repeal Section 22 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds, approved March 23, 1893,' and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, relating to fees retained by county treasurers from inheritance taxes.

Assembly Bill No. 1729—An Act to repeal Section 14 of an Act entitled "An Act for the registration of deaths, the issuance and registration of burial and disinterment

permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics, and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for the violation of this Act," approved March 18, 1905, relating to fees of local registrars of death certificates.

Also: Assembly Bill No. 1730—An Act to repeal Section 3079 of the Political Code of the State of California, relating to certain fees allowed county recorders and health officers.

Also: Assembly Bill No. 1744—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897.

Also: Assembly Bill No. 1955—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Also: Assembly Bill No. 2007—An Act relating to the power of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for advertising, exploiting and making known the resources of the counties, which tax hereby authorized to be levied shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund for the purpose of collecting, preparing and maintaining exhibits at domestic and foreign expositions.

Also: Assembly Bill No. 2010—An Act empowering the board of supervisors to create a fund to be known as the contingent expense revolving fund, prescribing the conditions under which moneys set apart for the use of such fund shall be expended; prescribing the duties of certain county officials with reference thereto; and prescribing the method of granting of appropriation for same.

Also: Assembly Bill No. 2019—An Act to amend Sections 3949, 3952 of the Political Code of the State of California.

Also: Assembly Bill No. 2077—An Act authorizing the boards of supervisors of the counties of this State to declare all or any portion of any innavigable river or stream within the State of California a public highway, when public convenience and necessity demands it, providing for the improvement and use of the same.

Also: Assembly Bill No. 2099—An Act to amend an Act entitled "An Act to provide for the formation, organization, and classification of new counties, for locating county seats, for the election and appointment of officers, and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended March 8, 1909.

Also: Assembly Bill No. 2021—An Act to amend Section 2 of an Act entitled "An Act to create the county of San Benito, to establish the boundaries thereof, to provide for its organization."

Have had the same under consideration, and respectfully report the same back, without recommendation.

WOODLEY, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 458—An Act entitled "An Act to repeal an Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Also: Assembly Bill No. 684—An Act to add a new section to the Political Code of the State of California to be known and numbered as Section 1896a, relating to the duties of county clerks or registrars of voters in obtaining additional affidavits to be delivered to the assessor or tax collector for the purpose of enabling said officers to make up the military roll as required by law and providing for the payment therefor.

Also: Assembly Bill No. 1646—An Act making an appropriation for the purchase and acquisition of an aeroplane for the use of the state militia.

Also: Assembly Bill No. 1786—An Act to abolish and dissolve the standing army of the State of California, known as the National Guard of California and the Naval Militia of California and to repeal the following sections of the Political Code of California: 1897, 1898, 1899, 1900, 1901, 1902, 1904, 1905, 1906, 1907, 1908, 1913, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2039, 2040, 2041, 2044, 2045, 2046, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2093, 2094, 2095, 2096, 2098, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2111, 2112, and all other laws in conflict or inconsistent with this Act.

Also: Assembly Bill No. 1787—An Act to repeal Sections 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1934½, 1935, 1951, 1952, 1953, 1954,

1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1962, 1964, 1965, 1966, 1967, 1968, 1980, 1981, 1921, 1983, 1984, 1985, 1986, 1987, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2039, 2040, 2041, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2093, 2094, 2095, 2096, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2111 and 2112 of the Political Code of the State of California.

Have had the same under consideration, and respectfully report the same back, without recommendation.

HINKLE, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Concurrent Resolution No. 43—Relative to providing for a legislative investigation as to an alleged unlawful combination which exists to maintain high and unwarranted prices for fish—have had the same under consideration, and respectfully report the same back, without recommendation.

GUILL, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1913.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 838—An Act to amend Section 25 of an Act entitled "An Act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Also: Assembly Bill No. 2082—An Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of such works for the irrigation of lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, is hereby amended by adding a new section thereto to be numbered 54a.

Have had the same under consideration, and respectfully report the same back, without recommendation.

MURRAY, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 925—An Act to amend an Act entitled "An Act relating to the liability of employers for injuries or death sustained by their employees, providing for compensation for the accidental injury of employees, establishing an industrial accident board, making an appropriation therefor, defining its powers and providing for a review of its awards," approved April 8, 1911.

Also: Assembly Bill No. 993—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, relative to the establishment of a bureau of statistics.

Also: Assembly Bill No. 1004—An Act to amend Section 2 of an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting 'the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905.

Also: Assembly Bill No. 660—An Act to regulate hours of employees of electric light, power, telephone and telegraph plants and electric street cars.

Also: Assembly Bill No. 739—An Act to regulate repayment of employers' advances; and providing penalties for the violation of its provisions.

Also: Assembly Bill No. 559—An Act to amend Section 1183 of the Code of Civil Procedure relating to the liens of mechanics and others.

Also: Assembly Bill No. 546—An Act to amend Sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Also: Assembly Bill No. 465—An Act to amend an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, by amending Sections 9 and 10 of said Act, relating to the appointment of deputy labor commissioners, their places of residence, and fixing the salaries of the Labor Commissioner, deputy and assistant deputy commissioners, statistician, stenographers and other employees of the Bureau of Labor Statistics, and repealing all Acts in conflict herewith.

Also: Assembly Bill No. 430—An Act to establish in certain cities state employment offices under the control and management of the Commissioner of the Bureau of Labor Statistics; defining the duties and powers of said commissioner in relation to such offices and the manner of conducting same; providing for suitable rooms or offices to be located in the different cities, and providing for the equipment and maintenance thereof; providing for necessary employees, fixing their compensation, and defining their powers and duties; prescribing the fees to be paid by persons furnished positions, and making an appropriation for the purposes of this Act.

Also: Assembly Bill No. 373—An Act to add a new section of the Political Code of the State of California, to be numbered Section 2933, prohibiting the employment of minors under 18 years of age, from driving or operating vehicles engaged in carrying passengers, freight, or express matter, milk or foodstuffs, ice or fuel, building materials, or supplies of any kind or character whatever, on the public streets or highways of the State of California, and providing penalties thereof.

Also: Assembly Bill No. 340—An Act to compel the cash payment of wages, to prohibit the payment of wages in scrip, to prohibit the conducting of company stores, and providing a penalty for breach thereof.

Also: Assembly Bill No. 339—An Act relating to weekly payment of wages to employees in certain industries and prescribing a penalty for any violation thereof.

Also: Assembly Bill No. 150—An Act to amend "An Act to amend an Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911.

Also: Assembly Bill No. 11—An Act to require employers of labor to furnish free and pure drinking water to their employees during working hours.

Also: Assembly Bill No. 44—An Act to provide for the appointment of a commission to investigate the wages of women and minors and to report on the advisability of establishing permanent minimum wage commissions or boards.

Also: Assembly Bill No. 1265—An Act to regulate certain scaffolding or for the protection of workmen; requiring that in addition to the duties imposed upon them under the provisions of Section 402c of the Penal Code of the State of California and under Section 12 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, and amended by adding thereto said Section 12 in the amendatory Act of last mentioned Act, approved February 20, 1901, employers using or permitting the use of such scaffolding and staging shall comply with its provisions and be subject in case of a violation thereof to the same penalties as prescribed in said Section 402 of the Penal Code; and providing for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics in accordance with his duties under the provisions of the aforesaid Act, approved March 3, 1883, and the Act amendatory thereof, approved February 20, 1901.

Also: Assembly Bill No. 1844—An Act relating to misrepresentation in regard to employment of labor; and providing penalties for the violation thereof.

Also: Assembly Bill No. 2014—An Act to amend the Civil Code by adding to Chapter 1 of Title 6 of Part 4 of the third division thereof a new article to be known as Article 5, relating to the employment of women and the minimum wages payable for the service of women.

Also: Assembly Bill No. 1511—An Act to amend an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office or by any express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman or any other agent of any such employer to violate the provisions of this Act," approved March 22, 1911.

Also: Assembly Bill No. 1300—An Act relating to the payment of wages to employees and to discharged employees.

Also: Assembly Bill No. 1386—An Act to amend Section 1 of an Act entitled "An Act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this Act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this Act," approved March 22, 1911.

Also: Assembly Bill No. 726—An Act to amend an Act entitled "An Act to establish and support a bureau of labor statistics" by adding a new section, to be known as Section XIII, empowering the Commissioner of the Bureau of Labor Statistics to investigate and enforce safe and sanitary conditions in certain places and providing penalties for the violation hereof.

Also: Assembly Bill No. 2115—An Act to amend an Act entitled "An Act to provide for, insure and maintain preference in the appointment, employment, and retention in the public service and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors and marines of the War of the Rebellion," by adding a new section thereto, to be designated as Section 1a, making the violation of said Act a misdemeanor and providing a penalty therefor.

Also: Assembly Bill No. 802—An Act to regulate the occupation of barbering, to create a state board of examiners for the licensing of persons to carry on such practice; to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby, insuring the general public cleaner and better service, and providing penalties for violations thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MCDONALD, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 5—An Act making an appropriation for university extension work at the University of California.

Also: Assembly Bill No. 30—An Act to provide for the furnishing and equipment of the California State Exposition building at the Panama-California Exposition, at San Diego, California, and making an appropriation therefor.

Also: Assembly Bill No. 39—An Act to provide for the erection of a memorial monument to George Washington; appointing an auxiliary commission therefor; and providing an appropriation to carry this Act into effect.

Also: Assembly Bill No. 40—An Act to authorize the local boards of managers of the several state hospitals for the insane and homes for the feeble-minded of the State of California to employ regularly ordained ministers and priests to visit and perform spiritual duties and ministrations to the inmates of said state hospitals and homes for the feeble-minded, and to provide for their compensation.

Also: Assembly Bill No. 41—An Act providing for the completion of construction, and for moving, changing and improving the buildings of, and for the purchase of equipment, apparatus, furnishings and supplies for, the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Assembly Bill No. 54—An Act to establish a state training school for girls; to provide for the maintenance and management of the same, and to make an appropriation therefor.

Also: Assembly Bill No. 72—An Act providing for the support, maintenance and equipment of the Los Angeles department of the College of Medicine of the University of California, and making an appropriation therefor.

Also: Assembly Bill No. 78—An Act appropriating money for the equipment of a building for a model rural school at the San Diego State Normal School.

Also: Assembly Bill No. 83—An Act to provide for the improvement of the grounds around the California State Exposition building at the Panama-California Exposition, at San Diego, California, and making an appropriation therefor.

Also: Assembly Bill No. 125—An Act to provide for a California building at the Panama-Pacific International Exposition, to be held in San Francisco, California, in 1915, providing for its erection, maintenance and use, and making an appropriation therefor.

Also: Assembly Bill No. 129—An Act to amend Section 1 of an Act entitled "An Act to provide for the completion of septic tank and the relaying of mains and laterals leading thereto and therefrom at the Veterans' Home of California, located at Yountville, Napa County, and making an appropriation therefor," approved April 21, 1911.

Also: Assembly Bill No. 130—An Act appropriating money for building barracks at the Veterans' Home of California.

Also: Assembly Bill No. 137—An Act appropriating money for building and equipping a tubercular ward at the Veterans' Home of California.

Also: Assembly Bill No. 151—An Act to provide for a heating plant for the California State Exposition building at the Panama-California Exposition, at San Diego, California, and making an appropriation therefor.

Also: Assembly Bill No. 160—An Act appropriating money for the purchase of live stock and poultry at the California Polytechnic School.

Also: Assembly Bill No. 161—An Act appropriating money for the purchase of farm machinery and implements at the California Polytechnic School.

Also: Assembly Bill No. 162—An Act appropriating money for the purchase of gymnasium equipment at the California Polytechnic School.

Also: Assembly Bill No. 176—An Act to amend Section 1582 of the Penal Code of

the State of California, relating to the salary of the wardens, clerks, and other officers of the penitentiaries and state prisons.

Also: Assembly Bill No. 185—An Act providing for the erection of a reinforced concrete grandstand on the State Fair grounds at Agricultural Park in the city of Sacramento, State of California, making an appropriation therefor and prohibiting an admission charge.

Also: Assembly Bill No. 220—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Also: Assembly Bill No. 240—An Act authorizing the appointment of two delegates from California as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Also: Assembly Bill No. 251—An Act to provide for public comfort stations in cities, or cities and counties in the State of California having more than 20,000 inhabitants, and providing an appropriation therefor.

Also: Assembly Bill No. 256—An Act to amend Section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Also: Assembly Bill No. 257—An Act appropriating money for building and equipping detention quarters for girls at Whittier State School.

Also: Assembly Bill No. 258—An Act appropriating money for building and equipping detention quarters for boys at Whittier State School.

Also: Assembly Bill No. 259—An Act appropriating money for building and equipping a boys' gymnasium and playground at Whittier State School.

Also: Assembly Bill No. 260—An Act appropriating money for building and equipping a girls' gymnasium and playground at Whittier State School.

Also: Assembly Bill No. 261—An Act appropriating money for the completion of Honor Cottage at Whittier State School.

Also: Assembly Bill No. 262—An Act appropriating money for replacement of equipment at Whittier State School.

Also: Assembly Bill No. 263—An Act appropriating money for the equipment and furnishing of hospital building at Whittier State School.

Also: Assembly Bill No. 268—An Act appropriating money for the construction of a portable building for model rural school at San Diego State Normal School.

Also: Assembly Bill No. 269—An Act appropriating money for a seawall and sedimentation tank at the Scripps Institution for Biological Research of the University of California.

Also: Assembly Bill No. 296—An Act appropriating money for a pumping plant at the Scripps Institution for Biological Research at La Jolla.

Also: Assembly Bill No. 300—An Act appropriating money for the construction of a barn at Sonoma State Home.

Also: Assembly Bill No. 345—An Act appropriating money for a wharf at the Scripps Institution for Biological Research at La Jolla.

Also: Assembly Bill No. 350—An Act creating pensions for state hospital employees and providing for the payment of the same; creating a board of pensions.

Also: Assembly Bill No. 365—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons.

Also: Assembly Bill No. 390—An Act appropriating money for the reconstruction of windows in the Agricultural Pavilion at the State Fair grounds in Agricultural Park in the city of Sacramento.

Also: Assembly Bill No. 394—An Act to provide for the reforestation of and the cutting of fire lanes and fire trails on the Angeles National Forest, and to make appropriation therefor.

Also: Assembly Bill No. 397—An Act appropriating \$5,000 for the restoration and rebuilding of the old Greek chapel and Russian fort, known as Fort Ross at Fort Ross, Sonoma County, California, and authorizing and directing such restoration and rebuilding.

Also: Assembly Bill No. 476—An Act making application to repay to L. H. Boggs, moneys paid into the state treasury for state lands, which state lands were not conveyed to said L. H. Boggs.

Also: Assembly Bill No. 565—An Act creating a board of state commissioners, for the purpose of governing all state institutions; providing for appointments of the members thereof; fixing their term of office and compensation; defining its powers and duties and providing for its housing.

Also: Assembly Bill No. 449—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, and providing for the establishment near the town of Dorris in said county, of a branch experiment station for the purpose of prosecuting said work, contingent upon the appropriation by the United States of America of the like, or greater sum for the same purpose.

Also: Assembly Bill No. 607—An Act to provide for the erection of a memorial

monument to Christopher Columbus, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Also: Assembly Bill No. 633—An Act to create for the State of California a department of architecture, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to make an appropriation of the salaries and other expenses of said department of architecture and repealing all Acts or parts in conflict herewith.

Also: Assembly Bill No. 651—An Act appropriating money to pay the expense of maintaining an exhibit of the products of the State of California at the Universal and International Exposition, to be held in the city of Ghent, in the Kingdom of Belgium, in the year 1913.

Also: Assembly Bill No. 658—An Act appropriating money to pay for construction work completed upon the state highway being built from Meyer's Station, in El Dorado County, to McKinney's, in Placer County.

Also: Assembly Bill No. 718—An Act to make an appropriation for the improvement of the grounds and the repair of the fences at the James Marshall monument at Coloma, El Dorado County, California.

Also: Assembly Bill No. 721—An Act to provide for the redemption and payment of certain funded debt bonds of the State of California together with interest thereon now owned by the State of California and held as an investment for the benefit of the state school land fund and university fund, said bonds having been issued under an Act of the Legislature of the State of California, entitled "An Act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose," approved April 2, 1870, making appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one million five hundred and twenty-six thousand five hundred dollars to the state school land fund and the sum of seven hundred and fifty-one thousand dollars to the university fund, to carry out the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith.

Also: Assembly Bill No. 725—An Act to create for the State of California a bureau of industrial investigation and to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said bureau, its officers and employees, to make appropriation for the salaries and other expenses of said bureau.

Also: Assembly Bill No. 730—An Act to provide for the building, equipping, and furnishing of an armory to be used for the National Guard and National Guard purposes, in the city of San Diego and to make an appropriation therefor.

Also: Assembly Bill No. 806—An Act appropriating money for the installation of new lights at Sutter's Fort.

Also: Assembly Bill No. 837—An Act to provide for locating, surveying and maintaining a state highway from Whittaker Grove, Tulare County, to connect with the Visalia Millwood road near General Grant Park, and making an appropriation therefor.

Also: Assembly Bill No. 878—An Act making an appropriation to Charles W. Hicks, for three years' service as a private in Company C, Second Cavalry, Second Regiment, California Volunteers, and providing for the payment therefor.

Also: Assembly Bill No. 945—An Act appropriating money for constructing, equipping and furnishing three patients' cottages at Southern California State Hospital.

Also: Assembly Bill No. 973—An Act to establish two correctional institutions, one north of the second standard parallel south of Mount Diablo base line and one south of such parallel, to be known as the Northern State Farm and the Southern State Farm, providing for the confinement and care of certain prisoners therein and for the government thereof, and making an appropriation therefor.

Also: Assembly Bill No. 999—An Act providing for the purchase of additional lands by the California Redwood Park Commission and for the management and control thereof, making an appropriation for such purchase, and repealing all Acts or parts of Acts inconsistent therewith.

Also: Assembly Bill No. 1025—An Act to provide for the abolishment of poverty; providing for the appointment of a commissioner; defining his powers and duties; establishing a special fund to receive voluntary contributions, donations and bequests from persons or bodies corporate or incorporate, private or public, desiring to promote the objects contemplated by this Act, and regulating the disbursements from said fund; and making an appropriation to carry out the purposes of this Act.

Also: Assembly Bill No. 1041—An Act appropriating money to pay the claim of Johan Alfred Matsson against the State of California.

Also: Assembly Bill No. 1070—An Act to make appropriations for the continuation of the location, survey and construction of a state highway from a point known as the Mt. Pleasant Ranch on the road between Quincy and Marysville, thence in a southeasterly direction by Eureka to Downieville, Sierra County, California.

Also: Assembly Bill No. 1114—An Act to provide for the construction and furnishing of armories in cities, towns or other municipalities having one organization of the National Guard located therein, creating a commission therefor, providing

for repayment to the State, and appropriating the sum of seventy-five thousand dollars therefor.

Also: Assembly Bill No. 1150.—An Act making an appropriation for office equipment for the State Board of Health.

Also: Assembly Bill No. 1273.—An Act appropriating money for the purchase and installation of electric units and distributing lines for a lighting system at the Southern California State Hospital.

Also: Assembly Bill No. 1293.—An Act directing the State Board of Health to prepare and disseminate information upon the subject of sex hygiene and venereal diseases and making an appropriation therefor.

Also: Assembly Bill No. 1302.—An Act providing for the admission and support at the Veterans' Home of California at Yountville, Napa County, California, of ex-army nurses, dependent wives and widows of honorably discharged Union veteran soldiers, sailors and marines, and dependent wives and widows of honorably discharged soldiers, sailors and marines who fought in the Mexican war or the war with Spain.

Also: Assembly Bill No. 1304.—An Act appropriating the sum of seventy-five thousand dollars for the construction and equipment of a building or buildings at the Veterans' Home of California at Yountville, Napa County, California, for the use of wives and widows of dependent honorably discharged Union soldiers, sailors, or marines and for the use of wives and widows of dependent honorably discharged soldiers, sailors or marines who fought in the Mexican war or in the war with Spain and ex-army nurses and providing for the plans and the construction and equipment of such building or buildings.

Also: Assembly Bill No. 1327.—An Act appropriating money for the purchase and installation of electric generators and connections and equipment therefor at the Stockton State Hospital.

Also: Assembly Bill No. 1410.—An Act to create a board of harbor commissioners for the port of San Jose on the southerly arm of San Francisco Bay, and to prescribe their powers and duties and to fix their compensation and the compensation of their employees, and to appropriate money to carry this Act into effect.

Also: Assembly Bill No. 1411.—An Act to appropriate money for the dredging of Guadalupe slough or river and the portion of San Francisco Bay lying contiguous to the mouth thereof, and for the erection of harbor docks and seawalls along the shores thereof.

Also: Assembly Bill No. 1424.—An Act appropriating money to pay the claim of Richard J. Welch against the State of California.

Also: Assembly Bill No. 427.—An Act appropriating money to pay the claim of A. J. Raisch against the State of California.

Also: Assembly Bill No. 1492.—An Act making an appropriation to pay for street work fronting the property of the State Normal School at San Jose.

Also: Assembly Bill No. 1540.—An Act to provide for the compilation, printing, binding, publishing and distribution of ten thousand copies of a roster of state, county, city and federal officials, of the State of California.

Also: Assembly Bill No. 1565.—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woodville Creek with said North Yuba River, thence following the right hand or north bank of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

Also: Assembly Bill No. 1607.—An Act to prevent the entrance of contagious or infectious diseases into the State of California, to prevent the spread of any of said diseases that may have gained entrance or may gain entrance in the future, and appropriating money to be used for such purpose.

Also: Senate Bill No. 1638.—An Act to provide for the appointment, and making an appropriation for paying the expenses of, the two California delegates of the American Committee of Rural Co-operative Credit while attending the International Institute of Agriculture, at Rome and studying the rural credit systems of Europe.

Also: Assembly Bill No. 1692.—An Act to provide for an experiment station to determine proper methods of sewage disposal and water purification; defining the duties of the State Board of Health in relation thereto; and making an appropriation therefor.

Also: Assembly Bill No. 1701.—An Act to provide for an investigation of the prevalence of malaria and mosquitoes in the State of California, and appropriating a sum of money therefor.

Also: Assembly Bill No. 1704.—An Act appropriating money for the erection and construction of a polytechnic school in the county of Contra Costa, State of California.

Also: Assembly Bill No. 1745.—An Act to amend Section 1431 of the Political Code of the State of California to pay traveling expenses of Regents of the University of California.

Also: Assembly Bill No. 1794.—Amending Section 2 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate con-

tracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909.

Also: Assembly Bill No. 1809—An Act appropriating money for the purchase of land for a site for the erection of a new dairy building thereon for the California Institute for the Deaf and the Blind.

Also: Assembly Bill No. 1816—An Act to repeal Section 13 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911, relating to the exemption of claims from Section 672 of the Political Code.

Also: Assembly Bill No. 1928—An Act to provide for an exposition building in Alameda County, for the use of all of the counties of this State, for the purpose of maintaining permanent exhibits therein of the resources of the different counties, and to make an appropriation for the construction of said building, and for the equipment of the same.

Also: Assembly Bill No. 1929—An Act to provide for the purchase or lease of lands or lands and buildings in Alameda County to be used as a place for holding and maintaining permanent exhibit or exhibits showing and displaying the products and resources of the different counties of this State, and to make an appropriation to buy or lease suitable lands and buildings for the purpose herein set forth.

Also: Assembly Bill No. 1945—An Act to provide for sanitary inspection and investigation in certain foreign and Oriental ports from which dangerous diseases may be introduced into California; specifying the general character of this work; and making an appropriation to the State Board of Health therefor.

Also: Assembly Bill No. 1966—An Act appropriating money to provide a cash revolving fund for the use of the Adjutant General and defining its use and the liability therefor.

Also: Assembly Bill No. 2011—An Act providing for the appointment of an additional deputy by the State Commissioner of Horticulture, to be known as the state bee inspector, and prescribing the qualifications, duties, powers and compensation of said officer, and to appropriate money to carry out the provisions of this Act.

Also: Assembly Bill No. 2017—An Act to appropriate the sum of \$14,200 for the purpose of remodeling the Assembly Chamber in the State Capitol.

Also: Assembly Bill No. 2042—An Act making the appropriation made by Chapter 705, Statutes of 1911, "for printing, binding, ruling and all other work performed and materials furnished by the State Printing Office to be used for the compiling and publication of Blue Book (exempt from Section 4 of this Act) \$10,000," available for the distribution of said Blue Book.

Also: Assembly Bill No. 2072—An Act to provide for the construction of a free wagon road from and to connect the city of Chico, Butte County, and the town of Susanville, Lassen County, and making an appropriation therefor.

Also: Assembly Bill No. 2100—An Act making an appropriation for the location, survey, construction and improving of a state highway from the city of San Bernardino in San Bernardino County, thence in a northeasterly direction by the most feasible route to Needles in San Bernardino County.

Also: Assembly Bill No. 2130—An Act appropriating money for the completion, furnishing and equipping of the Folsom State Hospital.

Also: Assembly Bill No. 2108—An Act appropriating money to pay the claim of John Ewart for the expense incurred in improving American street between Park and Poplar streets, fronting the property belonging to the Stockton State Hospital, in the city of Stockton.

Have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Constitutional Amendment No. 66—To propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto to be known as Section 3a.

The question being on the adoption of the constitutional amendment. The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Scott moved a call of the House.

Roll call regularly demanded.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Bush, Byrnes, Canepa, Clark, Wm. C., Inman, Killingsworth, McDonald, Palmer, Richardson, Ryan, Schmitt, Scott, Shannon, Slater, and Wall—15.

NOES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Brown, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Guiberson, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Moorhouse, Nelson, Peairs, Polsley, Roberts, Shartel, Simpson, Strine, Sutherland, Weisel, Weldon, Woodley, and Wyllie—34.

The vote was announced, and Senate Constitutional Amendment No. 66 refused adoption by the following vote:

AYES—Messrs. Alexander, Bush, Byrnes, Canepa, Clark, Wm. C., Collins, Hinkle, Inman, Killingsworth, McDonald, Richardson, Ryan, Schmitt, Scott, Shannon, Slater, Sutherland, and Wall—18.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Cary, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Moorhouse, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Shartel, Simpson, Stuckenbruck, Weisel, Weldon, Woodley, and Wyllie—36.

Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled “An Act to provide for the organization, incorporation and government of municipal corporations,” approved March 13, 1883, and all amendments thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1735 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Finnegan, Fitzgerald, Gabbert, Gelder, Guiberson, Hayes, Johnstone, W. A., Killingsworth, Kingsley, McDonald, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1666—An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1666 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clark, Wm. C., Clarke, Geo. A., Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gelder, Guill, Hayes, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, Weldon, White, Wyllie, and Mr. Speaker—49.

NOES—Mr. Canepa—1.

Senate Bill No. 1457—An Act appropriating moneys in the “accident prevention fund” for the purpose of enforcing and promoting safety in employment and places of employment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1457 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Guill, Hayes, Inman, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weisel, White, Wyllie, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

The question being on the adoption of the urgency clause of the bill.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1758 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In accordance with the notice given by Mr. Bohnett on a previous day, Mr. Byrnes moved that the vote whereby Senate Bill No. 291 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C., Ellis, Ferguson, Finnegan, Fitzgerald, Guiberson, Johnston, T. D., Judson, Killingsworth, Moorhouse, Murray, Nelson, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weldon, White, Wyllie, and Mr. Speaker—42.

NOES—Messrs. Ambrose, Benedict, Farwell, Gelder, Guill, Kingsley, Kuck, Mouser, Roberts, Stuckenbruck, Weisel, and Woodley—12.

Senate Bill No. 291—An Act to amend Sections 276, 277 and 279 of the Code of Civil Procedure, relating to the admission and license

of attorneys and counselors at law, and to add three sections to said Code, to be known as Sections 276*a*, 276*b*, and 276*c*, relating to the same subject, and making an appropriation to carry out the purposes of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 291 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Clark, Wm. C. Ellis, Ferguson, Finnegan, Fitzgerald, Guiberson, Guill, Johnson, Geo. H. Johnston, T. D. Judson, Killingsworth, Moorhouse, Murray, Nelson, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Wyllie, and Mr. Speaker—43.

NOES—Messrs. Ambrose, Benedict, Farwell, Gelder, Kingsley, Kuck, Mouser, Peairs, Roberts, Weisel, and Woodley—11.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Schmitt moved that at six o'clock p.m. the Assembly be at recess until seven o'clock p.m. of this day.

Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 527, providing for the establishment and administration of a state teachers' college.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 671—An Act to provide for supplying the county auditor with a report of commitments to public institutions.

Also: Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

Also: Assembly Bill No. 503—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts or donations from the public.

Also: Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 556—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as Section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 747—An Act to further divide the state into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties, and making an appropriation therefor.

Also: Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Also: Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Also: Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Also: Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Also: Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 142—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

Also: Senate Bill No. 1568—An Act to amend Section 3153 of the Political Code of the State of California, relating to the sale of property unclaimed within sixty days.

Also: Senate Bill No. 1630—An Act to amend Section 763 of the Code of Civil Procedure of the State of California, relating to the sale or partition of interests in real property and the appointment of referees therefor.

Also: Senate Bill No. 1665—An Act to add three new sections to the Code of Civil Procedure, to be known as Sections 1248b, 1248c, and 1248d, respectively, relating to referees in proceedings for the taking of private property for public use, to reports of referees and exceptions thereto, to the hearing thereof, and to judgments in such proceedings.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1736—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending Section 3 of said Act.

Also: Senate Bill No. 206—An Act to amend Section 2167 of the Political Code of the State of California, relating to insane persons; providing for the establishment of psychopathic wards in county hospitals and for the appointment of physicians and nurses in connection therewith, and making an appropriation therefor.

Also: Senate Bill No. 1478—An Act to amend the Civil Code by changing the headings of the title to Chapter II, of Title II, of Part IV, of Division First of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code forming part of said Chapter II, and to add to said Civil Code a new chapter to be known as Chapter VII, of Title II, of Part IV, of Division First of said Civil Code, relating to title insurance companies.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1460—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 604a, providing for the formation of religious corporations.

Also: Senate Bill No. 155—An Act to amend Section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

Also: Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Also: Senate Bill No. 160—An Act to prevent the introduction, and provide for the investigation and suppression of contagious and infectious diseases, and appropriating money to be used for such purpose.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 810—An Act to amend Section 499a of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Also: Senate Bill No. 1177—An Act to amend Section 636 of the Penal Code, relating to unlawful nets and lines.

Also: Senate Bill No. 389—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, Page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1538—An Act to amend Section 1578 of the Penal Code of the State of California, relating to the duties of wardens of state prisons.

Also: Senate Bill No. 633—An Act to amend the Code of Civil Procedure by adding thereto Title Va, Part III, relating to the support of bastards, and proceedings therefor.

Also: Senate Bill No. 1240—An Act to amend an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909; amended, approved April 5, 1911, by amending the title and Sections 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l, 10m, 10n, 10r, 10t, 10u, 10v, and 10z.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 76—An Act to amend Section 1241 of the Code of Civil Procedure of the State of California relating to what must appear before property can be taken under Title VII of Part III of the Code of Civil Procedure.

Also: Senate Bill No. 366—An Act to amend Section 976 of the Code of Civil Procedure of the State of California, relating to appeals to Superior Courts.

Also: Senate Bill No. 1035—An Act to provide for the registration of factories, workshops, mills and other manufacturing establishments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1419—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII, of Title II, of Part IV, of division first, of said Civil Code, relating to mortgage insurance companies.

Also: Senate Bill No. 1257—An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized.

Also: Senate Bill No. 670—An Act to amend an Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal purposes, and to provide penalties for the infraction thereof, approved May 1, 1911," by adding a new section thereto, to be known as Section 14a.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 565—An Act regulating the disinfection of shoddy and the raw material used in the manufacture thereof.

Also: Senate Bill No. 531—An Act to amend Sections 1246, 1247, 1247a and 1247e, of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the printing of records to be used on appeal from judgments, orders or proceedings of the Superior Courts to the Supreme Court or the District Court of Appeal in criminal cases.

Also: Senate Bill No. 343—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

RECESS.

At six o'clock p.m., the Assembly was declared at recess until seven o'clock p.m. of this day.

REASSEMBLED.

At seven o'clock p.m., the Assembly reconvened.
Speaker Young in the chair.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation

therefor, and repealing all Acts and portions of Acts in conflict with this Act—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 944?"

AMENDMENT No. 1.

On page 3, line 10, strike out the period following the word "board", and insert in lieu thereof a semicolon and the following: "*provided*, that all officers of any agricultural district now in office under any law heretofore passed, shall hold office for the term for which they were appointed, and any agricultural association heretofore established shall be continued in force and is hereby made an agricultural association under the provisions of this Act. The fiscal year of each association created or continued in force under this act shall be from December first to November thirtieth."

AMENDMENT No. 2.

On page 3, strike out of lines 11, 12 and 13 the following: "Each board of directors appointed and organized under the provisions of this Act shall be known as California Agricultural Association No. _____", and insert in lieu thereof the following: "Every association so formed and organized is hereby declared and shall be recognized as a state institution and shall be known and designated by the name of _____ District Agricultural Association."

AMENDMENT No. 3.

On page 3, line 18, after the word "beautify", insert a comma and the word "improve".

AMENDMENT No. 4.

On page 3, line 23, after the word "institution", insert a comma and the following: "for and in the name of the state,".

AMENDMENT No. 5.

On page 3, line 28, strike out the word "must", and insert in lieu thereof the word "may".

The roll was called, and Senate amendments to Assembly Bill No. 944 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bohnett, Bowman, Bradford, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Griffin, Guiberson, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuek, Moorhouse, Murray, Polsley, Richardson, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—42.

NOES—None.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 944?"

AMENDMENT No. 1.

On page 1, line 4, of the printed bill, after the words "District No. 1", strike out the words "counties of San Francisco, Napa, Solano", and all the lines 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

Also: On page 2, strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, and insert in lieu thereof the following:

"Counties of Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, Marin and San Francisco.

District No. 2. Counties of Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, Glenn, Butte, Sierra, Colusa, Sutter, Yuba, Nevada, Yolo, Solano, Placer, and El Dorado.

District No. 3. Counties of Amador, Stanislaus, Sacramento, San Joaquin, Calaveras and Tuolumne.

District No. 4. Counties of Alameda, Alpine, Contra Costa, Santa Clara and San Mateo.

District No. 5. Counties of Santa Cruz, San Benito, Monterey, San Luis Obispo, Santa Barbara and Ventura.

District No. 6. County of Los Angeles (no appropriation requested).

District No. 7. Counties of Merced, Mariposa, Madera, Fresno, Kings, Tulare and Kern.

District No. 8. Counties of Mono, Inyo, San Bernardino, Orange, Riverside, San Diego and Imperial."

AMENDMENT No. 2.

On page 2, line 30, of the printed bill, strike out the period (.) and insert in lieu thereof a semicolon (;), and add the following: "*provided, however, in all cases where district fairs are held by or under the auspices of corporations organized under the laws of this state, nothing in this section shall be so construed to prohibit the stockholders or members of such corporation from electing the directors thereof.*"

AMENDMENT No. 3.

On page 3, line 26, of the printed bill, strike out the words "for and in the name of the state".

AMENDMENT No. 4.

On page 6, of the printed bill, strike out all of lines 4 to 31 inclusive, and insert in lieu thereof the following:

"For aid to agricultural district number one, five thousand (5,000) dollars.
 "For aid to agricultural district number two, five thousand (5,000) dollars.
 "For aid to agricultural district number three, five thousand (5,000) dollars.
 "For aid to agricultural district number four, five thousand (5,000) dollars.
 "For aid to agricultural district number five, five thousand (5,000) dollars.
 "For aid to agricultural district number six, (no appropriation requested).
 "For aid to agricultural district number seven, five thousand (5,000) dollars.
 "For aid to agricultural district number eight, five thousand (5,000) dollars."

AMENDMENT No. 5.

On page 5, strike out all of section 11.

AMENDMENT No. 6.

Renumber sections 12, 13, 14 and 15 to 11, 12, 13 and 14.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 944 by the following vote:

AYES—Messrs. Bradford, Bush, Canepa, Ferguson, Fitzgerald, Gates, Griffin, Johnston, T. D., Killingsworth, Kuck, McCarthy, Palmer, Polsley, Richardson, Ryan, Schmitt, Slater, Stuckenbruck, Sutherland, Wall, and Walsh—21.

NOES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Chandler, Clarke, Geo. A., Cram, Ellis, Farwell, Finnegan, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Murray, Nelson, Peairs, Roberts, Shartel, Shearer, Simpson, Smith, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—39.

Bill ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 862—An Act to amend an Act approved March 21, 1911, by adding a new section thereto—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
 By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 862?"

On page 1, line 2, of title, strike out the word "seven", and insert in lieu thereof the word "six".

Also: On page 1, line 2, strike out the word "seven", and insert in lieu thereof the word "six".

The roll was called, and Senate amendments to Assembly Bill No. 862 were concurred in by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guiberson, Guill, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Murray, Palmer, Peairs, Polsley, Richardson, Schmitt, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Weisel, Weldon, Wyllie, and Mr. Speaker—41.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 907?"

On page 7, line 20, of the printed bill, after the word "treatment", insert the following: "*provided, further, that the provisions immediately foregoing shall not apply to any licensed physician treating such habitué in good faith who personally administers such narcotics, enumerated in this section, after writing a prescription therefor;*".

The roll was called, and Senate amendment to Assembly Bill No. 907 was concurred in by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Golder, Green, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Mouser, Peairs, Polsley, Schmitt, Shartel, Shearer, Simpson, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on May 10, 1913, passed, as amended, Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 510?"

AMENDMENT No. 1.

On page 1, strike out all of line 7 after the period, all of line 8 and all of line 9 down to and including the period, and insert in lieu thereof the following: "Property given as security by means of a deed of trust may be sold according to the provisions of such deed of trust and in conformity to law."

AMENDMENT No. 2.

On page 1, line 9, strike out the word "said", and insert in lieu thereof the word "such".

AMENDMENT No. 3.

On page 2, strike out all of line 2 after the word "occupied", and all following down to and including the word "sale" in line 10.

AMENDMENT No. 4.

On page 2, line 11, strike out the word "said" where it first occurs in said line, and insert in lieu thereof the word "such".

AMENDMENT No. 5.

On page 2, line 11, after the word "record", insert the following: "in the office of the county recorder of the county in which the property sold is situated."

AMENDMENT No. 6.

On page 2, line 11, strike out the word "said" where it occurs the second time in said line.

AMENDMENT No. 7.

On page 2, line 12, strike out the word "said", and insert in lieu thereof the word "such".

AMENDMENT No. 8.

On page 2, line 13, strike out the word "thereof", and insert in lieu thereof the word "thereat".

AMENDMENT No 9.

On page 2, line 15, strike out the words "one year", and insert in lieu thereof the following: "three calendar months".

AMENDMENT No. 10.

On page 2, line 18, strike out the words "one year", and insert in lieu thereof the following: "three calendar months".

AMENDMENT No. 11.

On page 2, line 23, after the word "shall", insert the following: "pay the redemption money to the purchaser at the sale, or his successor in interest, and shall execute a reconveyance to the person entitled thereto and shall also".

The roll was called, and Senate amendments to Assembly Bill No. 510 were concurred in by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Cary, Chandler, Clark, Wm. C., Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gates, Gelder, Green, Griffin, Guiberson, Guill, Inman, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Mouser, Palmer, Pears, Scott, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Wyllie, and Mr. Speaker—43.

NOES—Messrs. Canepa, Johnson, Geo. H., Schmitt, and Shannon—4.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 10, 1913, passed, as amended, Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure, to be known as Section 274c, relating to the duties of county clerk regarding court reporters' compensation—and respectfully requests your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 678?"

In line 4 of the title, strike out the word "clerk", and insert in lieu thereof the word "court".

The roll was called, and Senate amendment to Assembly Bill No. 678 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Moorhouse, Mouser, Murray, Palmer, Pears, Polesley, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—59.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1911?"

On page 1, line 16, before the word "current", insert the word "usual".

The roll was called, and Senate amendment to Assembly Bill No. 1911 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram,

Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Mouser, Murray, Palmer, Peairs, Polesley, Roberts, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—60.

NOES—None.

Bill ordered to enrollment.

HON L. D. BOHNETT IN THE CHAIR.

At eight o'clock and thirty-five minutes p.m, Hon. L. D. Bohnett, Assemblyman from the Forty-fourth District, in the chair.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1900—An Act to amend Section 4269 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fortieth class.

Also: Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1900?"

AMENDMENT No. 1.

On page 3, line 7, strike out everything after the word "of" to the end of said line, and insert in lieu thereof the following: "sixty-five (65) dollars".

AMENDMENT No. 2.

On page 3, lines 20 and 21, strike out the following: "Immediately following this insert the following:".

AMENDMENT No. 3.

On page 3, line 24, strike out the word "civic", and insert the word "civil".

AMENDMENT No. 4.

On page 3, line 25, strike out the word "all".

AMENDMENT No. 5.

On page 3, line 26, strike out the words "only rendered by said constables", and insert the word "only".

AMENDMENT No. 6.

On page 4, line 9, strike out the word "of", and insert the word "the".

AMENDMENT No. 7.

On page 4, line 17, strike out the word "has", and insert in lieu thereof the word "shall".

The roll was called, and Senate amendments to Assembly Bill No. 1900 were concurred in by the following vote:

AYES—Messrs. Alexander, Beck, Benedict, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Mouser, Murray, Peairs, Polesley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—53.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1390?"

AMENDMENT No. 1.

On page 5, line 16, strike out the word "members", and insert in lieu thereof the words "Each member".

AMENDMENT No. 2.

On page 5, strike out all of line 22 and all of the bill down to and including line 28.

AMENDMENT No. 3.

On page 5, line 29, strike out the figures "18", and insert in lieu thereof "17".

AMENDMENT No. 4.

On page 5, line 35, strike out the word "principal", and insert in lieu thereof the word "principals".

AMENDMENT No. 5.

On page 6, line 2, strike out the words "and the county assessor", and insert in lieu thereof a comma (,) and the following: "sheriff, assessor, coroner, justices of the peace and constables".

AMENDMENT No. 6.

On page 6, line 4, strike out the word and figure "and 7", and insert in lieu thereof the following: "one, two, seven, nine, thirteen and fourteen".

The roll was called, and Senate amendments to Assembly Bill No. 1390 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bradford, Bush, Canepa, Cary, Chandler, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Libby, Mouser, Murray, Nelson, Palmer, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Smith, Sutherland, Walsh, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1634—An Act to amend the Political Code of the State of California, by adding a new Section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1634?"

In Section 1, line 11, after the word "unequal", insert a comma and the words "or are claimed by either county to be unequal", and a comma.

The roll was called, and Senate amendment to Assembly Bill No. 1634 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bowman, Bradford, Bush, Cary, Chandler, Clarke, Geo. A., Dower, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Moorhouse, Mouser, Nelson, Peairs, Richardson, Roberts, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Wyllie—48.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 2080—An Act to provide for a general

system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith insofar as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2080?"

AMENDMENT No. 1.

Page 1, line 1, strike out the words "Definitions of terms used in this Act."

AMENDMENT No. 2.

Page 2, lines 16 and 17, strike out the words "Creation of 'state civil service commission', appointment, salaries and expenses."

AMENDMENT No. 3.

Page 3, lines 1 and 2, strike out the words "Employees of the commission and their duties, salaries and expenses."

AMENDMENT No. 4.

Page 3, line 21, strike out the words "Rooms, accommodations and supplies."

AMENDMENT No. 5.

Page 3, line 29, strike out the words "The general powers and duties of the commission."

AMENDMENT No. 6.

Page 8, line 17, strike out the words "General duties of state officers and employees."

AMENDMENT No. 7.

Page 9, line 3, strike out the words "Duties of the appointing power."

AMENDMENT No. 8.

Page 11, line 1, strike out the words "Rules for classifying positions."

AMENDMENT No. 9.

Page 11, line 10, strike out the word "Appointments."

AMENDMENT No. 10.

Page 12, line 7, strike out the word "Examinations."

AMENDMENT No. 11.

Page 13, line 17, strike out the words "Temporary appointees."

AMENDMENT No. 12.

Page 13, line 28, strike out the words "Emergency appointments."

AMENDMENT No. 13.

Page 13, line 34, strike out the words "Promotion, transfer, reinstatement."

AMENDMENT No. 14.

Page 14, line 21, strike out the words "Removals and suspensions."

AMENDMENT No. 15.

Page 15, line 27, strike out the word "Laborers."

AMENDMENT No. 16.

Page 16, lines 1 and 2, strike out the words "Official roster. Reports of appointing officers. Present incumbents of positions."

AMENDMENT No. 17.

Page 17, line 3, strike out the words "disbursing officers."

AMENDMENT No. 18.

Page 17, lines 30 and 31, strike out the words "Misdemeanor to obstruct right of examination. False representation, impersonation in examination."

AMENDMENT No. 19.

Page 18, line 13, strike out the words "Assessments, etc., prohibited."

AMENDMENT No. 20.

Page 18, line 35, strike out the words "Political promises and coercion prohibited."

AMENDMENT No. 21.

Page 19, line 21, strike out the words "Illegal payments prohibited."

AMENDMENT No. 22.

Page 19, lines 31 and 32, strike out the words "Recovery of compensation in case of illegal imprisonment."

AMENDMENT No. 23.

Page 20, line 7, strike out the words "Political and religious opinions and affiliations."

AMENDMENT No. 24.

Page 20, line 14, strike out the words "Attendance of witnesses, fees."

AMENDMENT No. 25.

Page 7, lines 12 and 13, strike out all of line 12 after the word "accounts" and all of line 13, and insert in lieu thereof a period.

AMENDMENT No. 26.

Page 9, line 30, strike out the word "and", between the words "reference" and "counsel", and insert in lieu thereof the word "or".

AMENDMENT No. 27.

Page 16, line 32, after the comma and immediately before the word "and" insert the words "and thereupon shall be deemed appointed under the provisions of this Act,".

AMENDMENT No. 28.

On page 17, lines 13 and 14, strike out the words "have been appointed, promoted, transferred, reduced or reinstated." and insert in lieu thereof the words "are holding positions".

Also: On page 9, line 16, after the word "governor", insert the words "or elected by the electors".

Also: On page 10, between lines 3 and 4, insert the following: "Fourteenth—Superintendents, chiefs and heads of departments".

Also: On page 10, line 5, strike out the word "thirteen", and insert in lieu thereof the word "fourteen".

Also: On page 9, line 26, before the period, insert the following: " ; also the parole officers for the state prisons. Preston School of Industry and Whittier State School".

The roll was called, and Senate amendments to Assembly Bill No. 2080 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bowman, Bradford, Cary, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guiberson, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, Moorhouse, Mouser, Nelson, Palmer, Peairs, Richardson, Roberts, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 2086—An Act to define investment companies, investment brokers and agents; to provide for the regulation, supervision

and licensing thereof: to provide penalties for the violation thereof; to create the office of corporate commissioner, and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2086?"

In Section 25, line 4, strike out the words "October 1, 1913," and insert in lieu thereof the following: "January 1, 1914".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 2086 by the following vote:

AYES—Mr. Schmitt—1.

NOES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Green, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Libby, Mouser, Nelson, Peairs, Richardson, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, and Wyllie—44.

Bill ordered transmitted to the Assembly.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225*a*, 4225*b*, 4225*c*, 4225*d*, 4225*e*, 4225*f*, 4225*g*, 4225*h*, 4225*i* and 4225*j*, all relating to county boards of health and sanitary inspectors—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 235?"

Strike out all of the printed bill after the words "Section 1", on page 1, line 1, and insert the following:

A new section is hereby added to the Political Code, to be numbered 4225*a*, and read as follows:

4225*a*. In each county within the State of California there may be a county board of health appointed by the board of supervisors. The county board of health shall consist of five members, at least two of whom shall be duly licensed physicians, and one of whom, if practicable, shall be a civil engineer. The members of said board shall hold office for the term of four years from and after their appointment and until their successors are appointed and qualified: *provided*, that the members of the board at their first meeting shall so classify themselves by lot that three of their number shall go out of office at the expiration of three years and two at the expiration of four years. The board shall elect from their own number a president and a secretary. The secretary shall be a duly licensed physician and shall serve as county health officer. The members of the board shall serve without compensation for their services as such, but shall receive their actual and necessary traveling expenses while engaged in the business of the board. The secretary of the board shall receive for his services as such and as health officer such sum as may be determined by the board of supervisors. The health officer shall be deemed to be an employee and not an officer.

Sec. 2. A new section is hereby added to said code, to be numbered 4225*b*, and read as follows:

4225*b*. The county board of health shall hold a regular meeting during the second week of each calendar month, and it shall be the duty of each of the members composing said board, to be present at each regular meeting thereof. Special meetings may be held at the call of the chairman or three members, one day's notice by mail being given unless such special meetings shall be held by the written consent of all the members of the board. Three members of the board shall constitute a quorum.

Sec. 3. A new section is hereby added to said code, to be numbered 4225*c*, and read as follows:

4225*c*. The health officer of any county in which there is no county board of health or the county board shall vigilantly observe health and sanitary conditions throughout the county: shall enforce within the county the general laws, county ordinances and rules and regulations of the state board of health, relating to the preservation of the public health: shall supervise the county health officer and sanitary inspection

tor and see that they perform their duties faithfully and according to law; and in the month of December of each year shall file with the board of supervisors a written report of its work, with such recommendations as may be deemed advisable; a copy of this report shall be filed with the secretary of the state board of health. It shall have power to investigate the causes of disease, the pollution of streams, and generally all health and sanitary conditions within the county; to take necessary and proper measures to prevent the introduction and spread of communicable diseases; to take any action that may be necessary or expedient to abate or enjoin the creation or continuance of any nuisance dangerous to health; and as such health officer or as a board, or through the health officer or sanitary inspector of such board, to exercise within the county the general power of inspection, examination, quarantine and disinfection, of persons, places and things; *provided, however*, that no inspection of persons shall be made by any sanitary inspector who is not a regularly licensed physician and that nothing in this section shall be construed to give any one the authority to remove any person from a private home without the consent of the person or the person's guardian.

SEC. 4. A new section is hereby added to said code, to be numbered 4225*d*, and read as follows:

4225*d*. Whenever there is presented to the board of supervisors of any county or the legislative body of any municipality in this state, a petition signed by the health officer of any county in which there is no county board of health or by the county or municipal board of health and also by not less than fifty freeholders who are residents and taxpayers within such county or municipality, praying for the appointment of a sanitary inspector, such board of supervisors or such legislative body of such municipality shall at once proceed to appoint a county or municipal sanitary inspector as herein provided to serve for one year and until his successor is appointed and qualified.

SEC. 5. A new section is hereby added to said code, to be numbered 4225*e*, and read as follows:

4225*e*. The person appointed to the office of sanitary inspector must be especially licensed and qualified for the duties of the office, and must be chosen and appointed from the list of licensed and qualified persons certified by the secretary of the state board of health after examination and licensing as hereinafter provided. Upon the filing of the petition provided for in Section 4225*d* of this code, the clerk of the board of supervisors or of the legislative body of the municipality must forthwith notify the secretary of the state board of health of the fact. The state board of health shall constitute an examining and licensing board for the purpose of determining the fitness of and of licensing applicants for the office of sanitary inspector, and shall adopt uniform rules and regulation as to the time and place of holding examinations, the manner of giving notice thereof, the subjects to be covered by and the details of such examination. Upon receipt of such notice of the filing of such petition, the secretary of the state board of health shall immediately give public notice in such county or municipality, either by posting or publication, or both, and for a period of not less than twenty days, of the time, and a place within such county or municipality, when and where the examination of applicants will be held. At the time and place mentioned in the notice, such examination shall be held, but if not completed on that day may be continued from day to day and over holidays until completed. All such examinations shall be written, but may include practical tests in field work, and shall be conducted under the supervision of some competent person appointed for the purpose by the secretary of the state board of health. All examination papers shall at once be forwarded under seal to the secretary of the state board of health, and shall be promptly passed upon by said board or a committee of its members appointed for the purpose. All applicants who shall successfully pass said examination must be issued a license under the seal of the state board of health which shall entitle the holder thereof to be appointed and hold office as a sanitary inspector, and the holder of such license shall be forthwith placed upon an eligible list of persons who may be appointed and hold office as licensed sanitary inspectors. In the event that the license of any sanitary inspector is revoked by the state board of health such sanitary inspector shall *ipso facto* become ineligible to hold any office as sanitary inspector and his office as such sanitary inspector shall forthwith become vacant. Within twenty days after the holding of such examination and the licensing of successful applicants thereunder, the secretary of the state board of health shall certify to the board of supervisors of the county or the legislative body of the municipality for which said examination has been held, a list of those applicants who have passed the examination and who are licensed sanitary inspectors. If no applicants present themselves for examination, or if none of those examined appear to be competent further examinations may be held, or a list of not less than five licensed persons, who have successfully passed a like examination and been licensed in some other county or counties, municipality or municipalities, shall be certified to such board of supervisors or legislative body of such municipality. The board of supervisors or legislative body of such municipality, within thirty days after the receipt of a list of licensed persons certified by the state board of health as herein provided, shall appoint a licensed sanitary inspector. Vacancies in the office of sanitary inspector shall be filled by appointment of the board of supervisors or legislative body of a municipality, for the unexpired term, and from a like list of licensed persons certified by the secretary

of the state board of health. Before being permitted to take an examination, each applicant shall file a written application with and pay to the secretary of the state board of health a fee of five dollars. All successful applicants shall pay an additional fee of ten dollars for the license issued to them under this section. All such fees so paid over to such secretary of the state board of health shall at once be paid over to the state treasurer and be placed to the credit of the fund for the traveling and contingent expenses of the state board of health. Nothing in this section shall be construed to conflict with any state or municipal civil service law or ordinance.

SEC. 6. A new section is hereby added to said code, to be numbered 4225*f*, and read as follows:

4225*f*. Upon the filing of written charges with the board of supervisors or the legislative body of any municipality, and a full public hearing thereon after ten days' notice to the accused, the health officer or the sanitary inspector may be removed from office by the board of supervisors of that county or the legislative body of that municipality, for intemperance, incompetence, malfeasance in office or any other cause which may be deemed by the hearing board or body sufficient for removal. The secretary of the state board of health may upon a resolution to that effect passed by the state board of health, revoke the license of any sanitary inspector, for such cause as in the judgment of said state board of health may be sufficient.

SEC. 7. A new section is hereby added to said code, to be numbered 4225*g*, and read as follows:

4225*g*. It shall be the duty of the sanitary inspector, at least once every ninety days, to make a general inspection of health and sanitary conditions throughout the county or municipality, and a detailed inspection of all school buildings and grounds, all hotels, inns, and so-called summer or health resorts, all dairies, slaughter-houses, and all places or establishments where foods or liquors are manufactured, packed or sold, which are situated within the county or municipality; to make such other and special inspections, examinations and reports, when he shall deem the same necessary or when he shall be ordered so to do by the county or municipal health officer or the state board of health; generally to enforce within the county or municipality all laws and ordinances relating to the preservation of the public health; to enforce within the county or municipality all orders, rules and regulations of the state board of health; and on or before the fifth day of each calendar month to make a written detailed report of his work during the calendar month then last past, such report to be in triplicate, one copy to be filed by him with the clerk of the board of supervisors or clerk of the municipality, one with the county or municipal health officer and one with the secretary of the state board of health. The warrant for the salary and expenses of the sanitary inspector for any month shall not be delivered to him unless his license be unrevoked and until he shall make oath that he has made and filed his report for such month as herein required.

SEC. 8. A new section is hereby added to said code, to be numbered 4225*h*, and read as follows:

4225*h*. The sanitary inspector shall be a civil executive officer, and for the purpose of making inspections or examinations of sanitary conditions, places, establishments and things as required in Section 4225*g* of this code, shall have power at all reasonable time to enter any and all places, enclosures and buildings within the county or municipality; *provided*, that such inspections and examinations of the interior of buildings shall be made during business hours, except in emergencies, and that no dwelling house shall be entered by him, without the consent of the owner or occupant thereof. When so authorized by the county or municipal health officer, or board of health, or the state board of health, he shall have power to take such steps as may be necessary to prevent the introduction or spread of communicable diseases, to enforce and execute all quarantine orders, rules and regulations and to abate nuisances dangerous to the public health. He shall also have power to take for examination or analysis by the state pure food and drug laboratory, samples of any foods, liquors, drugs or food products.

SEC. 9. A new section is hereby added to said code, to be numbered 4225*i*, and read as follows:

4225*i*. Any person, firm or corporation who shall in any way interfere with or resist a licensed sanitary inspector in the performance of his duty, or who shall refuse or fail to permit him to enter or give him entrance, for the purpose of inspection or examination, any place, enclosure or building, or shall refuse to sell or deliver to him, for examination and analysis, a sample of any food, liquor, drug or food product, upon tender of the market price therefor, shall be guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

SEC. 10. A new section is hereby added to said code, to be numbered 4225*j*, and read as follows:

4225*j*. The term of office of a county or municipal sanitary inspector shall be for one year and until his successor is appointed and qualified. He shall give a bond in the sum of twenty-five hundred dollars, said bond to be approved by the board of supervisors or the legislative body of the municipality. His compensation shall be at least five dollars per day for each day of not less than eight hours that

he shall actually be engaged in the performance of his duties as such sanitary inspector, together with his necessary traveling expenses, actually incurred by him in the discharge of his duty. Such compensation and expenses shall be allowed and paid monthly by the board of supervisors or the legislative body of the municipality upon verified claims therefor.

The roll was called, and Senate amendment to Assembly Bill No. 235 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Green, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Mouser, Murray, Palmer, Richardson, Roberts, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 642—An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties, and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to the lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions for certain persons or upon the direction of the state water commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this Act; defining certain words and terms used in this Act; repealing all Acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared unconstitutional—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 642?"

AMENDMENT NO. 1.

On page 3, line 9, after the period, insert the following: "Such appointive commissioners shall be men of practical knowledge or experience in the application and use of waters for irrigation, mining and municipal purposes, and shall be so appointed that at least one thereof shall have had practical knowledge and experience in the use of water for agricultural purposes, and one thereof shall have had practical

knowledge and experience in the use of water for mining purposes, and one thereof shall have had practical knowledge and experience in the use of water for municipal purposes."

AMENDMENT No. 2.

On page 3, strike out all of lines 22 and 23, and in lieu thereof insert the following:

"Such *pro tempore* commissioner shall have compensation for the time of service equal to the compensation of a commissioner during such service and shall have the power and authority of the same."

AMENDMENT No. 3.

On page 3, line 36, after the word "office", insert a period and strike out all the rest of line 36 and all of line 37, and all of line 1 on page 4 and the word "charges" in line 2, page 4.

AMENDMENT No. 4.

On page 9, line 5, after the word "put", insert the words "to some useful or beneficial purpose".

AMENDMENT No. 5.

On page 9, line 7, strike out the following words: "or which having been appropriated is not now,".

AMENDMENT No. 6.

On page 9, line 9, strike out the word "original", and in lieu thereof insert the word "initial".

AMENDMENT No. 7.

On page 9, line 19, after the comma following the word "thereto", insert the words "or otherwise appropriated".

AMENDMENT No. 8.

On page 9, line 31, strike out the following words: "on lands other than said riparian lands".

AMENDMENT No. 9.

On page 9, line 33, after the period, insert the following: "In any case where a reservoir or reservoirs have been or shall hereafter under the provisions of this Act be constructed or surveyed, laid out and proposed to be constructed for the storage of water for a system, which water is to be used at one or more points under appropriations of water heretofore or hereafter made, which appropriations and rights thereunder are now, or shall hereafter be held and owned by the person or corporation owning such reservoir site or sites and constructing such reservoir or reservoirs, such reservoir or reservoirs and appropriations and rights shall, in the discretion of the state water commission, constitute a single enterprise and unit, and work of constructing such reservoir or reservoirs, or any of them, or work on any one of such appropriations shall, in the discretion of said commission, be sufficient to maintain and preserve all such applications for appropriations and rights thereunder."

AMENDMENT No. 10.

On page 9, line 37, after the word "made", insert the words "and maintained".

AMENDMENT No. 11.

On page 10, strike out all of line 8, and in lieu thereof insert the following: "works or canal or ditch or conduits or storage system used for the diversion, conveyance or storage of water;".

AMENDMENT No. 12.

On page 10, line 14, after the word "investment", insert the words "and any other facts or matters pertinent to the inquiry".

AMENDMENT No. 13.

On page 13, line 10, strike out the word "applicant", and insert in lieu thereof the word "application".

AMENDMENT No. 14.

On page 14, line 14, preceding the word "diversion", insert the word "the".

AMENDMENT No. 15.

On page 14, line 15, strike out the word "and", and in lieu thereof insert the words "in the place of".

AMENDMENT No. 16.

On page 14, line 17, after the word "shall", insert a comma and the words "if the commission so require,".

AMENDMENT No. 17.

On page 15, line 25, after the word "determine", strike out the semicolon and the words "provided, that", and in lieu thereof insert a comma and the word "unless".

AMENDMENT No. 18.

On page 15, line 26, strike out the word "may", and in lieu thereof insert the word "shall".

AMENDMENT No. 19.

On page 16, line 2, after the comma following the word "approval", insert the following: "which time shall not be less than sixty days from date of said approval".

AMENDMENT No. 20.

On page 16, line 21, strike out the words "reasonableness of the commission's", and in lieu thereof insert the following: "order of the commission".

AMENDMENT No. 21.

On page 16, line 22, strike out the words "act of revocation", and in lieu thereof insert the following: "revoking said approval of the application".

AMENDMENT No. 22.

On page 16, line 26, strike out the words "reasonableness of the", and in lieu thereof insert the words "order of".

AMENDMENT No. 23.

On page 16, line 28, strike out the words "court decision", and in lieu thereof insert the word "judgment".

AMENDMENT No. 24.

On page 16, line 31, strike out the words "declared to be unreasonable by the courts", and in lieu thereof insert the words "decreed by such court".

AMENDMENT No. 25.

On page 17, lines 30 and 31, strike out the words "as to the reasonableness of the refusal of the said commission to issue said license", and in lieu thereof insert the following: "to review said order and to obtain a decree requiring the issuance of such license."

AMENDMENT No. 26.

On page 17, lines 33 to 35, strike out the words "a final court", in line 33, and all of lines 34 and 35, and in lieu thereof insert the following: "the decree in such action has been entered and become final. But until the".

AMENDMENT No. 27.

On page 18, line 1, strike out the words "declared to be unreasonable", and in lieu thereof insert the word "determined".

AMENDMENT No. 28.

On page 18, line 6, strike out the words "as to the reasonableness", and in lieu thereof insert the words "to determine the validity".

AMENDMENT No. 29.

On page 18, lines 24 and 25, strike out the words "determine to purchase, and shall purchase, as is or may be provided by law.", and in lieu thereof insert the words "have the right to purchase".

AMENDMENT No. 30.

On page 18, lines 27 to 34, strike out the word "(except-", in line 27, all of lines 28 to 33, inclusive, and the words "subdivision of the state purchasing them", in line 34.

AMENDMENT No. 31.

On page 19, lines 4 to 36, strike out all that part of line 4 following the period; also, strike out all of lines 5 to 36, inclusive.

AMENDMENT No. 32.

On page 20, line 21, strike out the words "of the serving", and in lieu thereof insert the words "after the service".

AMENDMENT No. 33.

On page 20, strike out all of line 23 following the period after the word "assigns", also all of line 24, and in line 25 all of the words up to and including the period following the word "commission".

AMENDMENT No. 34.

On page 20, line 26, strike out the words "granted a license or permit".

AMENDMENT No. 35.

On page 21, line 1, after the word "purchase", insert a comma and the following: "whether through condemnation proceedings or otherwise,".

AMENDMENT No. 36.

On page 21, strike out the following words in lines 10, 11 and 12: "*(provided, that no municipality shall take water for the purpose of selling or otherwise disposing of the same for irrigation purposes.)*", and in lieu thereof insert the following: "*provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such a surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and provided, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.*"

AMENDMENT No. 37.

On page 21, line 18, strike out the word "in", and in lieu thereof insert the words "by or through."

AMENDMENT No. 38.

On page 22, line 20, after the word "inches", strike out the period, and in lieu thereof insert a comma and the following: "or when the water is used for the generation of power when the same does not exceed fifty horsepower and is for the private use of the appropriator."

AMENDMENT No. 39.

On page 23, lines 22 to 30, strike out the period in line 22 and the remaining words in said line, also strike out all of lines 23 to 30, inclusive, and in lieu thereof insert a comma and the following: "and thereafter the said commission shall cause its findings and ascertainment of the rights of the respective claimants to said water to be made and filed in the superior court in each of the counties where said water is appropriated."

AMENDMENT No. 40.

Page 24, lines 1 to 2, strike out the words "who has submitted evidence to the state water commission".

AMENDMENT No. 41.

Page 24, line 15, after the word "date", insert the words "of the service".

AMENDMENT No. 42.

Page 24, line 27, strike out the first comma and the following words: "as provided in this Act,".

AMENDMENT No. 43.

Page 25, line 20, after the word "therefrom", insert the word "as".

AMENDMENT No. 44.

Page 25, line 30, strike out the words "and settlement".

AMENDMENT No. 45.

Page 26, line 13, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT No. 46.

Page 27, line 13, after the word "ascertainment", insert the words "and may make other or different findings as in its judgment the evidence justifies".

AMENDMENT No. 47.

Page 27, line 21, strike out all of line 21, and in lieu thereof insert the following: "or for which it is being used."

AMENDMENT No. 48.

Page 28, line 17, strike out the period, and insert in lieu thereof a comma, and the following: "exclusive of the cost of such hydrographic survey."

AMENDMENT No. 49.

Page 30, strike out all of lines 8 to 11, inclusive, and in lieu thereof insert the following: "and nothing in this Act shall affect or limit in any manner whatsoever the right or power of any municipality which has heretofore appropriated or acquired water or the use of water for municipal purposes, to use or to sell or otherwise dispose of such water or the use thereof, either within or without its limits for domestic, irrigation or other purposes, in accordance with laws in effect at the time of the passage of this Act."

AMENDMENT No. 50.

Page 30, line 22, strike out the word "contained", and in lieu thereof insert the word "used".

AMENDMENT No. 51.

Page 30, line 23, strike out the words "flooding or", and in lieu thereof insert the following: "use in any one year or more than two and one half acre-feet of water per acre in the".

Also: On page 8, section 8, line 5, strike out the words "one hundred and".

The roll was called, and Senate amendments to Assembly Bill No. 642 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Moorhouse, Mouser, Palmer, Richardson, Roberts, Ryan, Slater, Smith, Sutherland, Tulloch, Walsh, Woodley, Wyllie, and Mr. Speaker—41.

NOES—Messrs. Bagby, Brown, Collins, Cram, Dower, Griffin, Guill, Murray, Shannon, and Simpson—10.

Bill ordered to enrollment.

Mr. Johnson moved that the vote whereby Senate amendments to Assembly Bill No. 642 were concurred in be reconsidered.

POINT OF ORDER.

Mr. Sutherland rose to the following point of order: "That a motion to reconsider final action on a bill could not be made on the day preceding final adjournment."

POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

DECISION APPEALED FROM.

Mr. Johnson appealed from the decision of the chair.

CHAIR SUSTAINED.

The question being put: "Shall the decision of the chair be the judgment of the Assembly?"

A *viva voce* vote was taken, and the chair sustained.

EXPLANATION OF VOTE.

The following explanation of vote was sent to the desk, and ordered printed in the Journal:

MR. SPEAKER: In voting to concur in the amendments made to Assembly Bill No. 642 by the Senate, I did so for the purpose of making a motion to reconsider the vote by which those amendments were concurred in, as I felt that under the circumstances related below those amendments would be concurred in.

The Senate message conveying the amendments was not read before Mr. Johnstone, the author of the bill, requested that the amendments be concurred in. Thereupon the Speaker, then presiding, without asking if there was any objection or further discussion, which is customary in considering such important matters, ordered the roll called.

Not being given what I considered a fair opportunity to state my objections to said amendments, I voted "aye" for the purpose above stated, otherwise I would have voted "no."

GEO. H. JOHNSON.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 961—An Act to amend Section 632½ of the Penal Code, relating to the protection of steelhead trout—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 961?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—None.

NOES—MESSRS. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bolnett, Bowman, Bradford, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Griffin, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Nelson, Pears, Richardson, Roberts, Ryan, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Weldon, and Wyllie—55.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 1308—An Act to amend Sections 1, 3, 8, 20 and 21 of an Act approved March 23, 1901, and entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force, relating to the same and known as 'An Act to insure the better education of practioners of dental surgery, and to regulate the practice of dentistry in the State of California,' approved March 12, 1885"; to repeal Sections 13 and 24 of said Act; also to amend Sections 10, 12, 14 and 19 of said Act as amended by an Act approved March 20, 1903; also to amend Section 21½ of said Act as added thereto by said Act approved March 20, 1903; and also to amend Section 15 of said Act of March 23, 1901, as amended by an Act approved March 6, 1907; all relating to the Board of Dental Examiners of California and the regulation of the practice of dentistry in the State of California, approved April 6, 1909—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 1308?"

The roll was called, and the Assembly receded by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Judson, Moorhouse, Mouser, Nelson, Palmer, Peairs, Roberts, Ryan, Scott, Shartel, Smith, Stuckenbruck, Sutherland, Walsh, Weisel, and Weldon—45.

NOES—Messrs. Emmons, Murray, Richardson, Schmitt, Shearer, Slater, Strine, Woodley, and Wyllie—9.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 469—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 787—An Act to amend an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, and amended by an Act approved March 20, 1905, by amending Sections 1, 4, 8 and 9 thereof, and by adding a new section thereto, to be known as Section 9a thereof, relating to the consolidation of other county and municipal offices in counties organized under a charter framed under the provisions of Section 7½ of Article XI of the Constitution.

Also: Committee Substitute for Senate Bill No. 1758—An Act to amend Section 2349 of the Political Code of the State of California, relating to navigable streams and public ways.

Also: Senate Bill No. 982—An Act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1608—An Act providing for the establishment and maintenance of a telephone system in mines and prescribing a penalty for the violation thereof.

Also: Senate Bill No. 239—An Act prohibiting the selling of insurance premium notes prior to the delivery of the policy, and providing penalties for violation thereof.

Also: Senate Bill No. 513—An Act relating to the treatment of live birds or fowls known as poultry when confined in crates, coops or cages and prescribing the penalty for violation thereof.

Also: Senate Bill No. 1740—An Act to add a new section to the Civil Code to be numbered 955, relating to assignments of or orders for wages or salaries.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 897—An Act concerning insurance companies, associations and societies and their agents and other persons, firms and corporations, prohibiting rebating, misrepresentation, and twisting, and providing a penalty for a violation thereof.

Also: Senate Bill No. 297—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to recede from Senate amendments to Assembly Bill No. 2086—An Act to define investment companies, investment brokers, contractors and agents: to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation hereof; and making an appropriation therefor—and appointed as a Committee on Conference, Senators Birdsall, Benson and Curtin to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to recede from Senate amendments of May 3, 1913, to Assembly Bill No. 944—An Act to add a new section to the Code of Civil Procedure, to be numbered 1166a, relating to actions for obtaining possession of real property, to the manner in which tenants may be ejected and providing the form of complaint, the form of the amount of the undertaking and the form of the writ of ejectment, and the manner of executing and serving the writ—and appointed Senators Butler, Juilliard and Cogswell as a Committee on Conference to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

APPOINTMENT OF COMMITTEES ON CONFERENCE.

The Speaker announced the appointment of Messrs. Bowman, Libby and Emmons a Committee on Conference to meet with a like committee from the Senate to consider Senate Bill No. 961.

Also: The appointment of Messrs. Chandler, Judson and Schmitt a Committee on Conference concerning Assembly Bill No. 2086.

Also: The appointment of Messrs. Moorhouse, Wyllie and Stuckenbruck a Committee on Conference concerning Assembly Bill No. 944.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of three hundred ninety-five and 20-100 dollars (\$395.20) in favor of Ed E. Reese, Sergeant-at-Arms of the Assembly, the same being for the payment of the following bills attached:

R. L. Estes -----	\$8 00
Kane & Trainor Ice Co. -----	38 60
Kilgore & Tracy -----	1 70
Wahl Stationery Co. -----	42 55
Wahl Stationery Co. -----	16 90
Wahl Stationery Co. -----	17 90
Shasta Aristo Water Co. -----	160 00
Wm. Eberhardt -----	6 05
Wm. Eberhardt -----	4 95
Pacific Telephone and Telegraph Co. -----	34 39
Mrs. McCall -----	14 75
Wasserman-Gattman Co. -----	7 50
C. K. Harder -----	34 00
Julius Johnson -----	8 00

\$395 20

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Judson, Moorhouse, Mouser, Nelson, Peairs, Roberts, Ryan, Schmitt, Scott, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, and Wyllie—48.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in the sum of seventeen and 23-100 dollars (\$17.23) in favor of L. B. Mallory, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

Pacific Telephone and Telegraph Co. -----	\$3 75
Wells Fargo & Co. -----	12 93
Total -----	\$16 68

Have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Judson, Kingsley, Moorhouse, Mouser, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, and Wyllie—49.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for contingent expenses of the Assembly in favor of W. F. McClure, State Engineer, for the sum of two hundred dollars (\$200), same to pay the claim of J. Corbley Pool for expert services in connection with the acoustics of Assembly Hall, as per resolution adopted May 9th and printed in the Journal for that day, page 64, and the State Treasurer is hereby directed to pay the same—have had the same under consideration, and respectfully report back, and recommend that it be adopted.

FARWELL, Chairman.

Mr. Farwell moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnston, T. D., Judson, Kingsley, Kuck, Mouser, Nelson, Peairs, Richardson, Roberts, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Weldon and Wyllie—43.

NOES—Mr. Schmitt—1.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Conference concerning Assembly Bill No. 2086—An Act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of corporate commissioner and making an appropriation therefor—report that we have met a like committee of the Senate, consisting of Senators Birdsall, Curtin and Benson, and your committee was unable to agree, and recommend that a Committee on Free Conference be appointed.

CHANDLER,
SCHMITT
JUDSON.

Assembly Committee on Conference.

BIRDSALL,
BENSON,
CURTIN,

Senate Committee on Conference.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1535—An Act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1535 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Finnegan, Fitzgerald, Gabbert, Gates, Green, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Libby, Moorhouse, Morgestern, Mouser, Peairs, Richardson, Ryan, Scott, Shannon, Shartel, Shearer, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Wyllie—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 703—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 703 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnstone, W. A., Kuck, Morgestern, Mouser, Ryan, Schmitt, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—42.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 704—An Act to amend Section 1239 of the Code of Civil Procedure of the State of California, relating to the classification of the estates and rights in lands subject to be taken for public use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 704 finally passed by the following vote:

AYES—Messrs. Alexander, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Morgenstern, Mouser, Nelson, Richardson, Shannon, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—43.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1119—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1119 finally passed by the following vote:

AYES—Messrs. Alexander, Beck, Bloodgood, Bohnett, Bradford, Bush, Cary, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Richardson, Ryan, Schmitt, Shartel, Simpson, Slater, Smith, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 395—An Act to amend Section 4085½ of the Political Code of the State of California, authorizing the boards of supervisors of the several counties of this State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate bill No. 395 finally passed by the following vote:

AYES—Messrs. Alexander, Benedict, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Green, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Wyllie—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 139—An Act to establish a board of parole commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled “An Act to establish a board

of parole commissioners for the parole of, and government of paroled prisoners," approved March, 23, 1893.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 139 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Morgenstern, Mouser, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Wyllie—51.

NOES—Messrs. Bowman and Nelson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 790 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Green, Guill, Hinkle, Johnston, T. D., Judson, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 367 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Green, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Walsh, and Wyllie—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 368—An Act to repeal Section 980 of the Code of Civil Procedure of the State of California, relating to powers of Superior Court on appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 368 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Dower, Ellis,

Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, and Weldon—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 791 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Wyllie—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 150—An Act to amend Section 739 of the Political Code, relating to the salaries of officers connected with the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 150 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Green, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Stuckenbruck, Walsh, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 286—An Act to amend Section 857 of the Civil Code, relating to express trusts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 286 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Green, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 789 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Morgenstern, Mouser, Nelson, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, and Walsh—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 256—An Act to amend Section 751½ of the Political Code of the State of California, relating to the salary of the stenographer of the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 256 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, and Weldon—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 257—An Act to amend Section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 257 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Canepa, Cary, Chandler, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Morgenstern, Mouser, Nelson, Palmer, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Slater, Smith, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, and Wyllie—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1311—An Act to add six new sections to the Political Code, to be numbered Sections 1625, 1626, 1627, 1628, 1629 and 1630, relating to the sale and leasing of property of school districts, and to the granting of easements in such property to incorporated cities or towns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1311 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates,

Guill, Hinkle, Johnstone, W. A., Kingsley, Kuck, Libby, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, and Woodley—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1589—An Act to amend Sections 643, 644 and 645 of the Code of Civil Procedure, relating to the report of referees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1589 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hinkle, Johnstone, W. A., Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Tulloch, Weisel, White, and Woodley—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1075—An Act to amend Section 1244 of the Code of Civil Procedure, relative to proceedings in eminent domain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1075 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hinkle, Johnstone, W. A., Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Smith, Strine, Sutherland, Walsh, and Woodley—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1519 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Dower, Ellis, Emmons, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Morgenstern, Mouser, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, and Weisel—47.

NOES—Messrs. Griffin, Guiberson, Guill, Murray, and Simpson—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 591—An Act to add a new section to the Civil Code of the State of California to be numbered Section 149, relating to the creating of a lien during the pendency of actions for divorce by filing a notice of *lis pendens*, and providing methods for the release thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 591 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kingsley, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, and Weldon—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 369—An Act to amend Section 92 of the Code of Civil Procedure of the State of California, relating to certificates, transcripts, and other papers in cases certified to the Superior Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 369 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Cram, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gates, Gelder, Green, Guill, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Simpson, Smith, Sutherland, Tulloch, Walsh, and Weisel—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1411—An Act to amend Section 92 of the Civil Code of the State of California, enumerating the grounds upon which divorce shall be granted, by adding thereto Subdivision 7, assigning permanent insanity as a further ground for divorce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1411 refused passage by the following vote:

AYES—Messrs. Bradford, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Schmitt, Scott, and Weisel—8.

NOES—Messrs. Ambrose, Benedict, Bloodgood, Brown, Bush, Canepa, Cary, Chandler, Collins, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Griffin, Guiberson, Guill, Hinkle, Judson, Kingsley, Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Pairs, Polsley, Richardson, Roberts, Ryan, Shannon, Shattel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, and Woodley—47.

Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 636½, to prevent the use or possession of lompara nets, paranzella nets, trawl or drag nets, and providing the penalty therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1472 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Fish, Gabbert, Gates, Gelder, Griffin, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kuck, Moorhouse, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Weisel, and Wyllie—48.

NOES—Messrs. Canepa, Fitzgerald, and Polsley—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1459—An Act appropriating moneys to the use of the workman's compensation insurance fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1459 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kuck, Morgenstern, Mouser, Nelson, Nolan, Roberts, Ryan, Scott, Shannon, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Weldon, Woodley, and Wyllie—47.

NOES—Messrs. Guiberson, Murray, Polsley, Schmitt, and Simpson—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered 550a, relating to the furnishing of water for family use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 587 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Smith, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Woodley—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1312—An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1312 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Morgenstern, Mouser, Murray, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Woodley—56

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1664—An Act to provide for the consolidation of municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1664 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At ten o'clock p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Senate Bill No. 1291—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities and also for the payment of such bonds," approved February 27, 1893, by adding thereto four new sections, to be numbered 10 to 13, inclusive.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1291 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnstone, W. A., Kuck, Libby, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Slater, Strine, Sutherland, Walsh, Weisel, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1292—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto six new sections, to be numbered 57 to 62, inclusive.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1292 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, Morgenstern, Mouser, Murray, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Sutherland, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1293—An Act to amend an Act entitled “An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds,” approved April 17, 1911, by adding thereto six new sections to be numbered 84 to 89, inclusive.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1293 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, Morgenstern, Mouser, Nelson, Palmer, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shearer, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1326—An Act to amend an Act entitled “An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes,” approved March 31, 1897, by amending Section 64 thereof, and inserting a new section, relating to joint use of irrigation works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1326 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Strine, Sutherland, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—52.

NOES—Mr. Weldon—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 983—An Act to amend Section 103 of the Code of Civil Procedure, relating to justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 983 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Hinkle, Johnston, T. D., Judson, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Richardson, Scott, Slater, Smith, Strine, Walsh, Weisel, Woodley, and Mr. Speaker—41.

NOES—Messrs. Schmitt, Simpson, and Tulloch—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1757—An Act to amend Section 1332 and Section 1333 of the Political Code of the State of California, and to add four new sections thereto, to be numbered 1334, 1335, 1336 and 1337, relating to the election of Senators in Congress.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1757 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Collins, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Mouser, Murray, Nelson, Nolan, Palmer, Peairs, Polsley, Roberts, Schmitt, Scott, Simpson, Strine, Tulloch, Walsh, Weiesel, Woodley, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1469—An Act to amend Section 1366 of the Code of Civil Procedure of the State of California, relating to the order of persons entitled to administer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1469 finally passed by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, McDonald, Mouser, Murray, Nolan, Palmer, Peairs, Polsley, Schmitt, Scott, Slater, Strine, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—45.

NOES—Mr. Johnson, Geo. H.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 252—An Act to amend Section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 252 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis,

Emmons, Farwell, Ferguson, Finnegan, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnstone, W. A., Judson, Kuck, McDonald, Morgenstern, Mouser, Murray, Nelson, Nolan, Palmer, Pairs, Polsley, Roberts, Schmitt, Scott, Shannon, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—46.

NOES—Messrs. Johnson, Geo. H., Johnston, T. D., Slater, and Weldon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 316—An Act to repeal Section 1298 of the Civil Code, and to amend Section 1299 of the Civil Code, both said sections relating to the effect of the marriage of a man on his will.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Clark moved a call of the House.

Motion lost.

The vote was announced, and Senate Bill No. 316 refused passage by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bowman, Bradford, Bush, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gelder, Hinkle, Kuck, Morgenstern, Mouser, Pairs, Roberts, Ryan, Scott, Slater, Strine, Weisel, Woodley, Wyllie, and Mr. Speaker—30.

NOES—Messrs. Bagby, Benedict, Brown, Canepa, Cary, Collins, Dower, Emmons, Guiberson, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Libby, McDonald, Murray, Nolan, Palmer, Polsley, Schmitt, Stuckenbruck, Sutherland, Tulloch, and Weldon—25.

Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Scott moved a call of the House.

Motion lost.

The roll of absentees was called, and Senate Bill No. 1004 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bloodgood, Bowman, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Farwell, Gabbert, Gates, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, Morgenstern, Mouser, Nolan, Pairs, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Strine, Tulloch, Wall, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—41.

NOES—Messrs. Ambrose, Benedict, Bohnett, Bradford, Bush, Ellis, Ferguson, Finnegan, Fish, Fitzgerald, Gelder, Hayes, Johnston, T. D., Libby, McDonald, Palmer, Polsley, Struckenbruck, Sutherland, and Walsh—20.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 358—An Act to amend Sections 928 and 929 of the Penal Code, relating to grand juries, their powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 358 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Gabbert, Gates, Guill, Hinkle, Inman, Johnston, T. D., Judson, Libby, Mouser, Murray, Nolan, Palmer, Roberts, Ryan, Scott, Shannon, Shartel, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, Wyllie, and Mr. Speaker—46.

NOES—Messrs. Johnstone, W. A., and Weldon—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 454—An Act to amend Section 601 of the Penal Code, relating to the malicious use of explosives, and providing penalties therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 454 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Gabbert, Gates, Guill, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Morgenstern, Mouser, Murray, Nelson, Polsley, Roberts, Ryan, Schmitt, Scott, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—42.

NOES—Mr. Dower—1.

Title read and approved.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Bohnett, Weldon and Benedict, a Committee on Free Conference, to meet with a like committee from the Senate to consider Assembly Bill No. 2086.

Senate Bill No. 1297—An Act authorizing and empowering the Regents of the University of California to condemn certain lands, waters, and water rights for the use of said university.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1297 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Farwell, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kuck, Libby, McDonald, Moorhouse, Mouser, Nelson, Palmer, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Strine, Sutherland, Tulloch, Weisel, Weldon, Woodley, Wyllie, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

HON. J. W. STUCKENBRUCK IN THE CHAIR.

At ten o'clock and thirty minutes p.m., Hon. J. W. Stuckenbruck, Assemblyman from the Nineteenth District, in the chair.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relat-

ing to the deposit of moneys belonging to the State or to any county or municipality or school district within the State in any bank or banks.

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Clark moved a call of the House.

Motion lost.

The vote was announced, and Senate Constitutional Amendment No. 31 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, McCarthy, McDonald, Moorhouse, Morgenstern, Mouser, Nelson, Palmer, Richardson, Roberts, Ryan, Scott, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Wyllie, and Mr. Speaker—48.

NOES—Messrs. Chandler, Finnegan, Gelder, Guiberson, Guill, Murray, Polsley, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Tulloch, and White—16.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Cartwright, Breed and Gates as a Committee on Free Conference on Assembly Bill No. 2086—An Act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of corporate commissioner and making an appropriation therefor—to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Conference concerning Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act—report that we have met a like committee of the Senate, consisting of Senators Butler, Cogswell, and Juilliard—and we report that the Committee on Conference have agreed to recommend the following: That the Senate recede from the committee amendments adopted by that body on May third.

MOORHOUSE,
WYLLIE,
STUCKENBRUCK,
BUTLER,

Committee on Conference.

Mr. Shearer moved the adoption of the report.

Motion carried.

Senate Bill No. 1169—An Act to repeal an Act entitled “An Act directing the Commissioner of the Bureau of Labor Statistics to collect certain statistics, and present them in biennial reports, and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act,” approved March 18, 1905.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1169 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bowman, Bradford, Canepa, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guiberson, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Polsley, Richardson, Ryan, Schmitt, Scott, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1171—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 426a, relating to the complaint in actions for divorce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1171 finally passed by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nolan, Polsley, Richardson, Ryan, Scott, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, and Wyllie—47.

NOES—Messrs. Johnson, Geo. H., Schmitt, and Weldon—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1621—An Act to authorize the Controller of State to appoint an inheritance tax attorney and an inheritance tax clerk, fixing their salaries, prescribing their duties, providing for necessary assistants thereto, and making an appropriation therefor; and to repeal an Act entitled "An Act to authorize the Controller of the State to appoint an inheritance tax deputy, prescribing his duties and making an appropriation therefor," approved March 20, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1621 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guill, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McCarthy, Morgenstern, Mouser, Murray, Nelson, Nolan, Richardson, Ryan, Scott, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Weisel, Woodley, and Mr. Speaker—49.

NOES—Messrs. Johnson, Geo. H., Polsley, Schmitt, and Weldon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER IN THE CHAIR.

At ten o'clock and forty minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

SENATE MESSAGE.

The following message from the Senate was taken up and read :

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to adopt the report of the Committee on Conference on Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act—and appointed a Committee on Free Conference, consisting of Senators Strobbridge, Shanahan and Benson, to meet with a like committee to be appointed by your honorable body.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Nelson, Judson and Guiberson a committee on free conference concerning Assembly Bill No. 944.

Senate Bill No. 1294—An Act providing for the designation of money in the state treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1294 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Ferguson, Finnegan, Fitzgerald, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, McCarthy, Morgenstern, Murray, Nelson, Nolan, Polsley, Richardson, Schmitt, Scott, Shearer, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—45.

NOES—Mr. Weldon—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1763—An Act to declare certain contracts, combinations, arrangements and conspiracies between common carrier railroads and pipe lines for the transportation of crude oil, and pipe lines constructed for the transportation of crude oil, petroleum or the products thereof, to be in restraint of trade and unfair practices, contrary to public policy as tending to monopoly, and requiring such pipe lines to either become common carriers and public utilities or to procure license and pay fees, and fixing penalties for violation, and authorizing certain court proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1763 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Hayes, Hinkle, Inman, Johnstone, W. A., Kingsley, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Scott, Shannon, Shearer, Smith, Strine, Sutherland, Tulloch, Weisel, Weldon, and Woodley—43.

NOES—Messrs. Bush, Johnson, Geo. H., Johnston, T. D., and Schmitt—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1770—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are operated other than as common carriers; and prohibiting the construction of any more such lines for such purposes for any distance whatsoever across, along, over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing liens to secure same, and fixing penalties for violation of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1770 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Hayes, Hinkle, Inman, Johnstone, W. A., Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Nolan, Pairs, Pelsley, Roberts, Ryan, Shamen, Shearer, Simpson, Smith, Strine, Tulloch, Weisel, Weldon, and Woodley—48.

NOES—Messrs. Johnson, Geo. H., Johnston, T. D., and Schmitt—3.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION —(OUT OF ORDER).

The following resolution was offered:

By Committee on Attachés:

Resolved, That the following named attachés and employees of the Assembly heretofore employed for the positions and at the per diem set opposite their names be stricken from the roll, to date from and include Monday, May 12, 1913.

Guirey, W. C., File Clerk	-----\$6 00
Rayer, Chas., Assistant File Clerk	-----5 00
Powers, J., Assistant File Clerk	-----5 00
Chalfont, Blanche, Assistant Postmistress	-----4 00
Berry, John, Porter	-----3 00
Giles, W., Porter	-----3 00
Harlow, W. S., Porter	-----3 00
Howard, W. A., Porter	-----3 00
Huntington, Geo. W., Porter	-----3 00
Kofod, John, Porter	-----3 00
Manning, M., Porter	-----3 00
Ellis, Dave, Porter	-----3 00
Weger, F. M., Porter	-----3 00
McConnell, C. M. Stenographer	-----5 00

SMITH, Chairman.

Mr. Smith moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Morgenstern, Mouser, Murray, Pairs, Pelsley, Roberts, Ryan, Scott, Simpson, Smith, Strine, Tulloch, Weisel, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

CALIFORNIA LEGISLATURE, SENATE, OFFICE OF MINUTE CLERK.
SACRAMENTO, May 11, 1913.

Mr. L. B. Mallory, Chief Clerk of the Assembly.

DEAR SIR: Will you kindly express to the Assembly my gratitude for the kindness and generosity so abundantly extended to me by the members of the Legislature and others at the time of my accident in the St. Nicholas fire, and which have been so uniformly extended to me during my convalescence.

Very truly,

CHAS. E. COX.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage, as amended in Senate, to Assembly Bill No. 752—An Act to create the office of inspector of mines, fixing his duties and powers; providing for the appointment of a deputy, and fixing the qualification and compensation of both, and fixing the bond of each; providing for his necessary expenses, clerk hire and office expenses; prescribing oath to be taken by said inspector and deputy; imposing duties and penalties and requiring reports from owners, lessors, lessees, agents or managers of mines; defining the duties of district attorneys and of the Attorney General under this Act and providing for prosecutions when said district attorney or Attorney General refuses or neglects to act—providing for reports of serious or fatal accidents in any mine or mines; and providing for the attendance of the inspector of mines or his deputy at inquests; providing for a yearly report by said inspector of mines to the Governor as enumerated in this Act; excluding certain mines from the provisions hereof; making it the duty of the Governor to appoint said inspector of mines; prohibiting the storing of explosives in mines except temporary supply and providing for storage of explosives outside of mines; requiring the use of wooden tamping bars, and removal of timbers from underground; requiring indicators on hoisting machinery; prohibiting the riding of persons on cars, skips or buckets with certain materials; requiring ladders in shafts and two compartments in certain kinds of shafts; and requiring landings at certain intervals, and requiring that ladders shall be kept in repair; requiring that in mines of two hundred feet or more in depth certain shafts shall be bulkheaded or rigged with a trap-door, and requiring sign boards showing direction to exit or outlet of mine; forbidding use of gasoline underground; requiring chain ladder when sinking shafts or inclines; requiring guard rails at specified dangerous points; specifying kind and dimension of cage in shafts exceeding three hundred and fifty feet in depth; requiring the leaving of pillars to protect and secure working in mines; prohibiting certain structures over the shaft or outlet of any mine; requiring doors at mouth of tunnel to so arrange as to be closed from the outside by wire or cable; requiring the use of ropes and cables as specified herein and prohibiting the raising or lowering of men by a cable or rope when containing more than a certain per cent of breaks or worn to a certain extent, or which shows signs of corrosion; requiring the care and inspection of boilers used for the generation of steam in and around mines; prohibiting hoisting in shafts while being repaired; requiring mines to be ventilated; requiring that men shall not be separated at such distances as to prevent cries being heard; requiring an engineer to be kept on duty to answer signals; prohibiting persons from riding on bail or cable of bucket, cage or skip; requiring the posting of number of men permitted to ride in cage, skip or bucket at one time, and making overloading a misdemeanor; requiring keeping of smoke helmets; providing for punishment of failure to comply with the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 66—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of examinations of cities and cities and counties.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 996—An Act to amend Section 1, of an Act entitled "An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands : to define the duties of the State Board of Fish Commissioners in relation to the control of such rights, and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches, a misdemeanor," approved March 21, 1907.

Also: Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1494—An Act to amend Section 290 of the Civil Code of the State of California, relative to articles of incorporation and what they must set forth.

Also: Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled "An Act creating a state commission on voting or balloting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting or ballot machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the result at such elections; and providing for the punishment of all violations of the provisions of this Act," approved March 20, 1903, as subsequently amended.

Also: Assembly Bill No. 1710—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Also: Assembly Bill No. 1450—An Act to amend Section 627b of the Penal Code of the State of California, relating to the protection of fish and game.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as number 2982a, providing for a sanitary engineer to the State Board of Health, and fixing his salary.

Also: Assembly Bill No. 1343—An Act to regulate the construction, operation, and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

Also: Assembly Bill No. 1278—An Act to amend Section 453a of the Political Code, in relation to the funds in the state treasury.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1416—An Act to amend Section 626b of the Penal Code of the State of California, relating to the shooting of wild ducks.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 321—An Act to amend Section 1665a of the Political Code of the State of California, relating to the establishment and maintenance of cosmopolitan schools in cities of the first, first and one half, second, and second and one half classes.

Also: Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California, to be known and designated as Section 459a, relating to the giving of bonds by the deputy state treasurer, cashier, and bond officer of the treasurer and providing for the payment of premiums thereon.

Also: Assembly Bill No. 1940—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Also: Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section, as amended, also providing for the Secretary of State determining the order of placing all questions, propositions, proposed laws and constitutional amendments on the ballot and providing for the preparation of the designation or ballot title by the Attorney General and by a board of title commissioners, created by this Act, if objection be made to the ballot title prepared by the Attorney General, by which all such questions, propositions, proposed laws and constitutional amendments shall be designated on the ballot, and providing for the procedure therefor.

Also: Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California, relating to the advertisement of amendments to the constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and providing for the designation as the same will appear on the ballots.

Also: Assembly Bill No. 890—An Act to amend an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by amending Section 1 of said Act so as to make said Act applicable to all jails and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 40—Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 36—Relative to granting to the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fortieth session of the Legislature of the State of California the privilege to absent themselves from the State for a period of more than sixty days.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Assembly concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3804a, relating to the approval or rejection of claims for refund of taxes, penalties and costs by boards of supervisors.

Also: Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards.

Also: Assembly Bill No. 175—An Act to amend Section 759 of the Political Code relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and prescribing his duties and compensation.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 92—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 20 of Article V thereof relating to the election of United States Senators.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

Assembly concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference on Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1582—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2065—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX, a new section to be numbered 17½, relating to the conditions of labor and welfare of employees.

Also: Assembly Concurrent Resolution No. 31—Relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding state roads.

Also: Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The above ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 609—An Act to create the office of attorney for the State Bureau of Labor Statistics.

Also: Assembly Bill No. 1705—An Act legalizing the formation and organization of reclamation district number eight hundred two, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control subject to the provisions of the Political Code of the State of California and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Also: Assembly Bill No. 623—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911, by amending Sections 8, 9, 11, 13, 14 and 18 thereof, and by repealing Section 12 thereof and by adding two new sections to said Act, which sections shall be numbered 12 and 12½, relating to the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2117—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens, arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises; to provide for the collection, and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Act in conflict with this Act," approved March 20, 1905, and all amendments thereto and all Acts and parts of Acts in conflict with this Act," approved April 7, 1911.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1134—An Act to amend Section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian.

Also: Assembly Bill No. 1428—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Also: Assembly Bill No. 1439—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of fish and game.

Also: Assembly Bill No. 100—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 544a, relating to service of civil process

on all corporations or firms other than state, county, municipal or district corporations, doing business in more than one county in this State.

W. N. PARRISH, Secretary of Senate
By J. A. BECK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1659—An Act to amend Section 10 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the appointment of probation officer and his assistants.

Also: Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Also: Assembly Bill No. 1903—An Act to amend Section 4300c of the Political Code, relating to justices of the peace fees.

W. N. PARRISH, Secretary of Senate.
By J. A. BECK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BECK, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 1735?"

The roll was called, and the Assembly receded by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Dower, Ellis, Emmons, Farwell, Ferguson, Finneran, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Schmilt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—58.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 560, as amended in Senate—An Act to amend Sections 205 and 210 of the Code of Civil Procedure of the State of California, relative to the selection, listing, and time of service of jurors.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1726—An Act to amend Section 4178 of the Political Code of the State of California relating to the duties of county clerks.

W. N. PARRISH, Secretary of Senate.
By J. A. BECK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 911—An Act to amend Section 4300c of the Political Code, relating to the fees of recorders.

Also: Assembly Bill No. 912—An Act to amend Section 4142a of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XII thereof, to be numbered Section 23a, in relation to the power of the Railroad Commission to fix the just compensation to be paid for the taking of any property of any public utilities in eminent domain proceedings.

Also: Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Also: Assembly Bill No. 699—An Act to amend Section 526 of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909," approved May 1, 1911, said amendment pertaining to the definition of the term boulevard, and use of said boulevards.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

Also: Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Also: Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1378—An Act pro-

viding for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 2 of Article XIII thereof, relating to taxation and exempting certain homesteads therefrom.

Also: Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 14 of Article XIII, relating to revenue and taxation.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments, and places of amusement, and to provide for the enforcement thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1126—An Act to provide for a health certificate for marriage; to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

Also: Assembly Bill No. 1938—An act to amend Section 1258 of the Political Code, relating to tally of votes.

Also: Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

Also: Assembly Bill No. 1183—An act to amend Sections 1160 and 1164 of the Political Code, relating to time of opening and closing the polls.

Also: Adopted Assembly Constitutional Amendment No. 88—A resolution to propose to the people of the State of California, an amendment to Section 2 of Article XVIII of the Constitution of the State of California relating to convention for revising the Constitution of the State of California.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 422—An Act to provide for and regulate primary elections and the nomination of candidates for public office and the election of dele-

gates to party conventions and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled an Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, approved March 24, 1909," approved April 7, 1911, and all Acts amendatory thereof and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill read first time, and referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½, Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

Also: Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fiftieth class.

Also: Assembly Bill No. 1518—An Act to add a new section to the Penal Code to be known as Section 1202a, relating to indeterminate sentences.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 736?"

On page 3, Section 1, line 26, strike out the word and figures "ten (10)", and insert in lieu thereof the following: "twenty (20)".

On page 3, Section 1, strike out lines 31 and 32, and insert in lieu thereof the following:

"15. Each member of the board of supervisors, five dollars a day when the board is in session, and ten cents a mile, in going only, for traveling from his residence to the county seat, and when serving as road commissioner three dollars per day, and actual and necessary expenses; *provided*, he shall not in any one year receive more than three hundred dollars as supervisor, exclusive of mileage, nor more than two hundred dollars as road commissioner, exclusive of traveling expenses".

The roll was called and Senate amendments to Assembly Bill No. 736 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Morgenstern, Mouser, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shearer, Simpson, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1518?"

On page 1, Section 1, line 4, strike out the word "hereafter", and on page 1, line 5, after the word "victed", strike out the words "for the first time".

Also: In Section 1, line 7, after the word "months," strike out the words "except murder, arson, rape, or robbery".

The roll was called, and Senate amendments to Assembly Bill No. 1518 were concurred in by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Libby, Moorhouse, Morgen-

stern, Mouser, Nolan, Peairs, Roberts, Ryan, Scott, Strine, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—45.

NOES—Messrs. Bagby, Ferguson, Killingsworth, Murray, Polsley, Schmitt, Shannon, Simpson, and Weisel—9.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 60?"

AMENDMENT No. 1.

On page 7, line 37, strike out the word "and", and insert in lieu thereof the following: "*provided*, that the provisions of such charters relating to the powers and duties of boards of supervisors and all other county officers shall be subject to and controlled by general laws; and".

AMENDMENT No. 2.

On page 8, strike out lines 25, 26, 27, and 28.

AMENDMENT No. 3.

On page 10, line 20, strike out the period after the word "provided" and insert in lieu thereof a comma; following the comma insert the following: "and except that any such charter shall not affect the tenure of office of the elective officers of the county, or of any district, township or division thereof, in office at the time such charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected, unless sooner removed in the manner provided by law.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Clark moved a call of the House.

Motion carried.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—52.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Clark.

The roll of absentees was called, and Assembly Constitutional Amendment No. 60 adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Scott, Shannon, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—54.

NOES—Mr. Schmitt—1.

Assembly constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its power and duties; creating the office of state forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the state forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the state board of forestry and persons, firms, associations, or corporations, or any combination or groups of such persons, firms, associations or corporations and for agreements between the state board of forestry and the federal government; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating the provisions of this Act; defining the word "forest;" repealing Chapter 264 of the Laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 643?"

Strike out of Section 3, line 1, page 3, the word "four", and insert in lieu thereof the word "three"; also

Strike out of Section 3, lines 5 and 6, the words "twenty-four", and insert in lieu thereof the word "eighteen".

Also: On page 6, line 15, strike out the words "by this Act", and in lieu thereof insert the words "for fire protection".

AMENDMENT No. 1.

On page 2, of the printed bill, strike out all of Section 1, and insert in lieu thereof the following:

"SECTION 1. There is hereby created a state board of forestry consisting of three members, who shall serve without compensation, to be appointed by the governor, and who may be removed by the governor. The said board shall supervise all matters of forest policy and management over which the state has jurisdiction."

AMENDMENT No. 2.

On page 4, line 12, after the word "paid", strike out all down to the end of the paragraph in line 14, and insert in lieu thereof the following: "for out of any money appropriated to the use of the state board of forestry."

AMENDMENT No. 3.

On page 8, line 11, strike out the word "bill", and insert in lieu thereof the word "act".

The roll was called, and Senate amendments to Assembly Bill No. 643 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Bush, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Roberts, Scott, Slater, Strine, Sutherland, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—50.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 698—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 268*a*, relating to salaries of officers and employees of the Assembly—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 698?"

AMENDMENT No. 1.

On page 1, strike out all of lines 2 to 4, inclusive, of the title, and in lieu thereof insert the following: "to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as section two hundred sixty-eight *a*, relating to salaries of officers and employees of the assembly."

AMENDMENT No. 2.

On pages 1 and 2, strike out all of lines 1 to 17, inclusive, on page 1, and lines 1 to 5, inclusive, on page 2, and in lieu thereof insert the following:

"SECTION 1. The Political Code of the State of California is hereby amended by adding a new section thereto, to be known and numbered as section two hundred sixty-eight *a* and to read as follows:"

The roll was called, and Senate amendments to Assembly Bill No. 698 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Brown, Bush, Cary, Chandler, Cram, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, Mouser, Murray, Nelson, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, and Wall—42.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States and to provide a punishment therefor.

Also: Assembly Bill No. 16—An Act providing for the free use of all public school houses and property and to establish a civic center at each and every public school house in the State of California, and to provide for the maintenance, conduct and management of the same.

Also: Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial, and for the destruction of such records upon acquittal.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 483?"

Strike out all of Section 4, and renumber Sections 5, 6, 7 and 8 to read "Sections 4, 5, 6, and 7", and insert a comma after the word "drawing" in line 7, Section 1, page 1.

The roll was called, and Senate amendment to Assembly Bill No. 483 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Chandler, Clark, Wm. C., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Mouser, Murray, Nelson,

Nolan, Peairs, Polsley, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Woodley—49.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 16?"

On page 2, section 2, line 7, after the period following the word "for", insert the following: "Such use of the said schoolhouses, property and grounds shall be granted free; *provided*, that in case of entertainments where an admission fee is charged, a charge may be made for the use of said schoolhouses, property and grounds."

Also: On page 2, strike out all of Section 4.

The roll was called, and Senate amendments to Assembly Bill No. 16 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Cram, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McCarthy, Mouser, Murray, Nelson, Peairs, Polsley, Ryan, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, and Weisel—47.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1654?"

AMENDMENT No. 1.

On page 1, line 3, of the title of the printed bill, strike out the period, and in lieu thereof insert a comma and the following words: "and for the destruction of such records upon acquittal."

AMENDMENT No. 2.

On page 1, line 5, of the printed bill, after the word "prisoners" and before the word "held", insert the following words: "who in the best judgment of such state prison wardens, county sheriffs, chiefs of police and city marshals are wanted for serious crimes, or in whose possession upon arrest are found burglars' tools or other contrivances or articles reasonably believed to be carried to be used by them with felonious intent, or of persons".

The roll was called, and Senate amendments to Assembly Bill No. 1654 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Ryan, Scott, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Woodley, and Mr. Speaker—51.

NOES—Mr. Schmitt—1.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1016—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

Also: Assembly Bill No. 2091—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

Also: Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments.

Also: Assembly Bill No. 1934—An Act to amend Section 1104 of the Political Code, relating to the registration of voters.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1016?"

On page 2, of the printed bill, add a new section at end of Section 8 to read as follows:

"SEC. 9. This Act shall be in force and take effect July 1, 1915."

The roll was called, and Senate amendment to Assembly Bill 1016 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shartel, Slater, Smith, Strine, Sutherland, Wall, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2091?"

On page 1, lines 6 and 7, strike out the words "one of the copies" and insert in lieu thereof the following: "the third copy".

Also: On page 1, at end of line 8, strike out the word "in" and all of lines 9 to 15, inclusive, and insert in lieu thereof the following: "The second and third copies of such affidavit may be carbon copies."

Also: On page 1, following line 21, insert the following:

"SEC. 2. This Act shall take effect January 1, 1914."

The roll was called, and Senate amendments to Assembly Bill No. 2091 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Shartel, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—56.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1752?"

Amend the title of the printed bill, by striking out all of line 2 after the word "code" and all of lines 3 and 4 of the title, and inserting in lieu thereof the following: "relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments."

The roll was called, and Senate amendment to Assembly Bill No. 1752 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Libby, Mouser, Murray, Nelson, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1934?"

AMENDMENT No. 1.

On page 1, immediately after the comma following the word "however", in line 5 of the printed bill, strike out the remainder of said line 5, also lines 6 and 7 to and including the word "registered" in line 8, and insert in lieu thereof the following: "that any such person who is registered in one county may, if otherwise legally qualified, cause himself to be registered in another county in which he may then reside, at a date not less than ten days before the closing of registration."

AMENDMENT No. 2.

On page 1, line 12, after the word "uncancelled," strike out the period and add the following: "and upon receipt of such affidavit such former registration must be forthwith cancelled."

The roll was called, and Senate amendments to Assembly Bill No. 1934 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beek, Bloodgood, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—55.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California relating to the protection and preservation of fish—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1433?"

AMENDMENT No. 1.

On page 1, line 3, after the word "who", insert the words "at any time buys, sells, offers or exposes for sale any trout less than twelve inches in length; every person who,".

AMENDMENT No. 2.

On page 2, line 14, after the word "day", insert the words "more than fifty".

AMENDMENT No. 3.

On page 2, line 21, strike out the words "in game district three."

AMENDMENT No. 4.

On page 2, lines 25 and 26, insert a semicolon after the word "lake", and strike out the words "in game district three."

AMENDMENT No. 5.

On page 2, line 26, strike out the words "trout cannot be taken", and insert in lieu thereof the following: "it shall be unlawful to take, catch or kill trout".

AMENDMENT No. 6.

On page 2, line 27, after the word "of", insert the words "Blackwood Creek or Taylor Creek or within 500 feet of the mouth of any other".

AMENDMENT No. 7.

On page 2, line 27, strike out the word "any".

AMENDMENT No. 8.

On page 2, line 36, after the word "who", insert the words "takes, catches, kills."

AMENDMENT No. 9.

On page 3, line 12, after the word "taken", insert the word "except".

AMENDMENT No. 10.

On page 3, lines 17, 18 and 19, strike out the words "every person who buys, sells, takes, catches, kills, or has in his possession any variety of trout, except steelhead trout."

AMENDMENT No. 11.

On page 3, line 25, strike out the period after the word "trout", and insert a semicolon and the words "is guilty of a misdemeanor".

AMENDMENT No. 12.

On page 3, lines 34 and 35, strike out the words "support and maintenance of hatcheries", and insert in lieu thereof the following: "fish and game preservation."

AMENDMENT No. 13.

On page 4, of the printed bill, strike out everything after the period following the figures "6324", on line 8 thereof; and, also, strike out all of the printed matter in said bill on pages 5 and 6 thereof, and insert in lieu thereof the following: "Every person who, between the first day of December and the first day of April of the year following, takes, catches, kills, destroys, or has in his possession, any steelhead trout taken above tidewater; or who between the first day of January and the first day of April of the same year, takes, catches, kills or has in his possession any steelhead trout taken, caught or killed in tide or brackish waters; or who, at any time, takes, catches, or kills any steelhead trout, except with hook and line used in the manner commonly known as angling; or who has in his possession any steelhead trout which have been taken, caught, or killed, except with hook and line; or who, at any time, takes, catches, kills or has in his possession, during any one calendar day, more than fifty steelhead trout; or who, at any time, takes, catches, kills or has in his possession, during any one calendar day, steelhead trout, the total weight of which exceeds thirty pounds caught, taken, or killed in the waters of this state; or who buys, sells, offers or exposes for sale any steelhead trout less than twelve (12) inches in length, or any steelhead trout of less than one pound in weight, is guilty of a misdemeanor. Every person who offers for shipment, ships, carries, transports, or who receives for shipment or transportation from the State of California to any place in any other state, territory, or foreign country any steelhead trout, or other trout, caught, or taken in the waters of this state, is guilty of a misdemeanor; *provided always*, that the possession of such steelhead trout or other trout shall be prima facie evidence of the fact that such steelhead trout or other trout were caught or taken in the waters of this state; *provided, further*, that nothing herein shall apply to domestically reared steelhead trout or other trout raised in captivity. Every person found guilty of any violation of any of the provisions of this section must be fined in a sum not less than twenty dollars, nor more than two hundred dollars, or be imprisoned in the county jail in the county in which the conviction shall be had, not less than ten days nor more than sixty days, or by both such fine and imprisonment, and all fines collected for any violation of any of the provisions of this section must be paid into the state treasury, to the credit of the fish and game preservation fund. Nothing in this section shall prohibit the United States fish commission and the fish and game commission of this state from taking at all times such steelhead trout or other trout as they deem necessary for the purpose of propagation or for scientific purposes.

The roll was called, and Senate amendments to Assembly Bill No. 1433 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nolan, Pears, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—55.

NOES—Mr. Nelson—1.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 2083—An Act to authorize and provide for the sale of land, buildings and improvements of the Stockton State Hospital at Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the cost and expense of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electric current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2083?"

On page 4, line 34, strike out the words "seventy-five thousand (75,000)" and insert in lieu thereof the following: "fifty thousand (50,000)".

On page 6, line 6, strike out the words "said commission" and insert in lieu thereof the following "the department of engineering".

The roll was called, and Senate amendments to Assembly Bill No. 2083 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dover, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—57.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 663—An Act to regulate the practice or occupation of steam engineering in the State of California; providing for the registration and licensing of persons to carry on such practice or occupation; providing for a board of examiners and a clerk thereof, to be under the supervision and management of the Commissioner of the Bureau of Labor Statistics; fixing the terms, compensation, powers and duties of the clerk and the members of the said board of examiners; fixing the fees to be paid by persons authorized to practice under the provisions of this Act; and creating a fund to be kept by the State Treasurer for the purposes of this Act—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 663?"

AMENDMENT No. 1.

On page 2, line 4, of the amended bill, strike out the comma after the word "water".

AMENDMENT No. 2.

On page 4, line 19, after the word "person", insert a comma, and add "except those persons hereinbefore exempted from the provisions of this Act".

AMENDMENT No. 3.

On page 6, line 4, after the word "person", insert a comma and add "except those persons hereinbefore exempted from the provisions of this Act."

AMENDMENT No. 4.

On page 2, line 3, after the word "camps", insert the following: "or lumber districts."

The roll was called, and Senate amendments to Assembly Bill No. 663 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Bush, Cram, Ellis, Emmons, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, McCarthy, Moorhouse, Mouser, Nelson, Peairs, Ryan, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—41.

NOES—Mr. Polsley—1.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1598—An Act to amend Section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

Also: Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1598?"

On page 2, strike out all of lines 20, 21, 22, 23, 24, 25 and 26, and insert in lieu thereof the following: "7. The assessor, one thousand eight hundred dollars per annum. The assessor shall appoint a deputy or deputies when needed, at a per diem of five dollars, but the salaries of such deputy or deputies shall not exceed in the aggregate the sum of twelve hundred and fifty dollars."

The roll was called, and Senate amendment to Assembly Bill No. 1598 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bush, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Mouser, Murray, Nolan, Peairs, Polsley, Roberts, Scott, Simpson, Slater, Smith, Strine, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2128?"

AMENDMENT No. 1.

On page 1, line 7, after the word "California", insert a comma and the following: "or if any rate of taxation shall have been charged by the legislature pursuant to subdivision 'f' of said section and article, then upon such rate of taxation as so changed and fixed,".

AMENDMENT No. 2.

On page 2, line 5, after the word "constitution", insert the following: "or if any rate of taxation shall have been changed by the legislature pursuant to subdivision 'f' of said section and article, then upon such rate of taxation as so changed and fixed,".

AMENDMENT No. 3.

On page 2, line 13, after the word "such", insert the word "an".

AMENDMENT No. 4.

On page 2, line 26, after the word "California", insert a comma and the following: "or if any rate of taxation shall have been changed by the legislature pursuant to subdivision 'f' of said section and article, then upon such rate of taxation as so changed and fixed,".

AMENDMENT No. 5.

On page 3, line 4, after the comma preceding the word "together", insert the following: "or if any rate of taxation shall have been changed by the legislature pursuant to subdivision 'f' of said section and article, then upon such rate of taxation as so changed and fixed,".

AMENDMENT No. 6.

On page 3, line 11, after the word "such", insert the word "an".

The roll was called, and Senate amendments to Assembly Bill No. 2128 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, McCarthy, Moorhouse, Morgenstern, Mouser, Nelson, Pears, Polsley, Roberts, Ryan, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weisel, and Mr. Speaker—46.

NOES—Mr. Schmitt—1.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article XII thereof relating to revenue and taxation—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 6?"

AMENDMENT No. 1.

On page 1 of the engrossed resolution, strike out all of lines 3, 4, and 5 and insert in lieu thereof the following: "nineteen hundred thirteen, two thirds of all the members elected to each of the houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California that section one of article".

AMENDMENT No. 2.

On page 2 of the engrossed resolution, strike out all of lines 9 to 23, inclusive, and insert in lieu thereof the following: "from taxation, except such lands and the improvements thereon located outside of the county, city and county or municipal corporation owning the same as were subject to taxation at the time of the acquisition of the same by said county, city and county or municipal corporation; *provided*, that no improvements of any character whatever constructed by any county, city and county or municipal corporation shall be subject to taxation. All lands or improvements thereon, belonging to any county, city and county or municipal corporation, not exempt from taxation, shall be assessed by the assessor of the county, city and county or municipal corporation in which said lands or improvements are located, and said assessment shall be subject to review, equalization and adjustment by the state board of equalization. The legislature may provide, except in the case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this state."

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 6 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray,

Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—54.

NOES—Mr. Schmitt—1.

Assembly constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d, and 626f, of the Penal Code of the State of California, relating to the protection of fish and game—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1879?"

AMENDMENT No. 1.

On page 2, line 32, strike out the word "fifteen", and insert in lieu thereof the word "twenty".

AMENDMENT No. 2.

On page 3, line 1, strike out the word "thirty", and insert in lieu thereof the word "forty".

AMENDMENT No. 3.

On page 2, line 11, after the word "any", strike out the words "cottontail rabbit or any bush rabbit or who at any time hunts, pursues, takes, kills or has in his possession any".

The roll was called, and Senate amendments to Assembly Bill No. 1879 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Cary, Chandler, Cram, Ellis, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley—46.

NOES—None.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1879?"

On page 3, line 26, after the word "six", strike out the words "between the sixteenth day of September and the fifteenth day of August, inclusive, of the year following", and insert in lieu thereof the words "at any time during the five years from and after the fifteenth day of August, 1913".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1879 by the following vote:

AYES—None.

NOES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Chandler, Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Guiberson, Hayes, Johnstone, W. A., Kingsley, McCarthy, Mouser, Nelson, Nolan, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—42.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amend-

ing Sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1812?"

AMENDMENT No. 1.

In the title to the printed bill, omit the period at the end of line 6.

AMENDMENT No. 2.

On page 1, line 1, of the printed bill, omit the word "when", and insert in lieu thereof, "where".

AMENDMENT No. 3.

On page 3, line 7, of the printed bill, omit the period and insert in lieu thereof a colon.

AMENDMENT No. 4.

On page 5, line 2, of the printed bill, before the word "school" insert the words "the nomination of".

AMENDMENT No. 5.

On page 9, of printed bill, omit all of line 13.

AMENDMENT No. 6.

On page 10, lines 19 and 20, of the printed bill, omit the words "or the party affiliation of the candidate proposed,".

AMENDMENT No. 7.

On page 10, line 37, of the printed bill, omit the words "and political party".

AMENDMENT No. 8.

On page 13, line 13, of the printed bill, omit the comma and the words, "either of the candidate or".

AMENDMENT No. 9.

On page 14, line 22, of the printed bill, before the word "any", insert the words "any election booth, polling place, or".

AMENDMENT No. 10.

On page 14, line 30, of the printed bill, omit the words "of his party and that".

AMENDMENT No. 11.

On page 14, lines 31, 32 and 33 of the printed bill, omit all after the semicolon in line 31, to and including the comma in line 33.

AMENDMENT No. 12.

On page 14, line 37, of the printed bill, omit all after the period and all of the first seven lines on page 15.

AMENDMENT No. 13.

On page 20, line 25, of the printed bill, omit the word "represent", and insert in lieu thereof the word "represents".

AMENDMENT No. 14.

On page 26, line 20, of the printed bill, before the word "wholly", insert the words "throughout but".

AMENDMENT No. 15.

On page 26, lines 25 and 26, of the printed bill, omit the comma and the words "which order shall be the order of names upon the ballots", and insert in lieu thereof "for the first supervisorial district: and thereafter for each supervisorial district, the name appearing first for each such office in the last preceding supervisorial district shall be placed last, the order of the other names remaining unchanged".

AMENDMENT No. 16.

On page 26, lines 26 and 27, of the printed bill, omit the words "is no more than one assembly district", and insert in lieu thereof, "are more than five assembly districts".

AMENDMENT No. 17.

On page 26, lines 27 and 28, of the printed bill, omit the words, "is more than one assembly district," and insert in lieu thereof, "are more than five assembly districts".

AMENDMENT No. 18.

On page 30, line 17, of the printed bill, omit the word "seven", and insert in lieu thereof the word "six".

AMENDMENT No. 19.

On page 37, line 5, of the printed bill, omit the word "day", and insert in lieu thereof the word "Thursday".

AMENDMENT No. 20.

On page 37, line 36, of the printed bill, omit the word "ballots", and insert in lieu thereof the word "ballot".

AMENDMENT No. 21.

On page 38, line 16, of the printed bill, omit the word "chairman", and insert in lieu thereof the word "chairmen".

AMENDMENT No. 22.

On page 38, of the printed bill, omit lines 24, 25, 26, and 27.

AMENDMENT No. 23.

On page 38, line 28, of the printed bill, omit the words "Each such", and insert in lieu thereof, "3. Each state central committee".

AMENDMENT No. 24.

On page 39, line 12, of the printed bill, omit the word "day", and insert in lieu thereof the word "Monday".

AMENDMENT No. 25.

On page 39, line 21, of the printed bill, omit the word "day", and insert in lieu thereof the word "Monday".

AMENDMENT No. 26.

On page 39, line 27, of the printed bill, omit the words "day and the tenth day", and insert in lieu thereof the words "Monday and the second Monday".

AMENDMENT No. 27.

On page 27, line 2, of the printed bill, after the word "committee", insert a comma and the following: "or any office except the office of representative in congress to be voted on wholly within any county or city and county but not throughout such county or city and county,".

AMENDMENT No. 28.

On page 6, line 5, of the printed bill, omit all the line to and including the comma after the word "county".

AMENDMENT No. 29.

On page 6, line 7, of the printed bill, omit the period and insert in lieu thereof the words "so much thereof as may be applicable to his county, including a statement of the number of members of the county central committee to be elected by each political party in each supervisorial or assembly district, as the case may be, according to the provisions of Subdivision 4 of Section 24 of this Act."

AMENDMENT No. 30.

On page 13, line 22 of the printed bill, before the word "fastened," insert the words "numbered in order and".

AMENDMENT No. 31.

On page 13, line 26, of the printed bill, omit the word "however" and the comma following, and insert in lieu thereof: "that the sections of the nomination paper shall be preceded by an index of precincts, arranged by cities, towns or outside territory in the numerical or alphabetical order of such precincts for each such city, town or outside territory and showing after the name or number of such precinct the numbers of the section pages on which the names of the electors registered in such precinct are to be found, and after the number of each page, the number (in parentheses) of times such names are to be so found on such section page. Such index shall be substantially in the following form:

CITY OF -----			
No. of precinct.	Numbers of section	Pages containing	Voters of precinct.
1	1 (3 times)	2 (5 times)	3 (7 times) etc.
2	1 (4 times)	2 (6 times)	3 (6 times) etc.
TOWN OF -----			

etc.

etc.

and provided, further,

Amendment adopted.

AMENDMENT No. 32.

On page 14, line 37, of the printed bill, insert the following: "Nothing in this Act contained shall be construed to limit the rights of any person to become the candidate of more than one political party for the same office upon complying with the requirements of this Act, but no person shall be entitled to become a candidate for more than one office at the same election."

Amendment adopted.

AMENDMENT No. 33.

On page 2, line 2, of the printed bill, omit the period and insert in lieu thereof the words, "or to elect members of a party central committee or delegates to a party convention."

AMENDMENT No. 34.

On page 6, line 30, of the printed bill, omit the word "fourteen" and insert in lieu thereof the word "twenty".

AMENDMENT No. 34½.

On page 6, line 28, of the printed bill, omit the words "thirty-five" and insert in lieu thereof the word "forty".

AMENDMENT No. 35.

On page 10, line 30, of the printed bill, omit the period and insert a semicolon followed by the words "*provided*, that prior to primary elections other than August primary elections or May presidential primary elections, signatures may be obtained not more than forty nor less than twenty days prior to such election."

AMENDMENT No. 36.

On page 15, line 27, of the printed bill, omit the words "of the candidate."

AMENDMENT No. 37.

On page 15, line 27, of the printed bill, omit the word "upon."

AMENDMENT No. 38.

On page 15, line 31, of the printed bill, omit the word "upon."

The roll was called, and Senate amendments to Assembly Bill No. 1812 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Cary, Clark, Wm. C., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, McCarthy, McDonald, Moorhouse, Mouser, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1875—An Act to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of the Constitution of this State, for the municipal taxes of such cities, and for the equalization and correction of such assessment by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold for the non-payment of such taxes, and for the performance by county officers of the duties of officers of such cities respecting said matters; and to provide for the compensation to be paid to counties by such cities for the services performed by such county officers for such cities under the provisions of this Act—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1875?"

AMENDMENT No. 1.

Amend the title of the printed bill as follows: Strike out all of the title after line 1 thereof, and insert in lieu thereof the following: "to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of the constitution of this state, for the municipal taxes of such cities, and for the equalization and correction of such assessments by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold for the non-payment of such taxes, and for the performance by county officers of the duties of officers of such cities respecting said matters; and to provide for the compensation to be paid to counties by such cities for the services performed by such county officers for such cities under the provisions of this Act."

AMENDMENT No. 2.

Strike out all of the printed bill after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. The duties of the officers of any city governed under a freeholders' charter framed, ratified and approved in accordance with the provisions of the constitution of this state, with respect to the assessment of property in such city for the municipal taxes thereof, to the equalization and correction of such assessment, to the collection, payment and enforcement of such taxes, including delinquent taxes, and to the redemption of such property from sale or other penalty for the non-payment of such municipal taxes, shall be performed by officers of the county in which such city is situated, when such performance is required of them as in this Act provided.

SEC. 2. Whenever the charter of any city mentioned in section one of this Act, or any amendment to such charter, or any ordinance of such city authorized by and adopted under such charter or amendment thereto, shall provide that the duties of the council or other legislative body, assessor, tax collector or other officers of such city with respect to the assessment of property in such city for the municipal taxes thereof, to the equalization and correction of such assessment, to the collection, payment and enforcement of such taxes, including delinquent taxes, and to the redemption of such property from sale or other penalty for nonpayment of the municipal taxes of such city, shall be performed by certain designated officers of the county in which such city is situated, as set forth in such charter, or amendment thereto, or in such ordinance, it shall be the duty of such county officers so designated to perform such duties in accordance with the provisions of this Act; *provided, however*, that, the several county officers so designated to perform such duties for such city shall be officers who respectively perform duties of the same character as the officers of such city, whose duties are to be performed by such county officers.

SEC. 3. Upon the taking effect of any such charter, charter amendment or ordinance of such city, providing that the duties of the officers of such city with respect to the matters mentioned in section two of this Act shall be performed by the officers of the county in which such city is situated, a copy thereof, certified by the city clerk of such city, shall be filed with the board of supervisors of such county, on or before the first Monday in February immediately following the taking effect of such charter, charter amendment or ordinance. The board of supervisors shall thereupon cause notice of such charter, charter amendment or ordinance to be given to the several county officers designated therein, and thereafter the assessment list of all property within such city, as contained in the assessment roll made annually by the county assessor and equalized and corrected by the county board of supervisors, of all property assessed for taxation for county purposes in such county shall be the assessment roll of the property within such city assessed for the purpose of the municipal taxes of such city, and such assessment roll shall be used as the basis for the levy of such municipal taxes. If subsequent to the incorporation of such city, additional territory has been added thereto, as originally incorporated, either by annexation of new territory thereto, or by the consolidation of other municipal corporations therewith, it shall be the duty of the county assessor in making the assessment of the property in such city, to list separately the property situated within the limits of such city as originally incorporated, and the property situated within the boundaries of each such subsequent addition of territory thereto, and each such separate list shall be so headed and indicated in such assessment roll that all property within the original limits of such city shall appear therein as being so situated, and all property situated within any territory subsequently added thereto by any such annexation or consolidation, shall appear therein as being so situated, and the date of each such addition of territory shall also be specified therein. As soon as practicable after the first Monday in March next succeeding the taking effect of such charter, charter amendment or ordinance, the city clerk of such city shall deliver to the county assessor of such county, a statement in writing show-

ing, separately, the exterior boundaries of said city, as originally incorporated, and the exterior boundaries of each body of new territory subsequently added thereto, as aforesaid, together with the date of each such addition of new territory; and as soon as practicable after the first Monday in March of each succeeding year, a like statement shall be so delivered showing the boundaries of any new territory so added to such city since the delivery of the last preceding statement, together with the date of such addition of new territory.

Sec. 4. The county auditor of the county in which such city is situated must, on or before the second Monday in August of each year, transmit to the council or other legislative body of such city a statement in writing showing the total assessed valuation of all property within such city, which value shall be ascertained from the assessment roll of such county, equalized and corrected by the board of supervisors thereof in the manner provided by law, and showing the total assessed valuation of all property within the limits of such city as originally incorporated, and the total assessed valuation, separately, of all property in each body of new territory so added to such city subsequent to the original incorporation thereof. Upon the delivery to the county auditor, not later than the first day of September, of each year, of a statement, certified by the city clerk of such city, showing the levy, or rate or rates per cent of taxes levied by the council or other legislative body, of such city, for all municipal purposes for such year, including amounts required for the payment of interest and sinking funds for the bonded indebtedness of such city, and showing separately, the rate of taxes so levied upon all property within the limits of such city as originally incorporated, and the rate upon all property within the boundaries of each portion of such city added thereto subsequent to the original incorporation thereof as aforesaid, the county auditor must compute and enter in a separate column in the assessment books of the property in such city, for such year, to be headed "City Tax, City of _____," (stating name of city), the several sums of dollars and cents to be paid as a municipal tax on the property therein enumerated and assessed as being in such city, using the rate or rates of levy as fixed by the legislative body thereof, and the assessed value as found in such assessment books. Such taxes so levied shall be collected by the county tax collector, at the same time and in the same manner as the county taxes of such county. On Monday of each week, the county tax collector shall pay to the treasurer of such city, the amount of all taxes so collected by such county tax collector for and on behalf of such city, during the preceding week, after making the deduction therefrom hereinafter specified; and whenever any delinquent city taxes, together with costs and penalties thereon, have been paid to the county treasurer, or whenever any property in such city has been sold for the non-payment of the city taxes thereon, and has been redeemed, the county treasurer shall likewise pay to the treasurer of such city, on Monday of each week, the amount of such delinquent taxes, and all costs and penalties thereon so collected by such county treasurer during the preceding week, and the money collected for any such redemption, after making the deductions therefrom hereinafter specified.

Sec. 5. Whenever the duties of the officers of any city with respect to the assessment of property therein for the municipal taxes of such city and to the collection of such taxes, are performed by county officers under the provisions of this Act, the collection of unpaid municipal taxes of such city, levied on any property by such city, shall be enforced by the sale of such property in the same manner and at the same time, and upon the same penalties, as property sold for non-payment of county taxes, and real property so sold may be redeemed within the same time and upon the same terms as property sold for the non-payment of county taxes; and whenever any real property situate in such city has been sold for taxes and has been redeemed, the money paid for such redemption shall be apportioned by the county auditor to, and shall be paid to such city in the proportion which the tax due such city bears to the total tax for which such real property was sold; *provided, however*, that upon the taking effect of any charter, charter amendment, or ordinance to the effect mentioned in section two of this Act, all taxes of such city that shall have been levied prior thereto, including delinquent taxes, shall be collected, the payment thereof enforced in the same manner and upon the same penalties, and property may be sold for the non-payment thereof and may be redeemed from such sale in the same manner and under the same conditions as provided by the laws in force in said city at the time of the taking effect of such charter, charter amendment or ordinance; and such officers of such city as may be provided under the charter or ordinance thereof, shall collect and enforce the payment of such taxes, including delinquent taxes, and do any and all things that may be necessary in the sale of property for the non-payment of such taxes and in the redemption thereof from such sale.

Sec. 6. Whenever any charter provision, or any ordinance of the character mentioned in section two of this Act shall be repealed, the duties authorized by such charter provision or ordinance so repealed to be performed by officers of the county in which such city is situated, shall thereupon cease to be performed by such officers; *provided, however*, that upon such repeal, all taxes of said city that shall have been levied prior thereto, including delinquent taxes, shall, as in this Act provided, be collected, the payment thereof enforced in the same manner and upon the same penalties, and property may be sold for the non-payment thereof and may be redeemed from such sale, in the same manner and under the same conditions as provided by

laws applicable to the collection and enforcement of the payment of county taxes, including delinquent taxes, and to the sale and redemption from the sale of property sold for the non-payment of county taxes; and the officers of such county shall have all the powers and perform all the duties relative thereto as may be provided by law in the case of county taxes and the sale and redemption from sale of property for the non-payment thereof.

SEC. 7. The amount of compensation to be charged by and paid to any county for the performance of services contemplated by the provisions of this Act, for and on behalf of any city in such county, shall be fixed by agreement between the board of supervisors of such county and the legislative body of such city; *provided, however*, that such compensation shall in no event exceed one half of one per cent of all moneys collected for such city as in this Act provided. The board of supervisors shall, by an order spread upon its minutes, direct that the county tax collector and the county treasurer shall deduct from all taxes or moneys in their hands, collected for or on behalf of such city, and before the payment thereof to the treasurer of such city as in this Act provided, the percentage thereof to be charged by such county for the services mentioned in this Act, and such percentage so deducted shall be paid into or transferred to such fund of the county and in such manner as the board of supervisors shall direct.

SEC. 8. This Act shall in no wise affect any other Act or Acts providing that duties of officers of cities may be performed by county officers; and if any such Act or Acts provide for or apply to the performance by county officers of the duties of officers of cities governed under freeholders' charters, this Act is intended to, and does provide an alternative method by which the duties of the officers of any such city with respect to the matters mentioned in section two of this Act may be performed by officers of the county in which such city is situated.

The roll was called, and Senate amendments to Assembly Bill No. 1875 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—57.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled, "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Also: Assembly Bill No. 1066—An Act to amend Section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken to the Supreme Court.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 101?"

On page 1, line 9, beginning with the words "the" strike out all down to and including the word "dollars" in line 2 of page 2, and insert in lieu thereof the following: "The license fee shall be ten dollars for each person."

The roll was called, and Senate amendment to Assembly Bill No. 101 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Roberts, Ryan, Scott, Shartel, Slater, Smith, Strine, Sutherland, Wall, Walsh, Woodley, and Mr. Speaker—51.

NOES—Mr. Schmitt—1.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1066?"

AMENDMENT No. 1.

Amend the title of the printed bill as follows: In line 3 of the title strike out the comma (,) immediately after the word "procedure," and insert the following: "of the State of California."

AMENDMENT No. 2.

On page 1, line 2 of the printed bill, immediately after the word "procedure" and before the word "is," insert the following: "of the State of California."

AMENDMENT No. 3.

On page 1, line 9 of the printed bill, strike out the following: "granting or refusing a new trial, or."

AMENDMENT No. 4.

On page 2, line 4 of the printed bill, strike out the semicolon (;) immediately after the word "made," and insert in lieu thereof a comma (,) and add the following: "and interlocutory decrees of divorce."

The roll was called, and Senate amendments to Assembly Bill No. 1066 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Killingsworth, Kingsley, Kuck, Moorhouse, Mouser, Murray, Nolan, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shartel, Slater, Smith, Strine, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—52.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California relating to municipal corporations—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 81?"

AMENDMENT No. 1.

On page 2, strike out the word "section", at the end of line 4, and the words "eight of this article" in line 5, and insert in lieu thereof the following: "this constitution".

AMENDMENT No. 2.

On page 2, line 6, strike out the words "said section eight", and insert in lieu thereof the following: "this constitution".

AMENDMENT No. 3.

On page 2, strike out the word "said" at the end of line 7, and the words "section eight" at the beginning of line 8, and insert in lieu thereof the following: "this constitution".

AMENDMENT No. 4.

On page 2, line 14, strike out the words "section eight of this Article" and insert in lieu thereof the following: "this constitution".

AMENDMENT No. 5.

On page 2, lines 19 and 20, strike out the words "section seven and one half of this article", and insert in lieu thereof the following: "this constitution."

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 81 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—55.

NOES—None.

Assembly constitutional amendment ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED.)

Senate Bill No. 1765—An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1765 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Smith, Strine, Sutherland, Wall, Walsh, and Woodley—51.

NOES—Messrs. Finnegan and Polsley—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1089—An Act providing for the organization and management of mutual workmen's compensation insurance companies, and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1089 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Kingsley, Libby, McDonald, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Roberts, Ryan, Scott, Smith, Strine, Stuckenbruck, Sutherland, Walsh, and Woodley—44.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution—Providing for a legislative investigation as to an alleged unlawful com-

bination which exists to maintain high and unwarranted prices for fish—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

BROWN, Chairman.

Mr. Brown moved the adoption of the report.

Motion carried.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1669—An Act enabling the expenditure of moneys appropriated by an Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin, and Feather rivers of the State of California, as recommended in the special report of the California Débris Commission, dated June 30, 1907, and made by John Bidder, Lieutenant Colonel, Corps of Engineers. C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Corps of Engineers of the United States Army, and printed with the annual report of the Chief Engineer of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work," approved March 10, 1909, by removing certain conditions contained in and stipulated by said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1669 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, McDonald, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Tulloch, Wall, Walsh, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 589—An Act to amend Section 4021 of the Political Code, relative to elective county and township officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 589 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Mouser, Murray, Nelson, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 342—An Act to amend Section 1582 of the Penal Code of California, relating to wardens and clerks, salaries, etc., in state prisons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1367—An Act defining the powers and duties of physicians, local health officers and boards of health in the matter of protection of the people of the State of California from the disease known as tuberculosis.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1367 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Ryan, Schmitt, Scott, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1749—An Act to amend Section 1196 of the Political Code, relating to providing and printing ballots for elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1749 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Woodley, and Mr. Speaker—48.

NOES—Messrs. Finnegan, and Tulloch—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1489—An Act to amend Section 1760 of the Political Code of the State of California, relating to state aid for high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1489 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, Libby, McDonald, Moorhouse, Mouser, Murray, Nolan, Peairs, Richardson,

Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 278—An Act to amend Section 59 of the Civil Code, relating to marriages that are incestuous and void.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 278 refused passage by the following vote:

AYES—Messrs. Bloodgood, Bowman, Chandler, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Guill, Hayes, Hinkle, Johnson, Geo. H., Judson, McDonald, Moorhouse, Murray, Peairs, Ryan, Scott, Shannon, Simpson, Smith, Strine, Sutherland, Tulloch, Weisel, and Mr. Speaker—29.

NOES—Messrs. Ambrose, Bagby, Beck, Bradford, Brown, Canepa, Cary, Clark, Wm. C., Gabbert, Gates, Libby, Mouser, Nelson, Schmitt, Slater, Stuckenbruck, and Woodley—17.

Senate Bill No. 1768—An Act to amend an Act entitled “An Act to create a preserve for shellfish and invertebrate animals within a portion of the bay of Monterey, and to prohibit taking the same from such preserve for commercial purposes.”

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1768 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Ryan, Schmitt, Scott, Shannon, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1774—An Act to confer upon the Industrial Accident Commission all of the duties, liabilities, authority, powers and privileges conferred and imposed by law upon the Industrial Accident Board, abolishing the Industrial Accident Board, and providing for a transfer of its funds to the credit of the Industrial Accident Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1774 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Peairs, Ryan, Scott, Shannon, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Woodley, and Mr. Speaker—46.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 737—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 737 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Johnson, Geo. H., Judson, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Roberts, Schmitt, Scott, Shannon, Simpson, Smith, Sutherland, Tulloch, Weisel, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 664—An Act to grant relief to persons erroneously convicted of felony in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 664 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Hayes, Hinkle, Johnstone, W. A., Judson, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Roberts, Ryan, Scott, Shannon, Simpson, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—43.

NOES—Messrs. Bradford, Canepa, Nolan, Schmitt, Smith, and Stuckenbruck—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1463—An Act to amend Section 1384 of the Code of Civil Procedure of the State of California, relating to notice of petition to revoke letters of administration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1463 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnstone, W. A., Judson, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Roberts, Ryan, Schmitt, Shannon, Simpson, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1464—An Act to amend Section 1373 of the Code of Civil Procedure of the State of California, relating to setting day for hearing petition for letters of administration, and requisites for notice of application.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1464 refused passage by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bush, Cary, Chandler, Cram, Dower, Ellis, Ferguson, Finnegan, Fitzgerald, Gabbert, Hinkle, John-

son, Geo. H., Johnstone, W. A., Judson, McDonald, Moorhouse, Murray, Peairs, Roberts, Ryan, Shannon, Simpson, Strine, Stuckenbruck, Tulloch, Walsh, Woodley, and Mr. Speaker—33.

NOES—Messrs. Bradford, Brown, Canepa, Farwell, Fish, Gates, Hayes, Kuck, Libby, Mouser, Nelson, Schmitt, Smith, and Sutherland—14.

Senate Bill No. 594—An Act to amend Section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 594 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Mouser, Murray, Nolan, Roberts, Ryan, Schmitt, Scott, Smith, Strine, Stuckenbruck, Sutherland, Wall, Woodley, and Mr. Speaker—43.

NOES—Messrs. Johnson, Geo. H., Kuck, Nelson, and Shannon—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 976—An Act to amend Sections 637 and 638 of the Civil Code, relating to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 976 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Fish, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Strine, Sutherland, Tulloch, Woodley, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 977—An Act to amend Section 633 of the Civil Code, relating to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 977 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Strine, Sutherland, Tulloch, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 938—An Act to amend Section 863 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 938 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Strine, Sutherland, Wall, Woodley and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1776—An Act amending Section 602a of the Political Code of the State of California, relating to the reserve of companies transacting liability insurance business.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1776 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Sutherland, Wall, Weisel, and Woodley—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 35—Relative to acquisition of title under homestead law.

The question being on the adoption of the resolution.

A *viva voce* vote was taken, and Senate Joint Resolution No. 35 adopted.

SENATE JOINT RESOLUTION No. 35.

Relative to acquisition of title under homestead law.

Be it resolved by the senate of the fortieth session of the legislature of California, and the assembly, jointly.

WHEREAS, Sections 2291 and 2297 of the Revised Statutes of the United States, regulating the acquisition of title to public lands under the homestead law, were amended by Act of congress dated June 6, 1912 (37 Stats. 123); and

WHEREAS, The law now requires the cultivation of at least one sixteenth of the land entered before the expiration of two years from the date of entry, and the cultivation of at least one eighth thereof before the expiration of three years from the date of entry and thereafter until the submission of final proof; and

WHEREAS, There is no provision for the grazing of stock in lieu of cultivation on lands chiefly valuable for pasture purposes; and

WHEREAS, Practically all the vacant lands within the Sacramento land district in the State of California are valuable only for grazing purposes and are not susceptible of cultivation; and

WHEREAS, The aforesaid vacant lands should be utilized under the homestead laws by those persons who have made or are entitled to make homestead entries;

Now, therefore, in view of the foregoing we respectfully memorialize our senators and representatives in congress to use all honorable means in securing the enactment of such statute as will better adapt the homestead law to the character of the land still subject to entry and relieve many entrymen, who made their filings under the law as amended, under a misapprehension as to the requirements thereof, thereby promoting the settlement and development of the vast area of public lands subject to entry if grazing of livestock be accepted in lieu of cultivation.

And be it further resolved, That copies of these resolutions be transmitted by telegraph to each of our senators and representatives in congress.

Senate Joint Resolution No. 38—Relative to the use of Yerba Buena Island, in San Francisco Bay, as a union railway terminal, requesting

and directing the State Board of Harbor Commissioners to promote the undertaking, and petitioning Congress to make the necessary cession therefor.

Resolution read.

PREVIOUS QUESTION.

Mr. Ellis moved the previous question.

Motion carried.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Ryan moved a call of the House.

Motion carried.

Time, eleven o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Ambrose, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Hinkle, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, and Mr Speaker—50.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and twenty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Chandler.

The roll of absentees was called, and Senate Joint Resolution No. 38 refused adoption by the following vote:

AYES—Messrs. Ambrose, Bloodgood, Bohnett, Bowman, Bush, Canepa, Chandler, Collins, Cram, Ellis, Emmons, Ford, Hayes, Johnson, Geo. H., Johnston, T. D., Kingsley, Kuck, McDonald, Mouser, Murray, Nelson, Nolan, Polsley, Richardson, Schmitt, Scott, Shannon, Sutherland, Wall, and Walsh—30.

NOES—Messrs. Beck, Bradford, Brown, Cary, Clark, Wm. C., Clarke, Geo. A., Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Moorhouse, Polsley, Roberts, Simpson, Smith, Stuckenbruck, and Weldon—19.

MOTION.

Mr. Schmitt moved that the Assembly adjourn.

Motion lost.

Senate Bill No. 1396—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 597h, providing for the extermination of the ground squirrel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1396 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, McDonald,

Moorhouse, Mouser, Murray, Nolan, Peairs, Roberts, Ryan, Shannon, Simpson, Strine, Sutherland, Tulloch, Wall, Weisel, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 815—An Act to amend Section 4237 of the Political Code of the State of California, relating to counties of the eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 815 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Fish, Gates, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Peairs, Roberts, Strine, Sutherland, Wall, and Mr. Speaker—27.

NOES—Messrs. Bowman, Canepa, Ferguson, Fitzgerald, Ford, Hayes, Johnson, Geo. H., Johnston, T. D., Libby, Murray, Nolan, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Simpson, Stuckenbruck, and Walsh—20.

Senate Bill No. 890—An Act adding a new section to the Penal Code of the State of California, to be known and numbered as Section 508½, relating to embezzlement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 890 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Gabbert, Gates, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Simpson, Strine, Sutherland, Tulloch, Wall, Walsh, and Mr. Speaker—45.

NOES—Mr. Brown—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1778—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1778 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Ellis, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Woodley, and Mr. Speaker—43.

NOES—Mr. Polsley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1090—An Act providing for the creation of the state workmen's compensation insurance rating bureau, defining its powers

and duties and the means and methods to be used in making rates, making provision for the payment of its expense, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1090 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Canepa, Cary, Chandler, Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Scott, Shannon, Simpson, Strine, Sutherland, Tulloch, Walsh, Weldon, and Mr. Speaker—42.

NOES—Messrs. Polsley and Schmitt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1363—An Act to provide for the compilation and printing of the irrigation and reclamation laws of the State of California in pamphlet form.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1363 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weisel, Weldon, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 467—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Weisel moved a call of the House.

Motion carried.

Time, eleven o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Ambrose, Beck, Benedict, Bloodgood, Bradford, Brown, Cary, Chandler, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Hayes, Johnson, Geo. H., Johnston, T. D., Judson, Kingsley, Kuck, Libby, Moorhouse, Murray, Peairs, Polsley, Richardson, Roberts, Schmitt, Scott, Shannon, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, and Mr. Speaker—41.

At eleven o'clock and thirty-two minutes p.m., Mr. Shannon moved that further proceedings under call of the House be dispensed with.

Motion lost.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and thirty-three minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Schmitt.

The roll of absentees was called, and Senate Bill No. 467 refused passage by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bradford, Brown, Cary, Chandler, Clark, Geo. A., Clark, Wm. C., Cram, Ellis, Farwell, Finnegan, Ford, Hayes, Johnson, Geo. H., Judson, Kingsley, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Shannon, Stuckenbruck, Tulloch, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—33.

NOES—Messrs. Ambrose, Ferguson, Fish, Gabbert, Gates, Johnston, T. D., Kuck, Roberts, Schmitt, Scott, and Sutherland—11.

Senate Bill No. 813—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by certain Act approved May 1, 1911, by repealing section three of said last amendment and enacting a new section in the place and stead thereof, which new section shall be numbered thirteen *b*, relating to the practice of medicine and surgery in the State of California, by members of the medical staff of the department of the United States Army or Navy, regular or volunteers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 813 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Richardson, Ryan, Schmitt, Scott, Shannon, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1337—An Act to regulate and license the vocation of hunting wild game birds and animals and to provide therefrom revenue for game preservation and restoration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1337 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Ellis, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 337—An Act to amend Section 3676 of the Political Code of the State of California, relating to the subpoena of witnesses and taking evidence by supervisors of a county when acting as a county board of equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 337 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1751—An Act to amend Section 5 of an Act approved March 11, 1897, entitled "An Act to accept from the Veterans' Home Association the conveyance of and to vest the title in the State of California, to a tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1751 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Mouser, Murray, Peairs, Polsley, Ryan, Schmitt, Scott, Shannon, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1731—An Act to establish a training and vocational school for women and girls, to provide for the maintenance and management thereof, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1731 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley and Mr. Speaker—48.

NOES—Mr. Schmitt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 974—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to pre-

scribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 974 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1213—An Act to amend Section 268 of the Political Code, relating to compensation of members, officers and employees of the Legislature.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1213 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—45.

NOES—Messrs. Johnston, T. D., and Murray—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1239—An Act providing for the dissemination of knowledge among the people of California as the best means of preventing the spread of tuberculosis, and for investigation of its prevalence, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1239 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Cary, Chandler, Clark, Wm. C., Cram, Ellis, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Mouser, Murray, Peairs, Polsley, Roberts, Schmitt, Scott, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1212—An Act to amend Section 245 of the Political Code, relating to the number, designation, election, and appointment of officers and employees of the Senate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1212 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kuck, Moorhouse, Mouser, Murray, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—44.

NOES—Mr. Libby—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1782—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1782 finally passed by the following vote:

AYES—Messrs. Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Pairs, Polsley, Richardson, Ryan, Schmitt, Scott, Shannon, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 459—An Act to amend Section 22½ of an Act entitled “An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds,” approved March 31, 1891. (Amended March 9, 1909.)

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 459 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Mouser, Murray, Pairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Strine, Stuckenbruck, Sutherland, Walsh, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 946—An Act to amend an Act entitled “An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing con-

flicting Acts," approved March 22, 1905, as amended by an Act entitled "An Act to amend an Act entitled 'An Act to provide for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts,' approved March 22, 1905. Statutes of 1905, page 777 thereof." approved March 3, 1909, by amending Section 6 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 946 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Fish, Ford, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Moorhouse, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Sutherland, Tulloch, Wall, Walsh, Weldon, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 172—An Act to provide for the survey, location and construction of a state highway from a point known as the Oregon House, in the county of Yuba, thence to the old town of Greenville, in Yuba County, thence to the North Yuba River, at a point just above the confluence of Woodville Creek with said North Yuba River, thence following the right hand or north bank of the North Yuba River to the town of Goodyear Bar, in Sierra County, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 172 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clarke, Geo. A., Cram, Ferguson, Fish, Ford, Gates, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kuck, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, and Mr. Speaker—41.

NOES—Messrs. Ellis, Farwell, and Gabbert—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1283—An Act to provide for the issuance and sale of state bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, state railroad, spurs, betterments, and appurtenances, and necessary dredging and filling in connection therewith in the city and county of San Francisco; to create a sinking fund for the payment of said bonds; to define the duties of state officers in relation thereto; to make an appropriation of \$5,000 for the expense of printing said bonds; and to provide for the submission of this Act to a vote of the people.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1283 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Fish, Ford, Gabbert, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Mouser, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1748—An Act to amend the Penal Code of the State of California, by adding thereto two new sections, to be known and numbered as Section 349*b* and Section 349*c*, relating to labor unions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1748 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Fish, Gabbert, Hayes, Hinkle, Johnson, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weldon, Woodley, and Mr. Speaker—41.

NOES—Messrs. Benedict, and Johnson, Geo. H.—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1694—An Act to provide for the establishment, construction and maintenance of state rail highways; for the charge, supervision and control thereof by the Department of Engineering of the State of California, and State Engineer, and for the use thereof by persons, partnerships, associations or corporations owning, leasing or operating, connecting, or other railroad lines, or trains and rolling stock, on equal terms as to charges, and equal rights as to privileges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1694 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Ford, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—43.

NOES—Messrs. Ambrose, Benedict, Gabbert, and Schmitt—4.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 2086—An Act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of corporate commissioner and making an appropriation therefor—report that we have met a like committee of the Senate

consisting of Senators Gates, Breed, and Cartwright, and we report that the Committee on Free Conference have agreed to recommend the following:

That said bill, as amended in the Senate May 10, 1913, be amended as follows:

1. In line 5 of the title, strike out the words "corporate commissioner" and insert in lieu thereof the following: "commissioner of corporations".

2. On page 4, line 32, strike out the word "manifestly".

3. On page 5, line 13, strike out the word "manifestly".

4. On page 12, line 4, strike out the word and figures "January 1, 1914." and insert in lieu thereof the following: "November 1, 1913".

And recommend that the bill do pass as amended.

GATES,
BOHNETT,
BENEDICT,
WELDON.

The question being on the adoption of the report.

The roll was called, and report adopted by the following vote:

AYES—Messrs. Ambrose, Beck, Benedict, Bloodgood, Bohnett, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, Wyllie, and Mr. Speaker—44.

NOES—Messrs. Bagby, Ford, Johnson, Geo. H., Libby, Murray, Schmitt, and Shannon—7.

Bill ordered to enrollment.

RESOLUTION.

The following resolution was offered by Mr. Bohnett:

Resolved, That L. B. Mallory, Chief Clerk, or Ed E. Reese, Sergeant-at-Arms of the Assembly, be and they are hereby authorized and directed to receipt for any warrants that may be due members or officers or attachés of the Assembly after the close of the session.

Resolution read, and on motion adopted. .

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1461—An Act to amend Section 4056b of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, and for exhibiting and advertising the resources of counties and of supervisorial districts—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WOODLEY, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1390—An Act to amend Section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on County Government, to whom was referred Senate Bill No. 1391—An Act to amend Section 4277 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the forty-eighth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOODLEY, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Elections, to whom was referred Senate Bill No. 422—An Act to provide for and regulate primary elections and the nomination of candidates for public office and the election of delegates to party conventions and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911, and all Acts amendatory thereof and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BOHNETT, Chairman.

RESOLUTION.

The following resolution was offered by Mr. Sutherland:

Resolved, That Senate Bills Nos. 1390, 1391, 1461, and 422 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Mr. Sutherland moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dover, Ellis, Farwell, Ferguson, Finnegan, Fitzgerald, Gabbert, Gates, Guill, Hayes, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, McCarthy, Moorhouse, Mouser, Murray, Nelson, Nolan, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—56.

NOES—None.

SECOND READING OF BILLS.

Senate Bill No. 1390—An Act to amend Section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1391—An Act to amend Section 4277 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 422—An Act to provide for and regulate primary elections and providing for the election of candidates at such primary elections, and providing the method whereby electors may express their choice at such primary elections for United States Senator, and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911, and the amendments thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1461—An Act to amend Section 4056b of the Political Code of the State of California, relating to the powers of boards of

supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, and for exhibiting and advertising the resources of the counties and of supervisorial districts.

During second reading of the bill, the following amendment was submitted by the committee:

On page 2, line 9, strike out the words "three-fifths", and in lieu thereof insert the words: "two-thirds."

Amendment adopted.

Bill read second time, and ordered on file for third reading.

THIRD READING OF BILLS.

Senate Bill No. 1390—An Act to amend Section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1390 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Gelder, Guill, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, and Woodley—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1391—An Act to amend Section 4277 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1391 finally passed by the following vote:

AYES—Messrs. Ambrose, Beck, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Ellis, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Libby, Moorhouse, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, and Woodley—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1461—To amend Section 4056b of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, and for exhibiting and advertising the resources of the counties and of supervisorial districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1461 finally passed by the following vote:

AYES—Messrs. Bagby, Beck, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Hayes, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kingsley, Kuck, Libby, Murray, Peairs, Roberts, Ryan, Shearer, Simpson, Slater, Smith, Strine, Sutherland, Tulloch, Walsh, and Woodley—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 422—An Act to provide for and regulate primary elections and providing for the election of candidates at such primary elections, and providing the method whereby electors may express their choice at such primary elections for United States Senator, and to repeal an Act entitled "An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator, and to repeal an Act entitled 'An Act to provide for and regulate primary elections and providing the method whereby electors of political parties may express their choice at such primary elections for United States Senator,' approved March 24, 1909," approved April 7, 1911, and the amendments thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 422 finally passed by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Farwell, Finnegan, Gabbert, Gates, Gelder, Guill, Inman, Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Mouser, Murray, Nolan, Peairs, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, and Woodley—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California relating to the duties of the superintendent of schools of each county—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 434?"

In section 7, line 25, strike out the word "state", and insert in lieu thereof the word "county".

The roll was called, and Senate amendment to Assembly Bill No. 434 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson,

Finnegan, Fish, Gabbert, Gates, Gelder, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weldon, Woodley, and Mr. Speaker—46.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1890—An Act to amend Section 1204 of the Political Code of the State of California relating to the manner of voting.

Also: Assembly Bill No. 1935—An Act to amend Section 1105 of the Political Code relating to the cancellation of registrations.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

BY J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1890?"

AMENDMENT No. 1.

On page 1, line 11, of the printed engrossed bill, strike out the word "the" at the end of said line 11, and insert in lieu thereof the following: "any female".

AMENDMENT No. 2.

On page 1, line 12, of the printed engrossed bill, after the word "marriage" at the end of said line 12, add the following: "or divorce".

AMENDMENT No. 3.

On page 1, line 14, of the printed engrossed bill, immediately after the word "marriage" and before the word "and", insert the following: "or divorce".

The roll was called, and Senate amendments to Assembly Bill No. 1890 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Pears, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Walsh, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1935?"

On page 1, line 4, insert a comma (,) after the word "canceled".

Also: On page 1, line 4, immediately after the word "canceled" and before the word "and", insert the following: "the date of such cancellation".

The roll was called, and Senate amendments to Assembly Bill No. 1935 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Pears, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 882—An Act to add a new section to the Penal Code to be designated as Section 378a, relating to the transportation of

offal, swill, garbage, and other refuse from one county or city and county into another county, and providing regulations governing the same.

Also: Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½ with reference to the location of county high schools.

Also: Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 882?"

In line 3, strike out the word "transport" and insert in lieu thereof the words "and deposit".

Also: In line 4, of the title, strike out the words "the carcasses of dead animals".

Also: Strike out the comma following the word "animals."

The roll was called, and Senate amendments to Assembly Bill No. 882 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Strine, Stuckenbruck, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1287?"

On page 1, line 8, strike out the words "board of supervisors" and insert in lieu thereof the following: "county board of education."

The roll was called, and Senate amendment to Assembly Bill No. 1287 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1131?"

AMENDMENT No. 1.

On page 7, line 10, after the word "dollars", insert the word "each".

AMENDMENT No. 2.

On page 9, line 12, after the word "dollars", insert the word "each".

AMENDMENT No. 3.

On page 13, strike out of lines 4 and 5 the words "one deputy who shall be a civil engineer at a salary of one hundred and fifty dollars per month", and insert in lieu thereof the following: "two deputies who shall be civil engineers at a salary of one hundred seventy-five dollars each per month".

AMENDMENT No. 4.

On page 13, line 20, after the word "either", insert the word "as".

The roll was called, and Senate amendments to Assembly Bill No. 1131 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C. Clarke, Geo. A. Cram, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Woodley, and Mr. Speaker—49.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions," approved March 14, 1911, and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1083?"

Strike out of the printed bill after the words "Section 1", the remainder of the bill, and insert in lieu thereof the following:

"An Act entitled 'An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the state board of health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same, or any of the provisions,' approved March 14, 1911, is hereby amended to read as follows:

"SECTION 1. For the purpose of this Act the words 'person, firm, company or corporation, shall include wholesalers, retailers, jobbers, and every place where eggs or butter which have been preserved or kept or placed in storage are sold or offered for sale.

SEC. 2. Every person, firm, company or corporation, who sells or offers for sale any eggs or butter that have been preserved or kept or placed in storage, before so doing, shall cause to be stamped, marked or branded upon both ends or heads of the barrel and upon all sides of each box, case or receptacle holding and containing the same, in blackfaced letters, two inches in length, the word 'storage' and the name of the county and state where produced or made.

SEC. 3. Every person, firm, company or corporation, who sells or offers for sale any eggs that have been in storage in this state, or elsewhere, or have been shipped into or imported into this state, before so selling, shall legibly stamp, mark or brand, or cause to be legibly stamped, marked or branded each egg, on one end thereof, in letters at least one eighth of one inch in height, the word 'storage,' or the word 'imported,' as the fact may be.

SEC. 4. That every person, firm, company or corporation selling or offering for sale any such storage eggs or butter, shall display in a conspicuous place in his or their salesroom, a sign bearing the words 'storage eggs or butter sold here' in blackfaced letters not less than six inches in length, upon a white ground.

SEC. 5. Every person, firm, company or corporation, who shall fail to comply with any of the provisions of this Act is guilty of a misdemeanor and punishable by imprisonment in the county jail for a term not exceeding six months, or fine of two hundred fifty dollars, or by both such fine and imprisonment."

The roll was called, and Senate amendment to Assembly Bill No. 1083 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Brown, Cary, Chandler, Clark, Wm. C. Clarke, Geo. A. Cram, Dower, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1814?"

On page 1, line 9, strike out the words "Section 5 of".

Also: On page 2, line 3, strike out the words "Sections 5, 6, and 7 of".

The roll was called, and Senate amendments to Assembly Bill No. 1814 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Walsh, Weldon, Woodley, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1937—An Act to amend Section 1115 of the Political Code, relating to affidavits of registration.

Also: Assembly Bill No. 1697—An Act to add a new section to the Political Code, to be numbered Section 1083a, relating to the signing of certain petitions and nominating papers.

Also: Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

Also: Assembly Bill No. 1696—An Act to amend Section 1044 of the Political Code, relating to the conduct of municipal elections.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1937?"

AMENDMENT No. 1.

On page 1, line 5, of the engrossed printed bill, strike out all of lines 5, 6, 7 and 8 and insert in lieu thereof the following: "contain the numbers, names, occupa—"

AMENDMENT No. 2.

On page 1, line 10, of the engrossed printed bill, strike out the comma (,) immediately after the word "books" and insert in lieu thereof a period (.).

AMENDMENT No. 3.

On page 1, line 10, of the engrossed printed bill, strike out the word "and" after the word "books" and before the word "shall," and insert in lieu thereof the following: "Such names shall include Christian or given names, the middle name or initial, if any; and if the name be that of a woman, such name shall be preceded by the designation of 'Miss' or 'Mrs.,' as the case may be. The Clerk."

The roll was called, and Senate amendments to Assembly Bill No. 1937 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., John-

ston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weldon, Woodley, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1697?"

AMENDMENT No. 1.

Amend the title of the engrossed printed bill by striking out all of lines 2 and 3 of the title and inserting in lieu thereof the following: "To add a new section to the Political Code to be numbered Section 1083a, relating to the signing of certain petitions and nominating papers."

AMENDMENT No. 2.

Strike out all of the engrossed printed bill after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code to be numbered 1083a, and to read as follows:

1083a. Whenever, by the constitution or laws of this State, any initiative, referendum, recall or nominating petition is required to be signed by qualified electors, only an elector who is a registered qualified elector at the time he signs such petition, shall be entitled to sign the same."

The roll was called, and Senate amendments to Assembly Bill No. 1697 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Ferguson, Finnegan, Fish, Gabbert, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Walsh, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 991?"

On page 1, line 5, strike out the words "ten days" and insert in lieu thereof the word "twice".

Also: On page 1, insert a period (.) immediately after the word "provided" in line 12.

Also: Strike out all of line 12, after the word "provided" and all of lines 13 and 14.

The roll was called, and Senate amendments to Assembly Bill No. 991 were concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bohnett, Bowman, Bradford, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Moorhouse, Mouser, Murray, Peairs, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1666?"

On page 1, strike out all of line 15 after the period (.) immediately following the word "code", and all of line 16.

The roll was called, and Senate amendment to Assembly Bill No. 1666 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Benedict, Bloodgood, Bradford, Brown, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Ellis, Farwell,

Ferguson, Finnegan, Fish, Gabbert, Gates, Guill, Hayes, Hinkle, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kuck, Libby, Moorhouse, Mouser, Murray, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Smith, Strine, Stuckenbruck, Tulloch, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—48.

NOES—None.

Bill ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Free Conference concerning amended Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act—report that we have met a like Committee of the Senate, consisting of Senators Shanahan, Strobridge, and Benson, and we report that the Committee on Free Conference have agreed to recommend the following: That the Senate do recede from Senate Committee Amendments Nos. 1, 3, 4, 5 and 6, and that the Assembly concur in Senate Committee Amendment No. 2.

GUIBERSON,
NELSON,
JUDSON,

Assembly Committee on Free Conference.

BENSON,
STROBRIDGE,

Senate Committee on Free Conference.

The question being on the adoption of the report.

The roll was called, and report adopted by the following vote:

AYES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bowman, Bradford, Brown, Bush, Canepa, Cary, Chandler, Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Hayes, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Schmitt, Scott, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—53.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 250—An Act regulating the use of boxes, barrels, baskets, crates, or other receptacles used in the packing or transportation of fruits.

Also: Assembly Bill No. 252—An Act to add a new section to the Penal Code to be known as Section —, and prohibiting the use of a coil box for the purpose of cooling alcoholic liquids.

Also: Assembly Bill No. 267—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911, relating to the reporting of occupational diseases.

Also: Assembly Bill No. 291—An Act to amend Section 2981 of the Political Code, relating to the meetings of the State Board of Health and the duties of the secretary thereof.

Also: Assembly Bill No. 356—An Act to amend the Penal Code, by adding thereto a new section to be numbered 402g, relating to any physician, nurse or other person, having charge of or in attendance upon, any person or persons having or being afflicted with any contagious, infectious or communicable disease, and prescribing certain duties in relation thereto, and making violations of its provisions a misdemeanor.

Also: Assembly Bill No. 379—An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof.

Also: Assembly Bill No. 704—An Act to amend Section 3012 of the Political Code of the State of California, relating to the general powers of the board of health of the city and county of San Francisco.

Also: Assembly Bill No. 753—An Act to amend Section 1 of an Act entitled "An Act to provide for the reporting of occupational diseases," approved April 21, 1911.

Also: Assembly Bill No. 983—An Act to amend Sections 3, 6, 9, 10, 11, 12, 14, 15, 16, and 20 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907.

Also: Assembly Bill No. 984—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes and to provide penalties for the infraction thereof and to appropriate money therefor," approved May 1, 1911, by adding a new section to said Act, which section shall be numbered 12½, relating to the labeling and registering of the preparations of the United States Pharmacopœia and National Formulary.

Also: Assembly Bill No. 1346—An Act to empower the State Board of Health to require an autopsy under certain conditions of death, and providing the procedure therefor.

Also: Assembly Bill No. 1544—An Act to amend Section 292 of the Penal Code of the State of California, relating to the burial of bodies of deceased persons.

Also: Assembly Bill No. 1557—An Act to amend Section 172 of the Penal Code of California, relating to selling liquor near state institutions.

Also: Assembly Bill No. 1621—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 346a, relating to the protection to any person from indiscriminate, unskilled or careless vaccination or inoculation.

Also: Assembly Bill No. 1622—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 346b, relating to the protection of any person from indiscriminate unskilled or careless vaccination or inoculation.

Also: Assembly Bill No. 1796—An Act to amend Section 3 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, said Section 3 making the standards of purity of food and liquor that proclaimed by the Secretary of the United States Department of Agriculture, and said section as amended providing a standard for ice cream, fruit ice cream and nut ice cream.

Also: Assembly Bill No. 2015—An Act to add a new section to Part I, Title X of the Penal Code, to be known as Section 402f and providing for the regulation of the exhibition of mesmerism, hypnotism, hypnotic suggestion and any and all forms thereof in the State of California.

Have had the same under consideration, and respectfully report the same back, without recommendation.

FITZGERALD, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your committee on Judiciary, to whom was referred Assembly Bills Nos. 3, 17, 46, 67, 77, 87, 89, 102, 104, 108, 119, 120, 121, 122, 123, 124, 128, 155, 167, 168, 170, 187, 210, 216, 219, 233, 242, 243, 244, 245, 273, 275, 284, 287, 298, 307, 314, 319, 320, 323, 337, 338, 342, 343, 348, 351, 354, 361, 362, 363, 378, 381, 396, 403, 404, 405, 409, 421, 422, 424, 427, 428, 431, 454, 456, 457, 462, 479, 484, 486, 487, 495, 515, 539, 542, 543, 544, 547, 548, 558, 561, 589, 590, 591, 604, 606, 611, 622, 630, 631, 640, 641, 664, 669, 686, 691, 706, 723, 727, 733, 738, 740, 748, 749, 755, 757, 759, 760, 765, 767, 768, 769, 800, 811, 819, 825, 826, 827, 831, 840, 848, 851, 853, 854, 863, 866, 867, 868, 870, 871, 872, 873, 874, 877, 885, 893, 905, 916, 921, 923, 924, 928, 931, 936, 940, 941, 942, 951, 959, 967, 968, 969, 972, 985, 987, 994, 1005, 1012, 1018, 1019, 1021, 1026, 1028, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1042, 1044, 1045, 1046, 1047, 1048, 1051, 1073, 1075, 1088, 1092, 1093, 1097, 1098, 1100, 1101, 1102, 1105, 1107, 1115, 1116, 1130, 1138, 1142, 1151, 1155, 1156, 1159, 1160, 1165, 1166, 1167, 1171, 1173, 1174, 1175, 1176, 1177, 1178, 1182, 1184, 1185, 1195, 1197, 1205, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1244, 1245, 1246, 1261, 1262, 1270, 1271, 1301, 1307, 1309, 1321, 1324, 1336, 1337, 1339, 1341, 1342, 1347, 1354, 1357, 1361, 1369, 1380, 1383, 1392, 1397, 1399, 1408, 1417, 1478, 1479, 1485, 1486, 1489, 1490, 1497, 1500, 1501, 1502, 1506, 1510, 1519, 1528, 1533, 1575, 1583, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1593, 1603, 1606, 1618, 1619, 1623, 1630, 1631, 1636, 1640, 1653, 1655, 1673, 1674, 1675, 1676, 1679, 1680, 1681, 1683, 1686, 1687, 1688, 1689, 1690, 1691, 1693, 1694, 1696, 1699, 1702, 1703, 1711, 1743, 1761, 1771, 1772, 1775, 1800, 1801, 1802, 1803, 1819, 1821, 1823, 1824, 1825, 1826, 1827, 1845, 1847, 1856, 1859, 1860, 1861, 1862, 1863, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1881, 1899, 1904, 1905, 1906, 1914, 1915, 1916, 1917, 1924, 1926, 1927, 1941, 1942, 1943, 1946, 1949, 1964, 1965, 1969, 1988, 1989, 1991, 2040, 2041, 2047, 2049, 2050, 2060, 2061, 2076, 2079, 2124, and 2128—have had the same under consideration, and respectfully report the same back, without recommendation.

BENEDICT, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 20—Relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, without recommendation.

BENEDICT, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1264; also, Senate Bill No. 1082; also, Senate Bill No. 821; also, Senate Bill No. 1777; also, Senate Bill No. 363; also, Senate Bill No. 163; also, Senate Bill No. 22; also, Senate Bill No. 48; also, Senate Bill No. 88; also, Senate Bill No. 89; also, Senate Bill No. 90; also, Senate Bill No. 91; also, Senate Bill No. 92; also, Senate Bill No. 98; also, Senate Bill No. 99; also, Senate Bill No. 105; also, Senate Bill No. 112; also, Senate Bill No. 113; also, Senate Bill No. 162; also, Senate Bill No. 187; also, Senate Bill No. 189; also, Senate Bill No. 193; also, Senate Bill No. 194; also, Senate Bill No. 195; also, Senate Bill No. 196; also, Senate Bill No. 209; also, Senate Bill No. 351; also, Senate Bill No. 352; also, Senate Bill No. 478; also, Senate Bill No. 614; also, Senate Bill No. 660; also, Senate Bill No. 662; also, Senate Bill No. 954; also, Senate Bill No. 1192; also, Senate Bill No. 1249; also, Senate Bill No. 1251; also, Senate Bill No. 1282; also, Senate Bill No. 1328; also, Senate Bill No. 1331; also, Senate Bill No. 1515—have had the same under consideration, and respectfully report the same back, without recommendation.

CHANDLER, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, MAY 11, 1913.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 107—An Act to amend the Civil Code of California by adding a new section thereto, to be numbered 510a, relating to equipment of cars of street railroad corporations.

Also: Assembly Bill No. 169—An Act to amend Section 485 of the Civil Code relating to the protection of right of way of railroads.

Also: Assembly Bill No. 215—An Act to amend an Act known as the "Public Utilities Act," approved December 23, 1911, by adding a new section thereto to be numbered 42½, providing for the installation by railroads and street railroads of signalling or warning devices at intersecting streets, highways, and roads.

Also: Assembly Bill No. 293—An Act to amend Section 499a of the Political Code of the State of California, relating to stealing electricity.

Also: Assembly Bill No. 398—An Act to amend Section 30 of an Act entitled "An Act to carry into effect the provision of Section 14 of Article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911.

Also: Assembly Bill No. 835—An Act to protect trade and commerce against unlawful restraints and monopolies.

Also: Assembly Bill No. 850—An Act to amend Section 6 of an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905.

Also: Assembly Bill No. 926—An Act regulating contracts of suretyship between common carriers and their employees, and sureties upon such contracts, and for other purposes.

Also: Assembly Bill No. 949—An Act to amend Section 468 of the Civil Code of the State of California, relating to the construction and operation of railroad corporations.

Also: Assembly Bill No. 960—An Act to amend an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended March 19, 1909, as amended May 1, 1911, by amending section seven of said Act.

Also: Assembly Bill No. 965—An Act to regulate the transportation of passengers by common carriers, and railway companies, and to compel such common carriers and railway companies to provide seats for all passengers carried, and fixing a penalty for failure to so provide seats.

Also: Assembly Bill No. 997—An Act to amend Section 629 of the Civil Code of the State of California, relating to the furnishing of gas, electricity, steam or heat and telephone service in certain cases.

Also: Assembly Bill No. 1003—An Act to amend the Civil Code of California by adding a new section thereto to be numbered 460 and relating to the duties of railroad corporations.

Also: Assembly Bill No. 1059—An Act to amend Section 2184 of the Civil Code of California, relating to common carriers of persons.

Also: Assembly Bill No. 1089—An Act to amend the Public Utilities Act, approved December 23, 1911, amending Section 63 thereof, relating to rates, fares, tolls, rentals, and charges of public utilities.

Also: Assembly Bill No. 1203—An Act to amend Section 603 of the Civil Code of California, relating to religious, social and benevolent corporations.

Also: Assembly Bill No. 1229—An Act entitled "An Act to amend the Civil Code of the State of California, by adding thereto two new sections, to be known as and numbered 630*b* and 630*c*, respectively, both relating to public utilities engaged in the business of furnishing gas, water, electricity, steam, heat or telephone service to or for the public.

Also: Assembly Bill No. 1230—An Act to amend Sections 607, 607*b*, 607*c*, 607*d*, 607*e* and 607*f* of the Civil Code.

Also: Assembly Bill No. 1237—An Act to amend Section 2 of an Act of the Legislature of the State of California, entitled "An Act relating to the acquisition, construction and operation of public utilities by municipal corporations," approved May 1, 1911.

Also: Assembly Bill No. 1240—An Act to amend Section 531 of the Code of Civil Procedure, relating to injunctions to suspend the business of a corporation, the bond, evidence, parties and judgment, in certain classes of injunction suits.

Also: Assembly Bill No. 1241—An Act to define and regulate bond and mortgage companies.

Also: Assembly Bill No. 1393—An Act to amend the Civil Code by adding thereto a section to be known as Section 541, relating to telephones and telephone companies.

Also: Assembly Bill No. 1488—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as Section 604*a*, providing for the formation of religious corporations.

Also: Assembly Bill No. 1513—An Act providing for the time of the payment of wages.

Also: Assembly Bill No. 1560—An Act to amend Section 2 and Section 38 of an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this Act and repealing the Railroad Commission Act, approved February 10, 1911," and also repealing an Act entitled "An Act to amend the Railroad Commission Act by amending Section 15 thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof, relating to free and reduced-rate transportation for freight and passengers," approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act and known as the "Public Utilities Act," approved December 23, 1911.

Also: Assembly Bill No. 1700—An Act to regulate the use of derailing switches or other derailing devices in the operation of railroads in the State of California; providing for the use of signal lights in connection with such derailing switches or devices for the purpose of designating the location of the same to approaching trains, their enginemen and crews; providing penalties for the violation of its provisions, and providing for the enforcement of this Act by the Railroad Commission.

Also: Assembly Bill No. 1793—An Act to provide for the conditional sale of railroad and street railway equipment or rolling stock, to regulate the making and recording of contracts therefor and declaration of the payment or performance thereof and to authorize their recordation in the office of the Secretary of State.

Also: Assembly Bill No. 1836—An Act to compel every person, company, association or corporation carrying on or conducting the business of supplying water in any city, city and county, or town, to supply all the inhabitants thereof.

Also: Assembly Bill No. 1897—An Act to define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business, engaged in and carried on by or through any corporation, firm or person.

Also: Assembly Bill No. 1952—An Act requiring telephone corporations to make such physical connection as to enable any patron or subscriber to communicate by telephone system with every other patron or subscriber on any and all telephone systems; in any city having more than one telephone system and providing penalties for violation thereof.

Also: Assembly Bill No. 1956—An Act to add a new section to the Civil Code, to be known as Section 306, relating to the establishing of a quorum at directors' meetings.

Also: Assembly Bill No. 1957—An Act to add a new section to the Civil Code, to be known as Section 306a, relating to voting at directors' meetings.

Also: Assembly Bill No. 1958—An Act to add a new section to the Civil Code, to be known as Section 318a, relating to the notice calling stockholders' meetings, when such notice is not provided for in the by-laws.

Also: Assembly Bill No. 1959—An Act to amend Section 321b of the Civil Code, relating to proxies at directors' meetings.

Also: Assembly Bill No. 1960—An Act to add a new section to the Civil Code, to be known as Section 320a, relating to waiver of notice by directors of directors' meetings of corporations.

Also: Assembly Bill No. 1961—An Act to amend Section 312 of the Civil Code, relating to stockholders' meetings, and an adjournment thereof for lack of a quorum.

Also: Assembly Bill No. 1962—An Act to provide for the regulation and supervision of investment companies and to create a corporation commission to administer the laws regarding the regulation and supervision of investment companies; providing for the organization of said commission and fixing the penalties for a violation of the provisions hereof.

Also: Assembly Bill No. 1970—An Act to amend Section 287 of the Civil Code of the State of California, relating to the continuance of existence of corporations.

Also: Assembly Bill No. 1972—An Act to amend Sections 653d and 653i of the Civil Code of the State of California, relating to co-operative business associations.

Also: Assembly Bill No. 1974—An Act to amend Sections 602 and 605 of the Civil Code of the State of California, relating to religious, social, and benevolent corporations.

Also: Assembly Bill No. 1975—An Act to amend Section 587a of the Civil Code of the State of California, relating to mining corporations.

Also: Assembly Bill No. 1976—An Act to amend Sections 296, 297, 297a, and 299a of the Civil Code of the State of California, relating to the filing of original articles of incorporation and certified copies thereof.

Also: Assembly Bill No. 1977—An Act to amend Section 592e of the Civil Code of the State of California, relating to corporations for the formation of chambers of commerce, boards of trade, mechanics' institutes, and other kindred associations.

Also: Assembly Bill No. 1979—An Act to amend Section 401 of the Civil Code of the State of California, relating to extension of corporate existence, how made.

Also: Assembly Bill No. 1980—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amending of articles or certificate of incorporation—filing penalty.

Also: Assembly Bill No. 2001—An Act to amend Section 2169 of the Civil Code of the State of California, relating to the duties of common carriers by railroad and carriage of freight thereon.

Also: Assembly Bill No. 2006—An Act to add a new section to the Civil Code of the State of California, relating to the duty of telephone companies within the State of California to install necessary instruments and furnish telephone service upon demand.

Also: Assembly Bill No. 2037—An Act to amend an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, and amended March 3, 1909, by adding thereto a new section, to be numbered "Section 3a."

Also: Assembly Bill No. 2106—An Act to require private corporations, individuals or association of individuals to procure licenses to permit them to continue to maintain pipe lines already constructed for the transportation of crude oil, petroleum or any of the products thereof, for any distance whatsoever across, along, over or under any public highway or public road, which are intended to be used in whole or in part for such purpose for an aggregate distance of thirty-five or more miles, continuously or otherwise, and which pipe lines are not operated as common carriers; and prohibiting the construction of any more such lines for such purpose for any distance whatsoever across, along, over or under any public highway or any public road; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses, and establishing liens to secure same; and fixing penalties for violations of this Act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith; and authorizing certain court proceedings in connection therewith.

Also: Assembly Bill No. 2112—An Act prescribing a certain kind of water glass for use on locomotives, prescribing the penalty for the neglect to use said glass, and defining locomotion in connection therewith.

Have had the same under consideration, and respectfully report the same back, without recommendation.

FISH, Chairman.

ADJOURNMENT.

At twelve o'clock midnight, on motion of Mr. Bohnett, the Assembly was declared adjourned until Monday, May 12, 1913, at ten o'clock and thirty minutes a.m.

IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,
Monday, May 12, 1913.

At ten o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Gelder, Griffin, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, McCarthy, McDonald, Moorhouse, Morgens-tern, Mouser, Murray, Nelson, Nolan, Peairs, Polsley, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stucken-bruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, Wyllie, and Mr. Speaker—77.

Quorum present.

LEAVES OF ABSENCE.

On motion of Mr. Byrnes, Mr. Green was granted leave of absence for the day.

On motion of Mr. Inman, Mr. Hayes was granted leave of absence for the day.

On motion of Mr. Beck, Mr. Palmer was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. Frank K. Baker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Walsh, the further reading was dispensed with.

APPROVAL OF JOURNALS.

On motion of Mr. Bohnett, the Journals of Monday, May 5; Tuesday, May 6; Wednesday, May 7; Thursday, May 8; Friday, May 9; Saturday, May 10; and Sunday, May 11, 1913, were approved as corrected by the Minute Clerk.

HON. W. A. SUTHERLAND IN THE CHAIR.

At ten o'clock and thirty-five minutes a.m., Hon. W. A. Sutherland, Assemblyman from the Fifty-first District, in the chair.

THIRD READING OF SENATE BILLS.

Senate Bill No. 934—An Act to amend an Act entitled "An Act to provide for the regulation of fires on, and the protection and manage-ment of, public and private forest lands within the State of California, creating a state board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry

fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this Act, and making an appropriation therefor," approved March 18, 1905.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 934 refused passage by the following vote:

AYES—Messrs. Beck, Bohnett, Johnstone, W. A., Kuck, Peairs, Roberts, and Sutherland—7.

NOES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bowman, Bradford, Brown, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Farwell, Fitzgerald, Ford, Gabbert, Griffin, Guill, Inman, Johnson, Geo. H., Johnston, T. D., Killingsworth, Kingsley, Moorhouse, Morgenstern, Mouser, Murray, Shearer, Slater, Stuckenbruck, Wall, Walsh, Weldon, and White—30.

SPEAKER PRO TEM. IN THE CHAIR.

At ten o'clock and forty minutes a.m., Hon W. A. Johnstone, Speaker pro tem. of the Assembly, in the chair.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 19?"

AMENDMENT No. 1.

On page 1, lines 13 and 14 of the re-engrossed constitutional amendment, strike out the word "the" at the end of said line 13, and the word "legislature" at the beginning of line 14, and insert in lieu thereof the words "general laws".

AMENDMENT No. 2.

On page 1, line 15 of the re-engrossed constitutional amendment, strike out the words "the legislature", and insert in lieu thereof the words "general laws".

AMENDMENT No. 3.

On page 2 of the re-engrossed constitutional amendment, strike out all of lines 4 and 5, and insert in lieu thereof the following: "tion. Provision for a preferential system of voting at any other primary election may also be made by general laws."

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 19 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Chandler, Clark, Wm. C., Clark, Geo. A., Cram, Dower, Emmons, Farwell, Finnegan, Fish, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Killingsworth, Kingsley, Kuck, Libby, Moorhouse, Mouser, Nolan, Peairs, Polsley, Roberts, Ryan, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Walsh, Weldon, White, Woodley, and Mr. Speaker—55.

NOES—None.

Assembly constitutional amendment order to enrollment.

Also :

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

W. N. PARRISH, Secretary of Senate.
By J. A. BECK, Assistant Secretary.

The above reported Assembly constitutional amendment referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read :

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks—have had the same under consideration, and respectfully report the same back, with recommendation that it be adopted.

CLARK, Chairman.

Mr. Clark moved that the above constitutional amendment be taken up for immediate consideration.

Motion carried.

Senate Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 74 refused adoption by the following vote:

AYES—Messrs. Beck, Bohnett, Bradford, Byrnes, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Finnegan, Fish, Gabbert, Gates, Guiberson, Hinkle, Inman, Johnston, T. D., Johnstone, W. A., Judson, Moorhouse, Roberts, Ryan, Smith, Strine, Sutherland, and Walsh—25.

NOES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bowman, Brown, Canepa, Cary, Chandler, Farwell, Guill, Kingsley, Kuck, Mouser, Nelson, Peairs, Polsley, Schmitt, Simpson, Slater, Stuckenbruck, and Weldon—22.

THIRD READING OF SENATE BILLS.

Senate Bill No. 861—An Act to regulate the business of advertising to treat with, or to sell drugs or herbs, with intent to cure or mitigate disease and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 861 refused passage by the following vote:

AYES—None.

NOES—Messrs. Ambrose, Bagby, Beck, Bloodgood, Bohnett, Bowman, Byrnes, Canepa, Cary, Chandler, Collins, Cram, Dower, Emmons, Ferguson, Finnegan, Fish, Gabbert, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Kuck, Libby, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Ryan, Schmitt, Simpson, Slater, Sutherland, Tulloch, and Wall—41.

Senate Bill No. 1073—An Act to amend Sections 5 and 22 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, said amendments relating to the commitment of dependent or delinquent persons, and to orders made by the court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1073 refused passage by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Brown, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Emmons, Farwell, Finnegan, Fitzgerald, Gabbert, Gates, Gelder, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Nelson, Peairs, Polsley, Roberts, Ryan, Shartel, Slater, Smith, Sutherland, and Woodley—36.

NOES—Messrs. Beck, Bowman, Bush, Byrnes, Cary, Ford, Johnson, Geo. H., Johnston, T. D., Killingsworth, Murray, Nolan, Schmitt, Shearer, Wall, Weisel, Weldon, and White—17.

Senate Bill No. 1372—An Act to add a new section to the Political Code, to be known as Section 4326, relating to the deposit of moneys with county treasurers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1372 refused passage by the following vote:

AYES—Messrs. Ambrose, Benedict, Bloodgood, Bohnett, Bowman, Brown, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Guill, Hinkle, Inman, Johnstone, W. A., Judson, Kingsley, Kuck, Moorhouse, Morgenstern, Nelson, Polsley, Roberts, Shartel, Slater, Smith, Sutherland, and Woodley—34.

NOES—Messrs. Alexander, Beck, Bush, Byrnes, Johnson, Geo. H., Johnston, T. D., Killingsworth, Libby, Murray, Schmitt, Scott, Shearer, Simpson, Stuckenbruck, Wall, Weldon, and White—17.

Senate Bill No. 1724—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1724 finally passed by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Farwell, Finnegan, Fitzgerald, Gabbert, Gates, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Morgenstern, Mouser, Nelson, Peairs, Roberts, Ryan, Shartel, Slater, Smith, Stuckenbruck, Sutherland, Wall, and Woodley—44.

NOES—Messrs. Bradford, Killingsworth, Murray, Polsley, and Schmitt—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 53—A resolution to propose to the people of the State of California an amendment to Section 12 of Article XIII of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 53 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Cram, Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Judson, Kingsley, Kuck, Libby, Moorhouse, Mouser, Nolan, Peairs, Polsley, Roberts, Ryan, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—59.

NOES—Messrs. Murray and Schmitt—2.

Senate Constitutional Amendment No. 53 ordered transmitted to the Senate.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and adopted as amended, Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 62?"

On page 2 of the printed resolution, strike out the period in line 25 and insert a semicolon and the following: *provided, however*, that this section shall not affect such powers of control over public utilities as relate to the making and enforcement of local, police, sanitary and other regulations, other than the fixing of rates, vested in any city and county or incorporated city or town as, at an election to be held pursuant to law, a majority of the qualified electors of such city and county, or incorporated city or town, voting thereon, shall vote to retain, and until such election such powers shall continue unimpaired; but if the vote so taken shall not favor the continuation of such powers they shall thereafter vest in the railroad commission as provided by law; *and provided, further*, that where any such city and county or incorporated city or town shall have elected to continue any of its powers to make and enforce such local, police, sanitary and other regulations, other than the fixing of rates, it may, by vote of a majority of its qualified electors voting thereon, thereafter surrender such powers to the railroad commission in the manner prescribed by the legislature; *and provided, further*, that this section shall not affect the right of any city and county or incorporated city or town to grant franchises for public utilities upon the terms and conditions and in the manner prescribed by law.

The roll was called, and Senate amendment to Assembly Constitutional Amendment No. 62 was concurred in by the following vote:

AYES—Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Cary, Chandler, Collins, Cram, Dower, Ellis, Emmons, Farwell, Ferguson, Finnegan, Fish, Ford, Gabbert, Gates, Gelder, Guiberson, Guill, Hinkle, Inman, Johnson, Geo. H., Johnston, T. D., Johnstone, W. A., Killingsworth, Kuck, Libby, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Roberts, Ryan, Schmitt, Simpson, Slater, Smith, Stuckenbruck, Sutherland, Tulloch, Weldon, Woodley, and Mr. Speaker—55.

NOES—None.

Assembly constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day receded from amendments of May 8, 1913, to Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d, and 626f of the Penal Code of the State of California, relating to the protection of fish and game.

W. N. PARRISH, Secretary of Senate.
By J. A. BECK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments.

Also: Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

Also: Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8, 8a and 8b of, and to add two new sections to be known as Sections 8c and 8d, an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

And respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1561?"

On page 1, line 9, after the period, insert a new sentence as follows: "Provided, however, that the provisions of this section shall not apply to any policy of a mutual fire insurance company."

The roll was called, and Senate amendment to Assembly Bill No. 1561 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Finnegan, Fish, Fitzgerald, Ford, Gabbert, Gates, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Morgenstern, Murray, Nelson, Peairs, Polsley, Schmitt, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Wall, Walsh, White, and Woodley—46.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill 1740?"

On page 1, line 10, strike out the word "thirty", and insert in lieu thereof the word "twenty".

Also: On page 1, line 13, strike out the word "thirty", and insert in lieu thereof the word "twenty".

The roll was called, and Senate amendments to Assembly Bill No. 1740 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Beck, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Bush, Byrnes, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Ellis, Emmons, Farwell, Finnegan, Fitzgerald, Ford, Gabbert, Gates, Hinkle, Johnston, T. D., Johnstone, W. A., Kingsley, Moorhouse, Morgenstern, Murray, Nelson, Peairs, Polsley, Schmitt, Shearer, Slater, Smith, Stuckenbruck, Sutherland, Wall, Walsh, White, and Woodley—45.

NOES—None.

Bill ordered to enrollment.

THIRD READING OF SENATE BILL.

Senate Bill No. 515—An Act authorizing the Superintendent of Public Instruction to employ Jane Brownlee to give a series of lectures on moral education to the teachers of the public schools in various cities in the State, and making an appropriation of \$2,000 for such purpose. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 515 refused passage by the following vote:

AYES—Messrs. Ambrose, Beck, Bohnett, Bradford, Brown, Byrnes, Canepa, Emmons, Ferguson, Finnegan, Gabbert, Gelder, Griffin, Hinkle, Johnson, Geo. H., Johnstone, W. A., Judson, Killingsworth, Kuck, McCarthy, Moorhouse, Morgenstern, Nelson, Nolan, Ryan, Scott, Smith, Sutherland, Weisel, and Woodley—30.

NOES—Messrs. Benedict, Bloodgood, Bowman, Cary, Dower, Fish, Guiberson, Guill, Inman, Johnston, T. D., Libby, Murray, Polsley, Simpson, Slater, Stuckenbruck, Tulloch, and Weldon—18.

HON. H. S. BENEDICT IN THE CHAIR.

At ten o'clock and forty-five minutes a.m., Hon. H. S. Benedict, Assemblyman from the Sixty-third District, in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1062—An Act regulating the hours of employment in underground mines or any underground workings, whether for the purpose of tunneling, making excavation or to accomplish any other purpose or design, or in smelting and reduction works.

W. N. PARRISH, Secretary of Senate.

By J. A. MILLER, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII, relating to revenue and taxation.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

The above Assembly constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to adopt Assembly Constitutional Amendment No. 22—A resolution

to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of the State of California, relative to the compensation of members of the Legislature.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, an amendment to Section 23a of Article IV of the Constitution of the State of California relating to the limitation of expense for officers and employees of the Legislature.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The above Assembly constitutional amendment ordered to enrollment.
Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California relating to municipal corporations.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The above Assembly constitutional amendment ordered to enrollment.
Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 150—An Act to amend Section 739 of the Political Code, relating to the salaries of officers connected with the Supreme Court.

W. N. PARRISH, Secretary of Senate,
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 983—An Act to amend Section 103 of the Code of Civil Procedure relating to justices of the peace.

Also: Senate Bill No. 1085—An Act to amend Sections 3764, 3771, 3787, 3897, and 3898 of the Political Code of the State of California, and to add to said Political Code two new sections, to be numbered 3773 and 3785b, all relating to property sold to the State for delinquent taxes and providing for its disposal by sale and redemption.

Also: Senate Bill No. 1735—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Also: Senate Bill No. 1519—An Act providing for the payment by the employer, or by his insurance carrier, of a death benefit to the State when an employee is killed by accident and leaves no person dependent upon him for support, or leaves persons partially dependent, providing for the enforcement of the Act, fixing penalties for failure to comply therewith, defining insurance carrier, creating a fund for the reception of such payments and providing how and for what purpose such fund shall be expended.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 1461—An Act to amend Section 4056b of the Political Code of the State of California, relating to the powers of boards of supervisors and giving such boards authority to levy a special tax for the purpose of raising funds for making exhibits at domestic or foreign expositions, and for exhibiting and advertising the resources of counties and of supervisorial districts.

Also: Senate Bill No. 587—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered 550a, relating to the furnishing of water for family use.

Also: Senate Bill No. 1472—An Act to add a new section to the Penal Code of the State of California, to be numbered 636½, to prevent the use or possession of

lompata nets, paranzella nets, trawl or drag nets, and providing the penalty therefor.
Also: Senate Bill No. 286—An Act to amend Section 857 of the Civil Code, relating to express trusts.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 395—An Act to amend Section 4185½ of the Political Code of the State of California, authorizing the boards of supervisors of the several counties of this State to declare innavigable streams highways for the purpose of fishing, and providing for the use of the same.

Also: Senate Bill No. 1757—An Act to amend Section 1332 and Section 1333 of the Political Code of the State of California and to add four new sections thereto, to be numbered 1334, 1335, 1336 and 1337 relating to the election of Senators in Congress, and to repeal an Act entitled "An Act providing for placing the names of candidates for United States Senator in Congress upon the official ballot at general elections, for counting, canvassing and making returns of the votes therefor, providing the method of notifying the Legislature of the results of such election, and defining the duties of certain officers in relation thereto," approved April 7, 1911.

Also: Senate Bill No. 367—An Act to amend Section 977 of the Code of Civil Procedure of the State of California, relating to the transmission of papers to appellate courts.

Also: Senate Bill No. 789—An Act to amend Section 10 of the Political Code of the State of California relating to holidays.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2131—An Act to add a new section of the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Also: Assembly Bill No. 1252—An Act prohibiting the destruction of food stuffs, food products or food articles.

Also: Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau for the purpose of regulating barbers and their occupation and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants and necessary clerical, expert, and other assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference on Assembly Bill No. 2086—An Act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of corporate commissioner and making an appropriation therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 790—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Also: Senate Bill No. 514—An Act to amend Section 599c of the Penal Code of the State of California, relating to old, diseased or disabled animals.

Also: Senate Bill No. 1004—An Act providing for the sanitary regulation in the use of cups, soap and brushes, in public barber shops and shaving parlors, and providing a penalty for the violation thereof.

Also: Senate Bill No. 791—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Also: Senate Bill No. 291—An Act to amend Sections 276, 277, and 279 of the Code of Civil Procedure, relating to the admission and license of attorneys and counselors at law, and to add three sections to said code, to be known as Sections 276a, 276b, and 276c, relating to the same subject, and making an appropriation to carry out the purposes of this Act.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage, as amended in Senate, to Assembly Bill No. 1306—An Act to protect the health of underground workers in mines and tunnels, and regulating the use of drills driven by mechanical power and the forcing out of underground mines and tunnels smoke and gases generated by blasting powder and other explosives, and the ventilating of said mines and tunnels, and prescribing penalties for the infraction of such regulations, and declaring that such infraction constitutes gross negligence in case of actions for damage to health of employees.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

SPEAKER IN THE CHAIR.

At ten o'clock and fifty minutes a.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 737—An Act to provide for obtaining architectural services for the erection of public buildings and other structures for counties, municipal corporations, districts, and other public corporations, for the appointment of architects for such buildings, and repealing an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872, and all Acts, other Acts and parts of Acts in conflict with this Act—and respectfully request your honorable body to recede from said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly recede from its amendments to Senate Bill No. 737.

The roll was called, and the Assembly refused to recede by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Chandler, Clarke, Geo. A., Cram, Dower, Farwell, Finnegan, Fish, Gabbert, Johnson, Geo. H., Judson, McDonald, Moorhouse, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Ryan, Scott, Shartel, Simpson, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weisel, Weldon, White, Woodley, and Mr. Speaker—41.

Bill ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Hans, Regan and Beban as a Conference Committee to confer with a like committee from your honorable body concerning Senate Bill No. 361—An Act to amend Section 652½ of the Penal Code, relating to the protection of steelhead trout.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

REPORT OF COMMITTEE ON INVESTIGATION OF SECRETARY OF STATE.

Mr. Chandler moved that the report be received and the committee discharged.

Motion carried.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Brown, Roberts and Libby as a Committee on Conference concerning Senate Bill No. 737.

RECESS.

At ten o'clock and fifty-five minutes a.m., on motion of Mr. Bohnett, the Assembly was declared at recess until eleven o'clock and ten minutes of this day.

REASSEMBLED.

At eleven o'clock and ten minutes a.m., the Assembly reconvened. Speaker Young in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520 and 1521 of the Political Code of the State of California, creating a state board of education, and prescribing its powers and duties; providing for the appointment of three assistant superintendents of public instruction and defining their duties; providing for the compensation of members of the state board of education and the assistant superintendents of public instruction; providing for the publication, compilation, manufacture and distribution of state school text-books; repealing Sections 1522, 1874 and 1874a of the Political Code of the State of California, relating to the traveling expenses of the members of the state board of education, to the publication and distribution of a system of text-books, the appointment of a secretary of the state text-book committee and his compensation; and repealing all other laws or Acts relating to the publication and distribution of state text-books in conflict with this Act—and respectfully request your honorable body to concur in said amendments.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 836?"

AMENDMENT No. 1.

On page 2, strike out all of lines 1 to 11, inclusive, and insert in lieu thereof the following:

"1517. There is hereby created a state board of education to consist of seven members, who shall be appointed by the governor and shall hold office for a term of four years; *provided*, that those members first appointed hereunder shall be appointed within thirty days after the taking effect of this Act; one shall be appointed to serve for a term of one year; two for a term of two years; two for a term of three years; and two for a term of four years. Thereafter, all appointments shall be for a term of four years. Should any vacancy occur, such vacancy shall be filled by appointment by the governor, the person so appointed to hold office only for the balance of the period of time that his predecessor in office would have held had no vacancy occurred."

AMENDMENT No. 2.

On pages 6 and 7, strike out all of subdivision "g".

AMENDMENT No. 3.

On page 8, lines 23 and 24, strike out the words "that refuses or neglects," and insert in lieu thereof the words "refusing or neglecting."

AMENDMENT No. 4.

On page 8, line 25, following the word "in", strike out the word "this", and insert in lieu thereof the words "the last preceding."

AMENDMENT No. 5.

On page 2, line 25, strike out the word "this," and insert in lieu thereof the following: "the last preceding."

Also: On page 9, lines 20 and 21, strike out the words "or for compiling such matter therein contained, and said price," and insert in lieu thereof the following: "and said price to which has been added ten per cent of such price to cover overhead expense."

Also: On page 9, line 29, strike out all following the word "books" through lines 29 to 34, inclusive, and insert in lieu thereof the following: "which price shall be established by said board of education."

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Smith moved a call of the House.

Motion carried.

Time, eleven o'clock and fourteen minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called and the following answered to their names:

Messrs. Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Fish, Gabbert, Gelder, Guill, Hinkle, Inman, Johnson, Geo. H., Judson, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Murray, Nelson, Pairs, Polsley, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, White, Woodley, and Mr. Speaker—51.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Smith.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 836 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Benedict, Bloodgood, Bohnett, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Dower, Emmons, Fish, Gabbert, Gelder, Guill, Hinkle, Inman, Judson, Kuck, McCarthy, McDonald, Morgenstern, Mouser, Pairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Sutherland, Wall, Walsh, White, Woodley, and Mr. Speaker—44.

NOES—Messrs. Bowman, Bradford, Clarke, Geo. A., Johnson, Geo. H., Murray, Nelson, Schmitt, and Weldon—8.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California, to be known as Section 2567a, relating to the waiver of fraud and irregularities in insurance policies and the time for payment.

Also: Assembly Bill No. 1750—An Act to amend Section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1739?"

On page 1, strike out all of lines 11, 12, and 13.

Also: On page 1, line 10, strike out the comma after the word "states," and insert in lieu thereof a period.

The roll was called, and Senate amendments to Assembly Bill No. 1739 were concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Fish, Gabbert, Hinkle, Johnson, Geo. H., Judson, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Peairs, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—44.

NOES—None.

Bill ordered to enrollment.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1750?"

On page 3, strike out all of lines 5 and 6, and insert in lieu thereof the following: "employed in any capacity by the county, city and county, incorporated city or town in which an election is held, within ninety days preceding such election".

The roll was called, and Senate amendment to Assembly Bill No. 1750 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Byrnes, Canepa, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Fish, Gabbert, Guill, Hinkle, Johnson, Geo. H., Judson, Kuck, Libby, McCarthy, McDonald, Mouser, Nelson, Peairs, Roberts, Ryan, Scott, Shannon, Shartel, Simpson, Slater, Smith, Strine, Stuckenbruck, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 12—A joint resolution requesting the Congress of the United States to appropriate money to construct an efficient and practical fishway in the Derby dam in the Truckee River, Nevada.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The above Assembly joint resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2139—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

W. N. PARRISH, Secretary of State.
By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1136—An Act appropriating money to be expended by and under the direction of the department of engineering for the purpose of rectifying the channel of Napa River, in Napa County, and improving the navigability of such stream in said county and for acquiring land for necessary rights of way.

Also: Assembly Bill No. 2068—An Act to amend Section 1 of an Act entitled "An Act to provide for the alterations of the boundaries of, and for annexation of territory to incorporated towns and cities and for the incorporation of such annexed territory in and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1193—An Act to amend an Act entitled "An Act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

W. N. PARRISH, Secretary of State.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purposes of the Act and for disbursing the same.

Also: Assembly Bill No. 1554—An Act to add a new section to the Civil Code to be numbered Section 617 relating to the disposition by cemetery corporations of the unclaimed ashes or bodies of deceased persons.

Also: Assembly Bill No. 2123—An Act appropriating money to pay the claim of Joseph Nelligan against the State of California.

Also: Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2039—An Act to prohibit hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from allowing "tips" to be given to the employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping car companies from receiving same.

Also: Assembly Bill No. 1285—An Act to amend Section 1577 of the Political Code of the State of California with reference to the formation of new petition for changing boundaries of old joint districts.

Also: Assembly Bill No. 1352—An Act to amend Sections 764 and 862 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under Title XVI thereof to be numbered 681, prohibiting the use of cruel and unusual punishments in state prisons and reformatory institutions.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 957—An Act to amend Section 435 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors.

Also: Assembly Bill No. 2125—An Act appropriating money to pay the claim of Frank P. Cady against the State of California.

Also: Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2293, 2295, 2295a, and 2300, and by repealing Section 2303 thereof.

Also: Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1052—An Act relating to hotels, making it the duty of every owner, manager or person in charge of any hotel to provide sheets of certain dimensions and individual towels for the guests of such hotel, and providing a penalty.

Also: Assembly Bill No. 447—An Act to amend an Act entitled "An Act to prevent the waste and flow of water from artesian wells and prescribing penalties therefor,

and defining waste and artesian wells," approved March 6, 1907, and all Acts amendatory thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2074—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

Also: Assembly Bill No. 1684—An Act to amend the title and an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

Also: Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing a means for the abatement of such nuisance, and collecting the cost of removing such weeds from the owners of abutting land.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1855—An Act to amend Section 4290 of the Political Code of the State of California, relating to fees and salaries of county officers.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1559—An Act providing for the construction and maintenance by the State of state aid highways in counties and towns.

Also: Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association.

Also: Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the objects and changing the name of the California Institution for the Deaf and the Blind.

Also: Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 992—An Act to amend Sections 1560 and 1564 of the Political Code, relating to teachers' institutes.

Also: Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California, defining the powers and duties of boards of school trustees and city boards of education.

Also: Assembly Bill No. 2137—An Act authorizing the trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco, the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco, and making an appropriation for the establishment and maintenance of the same.

Also: Assembly Bill No. 2110—An Act to amend Sections 1, 2, 8, and 24 of an Act entitled, "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of construction, repairing and maintaining such improvements," approved March 13th, 1909.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2053—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Also: Assembly Bill No. 644—An Act granting to the town of Emeryville, the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, to the town of Emeryville, and regulating the management, use, and control thereof.

Also: Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relating to the distribution of the laws, resolutions and Journals of Legislature; of reports of Supreme Court.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

Bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 743—An Act to amend an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending Section 15 thereof, relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof, relating to free and reduced-rate transportation for freight and passengers,' approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act," by amending Section 47 thereof, so as to provide that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county, city and county, incorporated city or town, or municipal water district for the taking in eminent domain proceedings of any existing public utility or lands, property and rights of any character whatsoever connected with such existing public utility, or any part or portion thereof.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 38—Relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of dependency and delinquency, both as to cause and as to effect, and the need, if any, of amending the juvenile court law.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Assembly concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 534—An Act to amend Section 412 and Section 413 of the Political Code of California relating to the appointees of the Secretary of State, and the salaries of the same.

Also: Assembly Bill No. 1484—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report and providing for the punishment thereof.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 29—An Act to amend sections 2651, 2654, and 2655, of the Political Code of the State of California, relating to the levy and apportionment of road tax.

Also: Assembly Bill No. 1574—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered Section 121a, providing for a jury trial in certain cases of contempt.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 813—An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 813?"

In Section 1, line 1, after the word "person", insert the words "over the age of eighteen years".

The roll was called, and Senate amendment to Assembly Bill No. 813 was concurred in by the following vote:

AYES—MESSRS. Alexander, Ambrose, Bagby, Bloodgood, Bohnett, Bowman, Bradford, Canepa, Cary, Chandler, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Finnegan, Fish, Gabbert, Gelder, Guill, Hinkle, Johnson Geo. H., Johnston, T. D., Judson, Kuck, Morgenstern, Mouser, Murray, Nelson, Nolan, Peairs, Richardson, Roberts, Ryan, Schmitt, Scott, Shannon, Shartel, Shearer, Simpson, Slater, Stuckenbruck, Sutherland, Walsh, Weldon, and Mr. Speaker—45.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed Senators Strobbridge, Cogswell and Mott as a Conference Committee to confer with a like committee from your honorable body in relation to Senate Bill No. 737—An Act to amend Section 1251 of the Code of Civil Procedure of the State of California, relating to the condemnation of private property for public use and the payment of money therefor.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 40—Relative to setting apart a district of land in Butte County, State of California, as a national park, and memorializing the Congress of the United States to create such national park.

Also: Senate Joint Resolution No. 42—Requesting the President of the United States to propose to the governments of the world the negotiation of an international congress for the conservation of wild life to be held during the session of the Panama-Pacific International Exposition.

W. N. PARRISH, Secretary of Senate.
By J. A. BEEK, Assistant Secretary.

SENATE JOINT RESOLUTION No. 42.

Requesting the President of the United States to propose to the governments of the world the negotiation of an international congress for the conservation of wild life to be held during the session of the Panama-Pacific International Exposition.

WHEREAS, The advance of civilization with the consequent closer occupation of the land and the more extensive exploitation of the native fauna for many purposes renders the protection and preservation of the wild life a problem of ever increasing importance and urgency; and

WHEREAS, The interest in this problem is not confined to our own nation, but is shared, not only by the other North American countries, but by all the nations of the earth; therefore, be it

Resolved by the Senate and Assembly, jointly, That California does hereby request the President of the United States to propose to the governments of the world the negotiation of an international congress for the conservation of wild life, to be held during the session of the Panama-Pacific International Exposition in San Francisco in 1915.

The question being upon the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 42 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Brynes, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Fish, Gabriel, Guill, Hinkle, Johnson, Geo. H., Judson, Kuck, Libby, McCarthy, McDonald, Mouser, Murray, Nelson, Peairs, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—42.

NOES—None.

Senate Joint Resolution No. 42 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 40.

Relative to setting apart a district of land in Butte County, State of California, as a national park, and memorializing the Congress of the United States to create such national park.

WHEREAS, There has been discovered in Butte County, State of California, a region of great waterfalls, imposing precipices and mammoth trees, including the famous Fall River Falls, Bald Rock Canyon and other points of interest; and

WHEREAS, One of these waterfalls alone has a drop of five hundred feet and others are of almost equal grandeur, thus entitling them to a place among the world's great falls; and

WHEREAS, Owing to the marvelous beauty of this whole region, a movement has been started to set this district apart for the people of the United States as a new wonderland and playground; and

WHEREAS, The territory, situated on the middle fork of the Feather River, included in the six square miles thus desired to be set apart, is now government land; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly. That we hereby memorialize the Congress of the United States to act favorably upon a certain petition numerously signed by citizens of the State of California and of the United States, asking that the district herebefore described be set apart and established as a national park; and be it further

Resolved. That our Senators be instructed and our Representatives in Congress be requested to use all honorable means necessary and appropriate to secure the enactment of the necessary legislation therefor; and be it further

Resolved. That the Governor of the State of California be, and he is hereby requested to transmit a certified copy of these resolutions to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States, and to each of our Senators and Representatives in Congress.

The question being upon the adoption of the joint resolution.

The roll was called, and Senate Joint Resolution No. 40 adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Brown, Brynes, Canepa, Clark, Wm. C., Clarke, Geo. A., Dower, Emmons, Fish, Ford, Gabbert, Gelder, Guill, Hinkle, Johnson, Geo. H., Judson, Kuck, Libby, McCarthy, McDonald, Murray, Nelson, Peairs, Roberts, Ryan, Scott, Shannon, Shartel, Shearer, Slater, Stuckenbruck, Sutherland, Wall, Walsh, Weldon, Woodley, and Mr. Speaker—43.

NOES—None.

Senate joint resolution ordered transmitted to the Senate.

GOVERNOR'S MESSAGE.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, CAL., May 12, 1913.

To the Legislature of the State of California:

Again, in the closing hours of a session of the Legislature of the State of California, in the usual parting message of the executive, I feel that you and the people of our State are to be congratulated. This session has been one of peculiar stress, singularly trying. With a virulence, a hostility and a mendacity never before equalled in our State, the Legislature and the legislators have been attacked. To-day your answer and that of the administration of California is given to the organized conspiracy of detraction that for the past four months has been endeavoring to poison our people. To-day there is presented to California a record of accomplishment by this Legislature, which, if accomplished in any other state in a decade, would be a matter of wonder and pride. A repetition of something of that which you have done is at once your answer to the "special interest" press of the State, your justification to your constituents and your lasting monument as legislators.

You have presented to the people:

1. A comprehensive "workmen's compensation act," which embodies the philosophy of humanity, that has now taken such deep root in the nation, and under which, without injustice to employers, those who are least able to bear the burden of injury may be fairly compensated. By the insurance clauses of this Act, the cost of the care of the maimed and the injured will rest lightly.

2. The "minimum wage law" enables us, after appropriate investigation, to give a living wage to those who most require it.

3. You have added to the existing Act providing for orphans and half orphans so that by co-operation with the counties, the State may provide an adequate mother's pension.

4. You have anticipated the problem which will come to us with the opening of the Panama Canal in increased immigration, and by an immigration law that has met the approval of all familiar with the subject, have afforded us the means to meet that problem and wisely solve it, and to care for those who soon shall come among us, and to prevent their congestion in the centers of population.

5. You have passed many Acts improving the sanitary conditions of those who are compelled to labor and providing for their safety, their health and their well-being. Space will not permit the enumeration specifically of all of the Acts of this character, but their design is in the line of enlightened legislation which no longer can be denied.

6. The attempt has been made to conserve the water and the water power of the State in the "water commission bill."

7. Henceforth, merit alone in the civil service you have preserved by the "civil service bill."

8. Investors have been protected and legitimate enterprises fostered by the enactment of a "blue sky law."

9. By various Acts you have endeavored to preserve common honesty in weights and in measures and to require that those who sell shall honestly deliver what they represent they sell.

10. Elections for county officials are taken, so far as law may take them, from the domain of politics; and hereafter, if the design of the bills you have enacted can be carried out, county elections will be non-partisan in character.

11. By an appropriation of half a million dollars you have carried out the mandate of our people in reference to free text-books and provided for the distribution of text-books to the pupils of the State free of cost.

12. The "abatement and injunction bill" is the endeavor of the legislative authority of the State, in earnest to suppress the evil at which it is aimed, and it transfers the burden of the social evil from woman to property.

13. You have endeavored to reorganize the State Board of Education, finally with due and adequate attention to the elementary schools of the State.

14. By various Acts you have sought to ameliorate the conditions of the children who are compelled by dire necessity to toil, or who require the protection of the State. I cannot, within limited space, describe all of the Acts in this regard, but they go forward in behalf of those who most need our nurturing care and protection.

15. You have sanctioned the investigation of the system of rural credits in vogue in European countries and have provided the means for that investigation, so that if desirable, ultimately it may be applied to our State for the benefit of our farmers.

16. By appropriations, commensurate with the needs, you have made the great University of California the laboratory for all the people. In enlarging the University Farm, enabling the best talent to be obtained and giving the money necessary for the tremendously increased work that is contemplated, you have at last placed the University of California close to the soil of the State, and have conferred incalculable benefits upon the farmers and horticulturists of the State.

Of course, a great constructive work cannot be done without great cost. To provide and distribute free text-books will require more than half a million dollars; to put the "workmen's compensation law" into effective operation means the expenditure of some hundreds of thousands; to erect another hospital for the insane in the south, that is rendered absolutely essential by the crowded condition of the State's patients there, requires a quarter of a million or more. In these three items expenditures run over one million dollars, but all are essential and the expenditures will readily be acquiesced in by all patriotic citizens.

I have not attempted to set forth a tithe of that which this Legislature has done. Some only of the more important measures in this parting do I call to your attention. If these measures be "freak measures" and those who have enacted them be "freaks," we may well bear all the odium that may come from the application of that term. With this sort of "freak" legislation, you may return to your constituents with the consciousness of a duty well-performed and with the lasting gratitude of the thinking, unselfish, patriotic people of the State of California.

HIRAM W. JOHNSON, Governor.

May 12, 1913.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolutions Nos. 6, 7, 9, 11, 14, 15 and 26, and Assembly Bill No. 423, have had the same under consideration, and respectfully report the same back, without recommendation.

JOHNSON, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred the following:

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 6 of Article IV thereof, relating to senatorial and assembly districts.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California a new section, to be numbered Section 16a, of Article XI thereof.

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 1 of Article IV thereof, relating to the initiative and referendum.

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 1 of Article XXIII, relating to the recall.

Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California, an amendment to Section 18, Article XX of the Constitution of the State of California, relative to the employment of females in the handling and sale of intoxicating liquors.

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to Section 8, Article XIII of the Constitution of the State of California, relating to statements required to be made by taxpayers to county assessors.

Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to said Constitution to be numbered Section 1a of Article XIII thereof, relating to exempting certain property of educational institutions of collegiate grade from taxation.

Assembly Constitutional Amendment No. 15—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as Section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to Section 16½ of Article XI of the Constitution of the State of California, relative to the deposit of public moneys.

Assembly Constitutional Amendment No. 17—Proposed amendment to Article XIII, Section 14, of the Constitution, relative to property exempt from taxation.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 17 of Article VI thereof, and relating to the salaries of Justices of the Supreme Court and District Courts of Appeal and judges of the Superior Court.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations.

Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 1 of Article VI, relating to judicial powers.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Section 10 of Article XIII, adding a new section to Article II, and repealing Section 14 of Article XIII thereof, all relating to revenue and taxation.

Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section thereto, to be numbered Section 26 of Article VI thereof, and relating to the recall of judicial decisions.

Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 16½ of Article XI thereof, relating to the deposits of moneys belonging to the State or to any county or municipality within the State.

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to Section 19 of Article VI of the Constitution, to provide that judges may charge juries with respect to matters of fact and state the testimony and declare the law.

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to said Constitution to be numbered 26 of Article VI thereof, relating to the powers and duties of courts and judges.

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article IV thereof, relating to sessions of the Legislature.

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof relating to sessions of the Legislature.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 6 of Article VI, relating to the number, organization, terms of office and vacancies of Superior Courts.

Assembly Constitutional Amendment No. 36—A resolution to propose to the people

of the State of California an amendment to the Constitution of the State of California by amending Article XIV thereof relating to water and water rights.

Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to Article VI of the Constitution by adding a new section thereto to be numbered Section 3½, and relating to requests for opinions from the Supreme Court by the Governor or the Legislature.

Assembly Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 3 of Article IV, relating to the election and term of Assemblymen.

Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 5 of Article IV, relating to the number and classes of Senators.

Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 2 of Article IV, relating to sessions of the Legislature.

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 4 of Article IV, relating to the election and term of Senators.

Assembly Constitutional Amendment No. 42—A resolution to propose to the State of California an amendment to the Constitution of the State of California by amending Section 7 of Article I thereof, relating to the right of trial by jury in civil and criminal cases, describing the number of jurors and the number of jurors necessary to render a verdict.

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 1 of Article II, relating to who may vote.

Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution by the addition of a new section to Article V, to be numbered Section 21, relating to the State Board of Control.

Assembly Constitutional Amendment No. 48—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XX thereof, to be numbered Section 22, relating to the issuance of state bonds to create a fund for the purchase of the bonds of irrigation, reclamation and drainage districts.

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article X two new sections, to be numbered Section 7 and Section 8, relating to indeterminate sentence.

Assembly Constitutional Amendment No. 50—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 1 of Article IV, relating to legislative department.

Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to Section 14 of Article XIII of the Constitution of the State of California, relating to the exemption of certain property from taxation.

Assembly Constitutional Amendment No. 53—A resolution to propose to the people of the State of California an amendment to Section 12, Article XIII, of the Constitution of the State of California, relating to poll tax.

Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 18 of Article XI thereof, relating to restrictions on the power of counties, cities and other subdivisions of the State to incur indebtedness.

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to Section 16 of Article XX of the Constitution of the State of California, relating to term of offices when not fixed by the Constitution.

Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 1 of Article IV of the Constitution of the State, relating to legislative powers.

Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 6 of Article VI, relating to Superior Courts.

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 19, Article XII of the Constitution of the State of California.

Assembly Constitutional Amendment No. 64—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 6, Article IV, relating to senatorial and assembly districts.

Assembly Constitutional Amendment No. 65—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13, Article XX.

Assembly Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 5, Article IV, relating to the number of Senators and Assemblymen and the manner of their election.

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XX thereof, to be designated Section 22, relating to the sale, barter or giving away of spirituous, vinous, malt or fermented liquors in the State of California.

Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XXIII thereof, to be numbered Section 2 of Article XXIII, providing for the recall by the electors of appointive public officers.

Assembly Constitutional Amendment No. 69—A resolution proposing to the people of the State of California an amendment to Section 19 of Article XI of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations.

Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding to Article II a new section, to be numbered Section 7, relating to compulsory voting.

Assembly Constitutional Amendment No. 71—To propose to the people of the State of California an amendment to the Constitution of the State of California, authorizing the change of boundaries between the city and county of San Francisco and the county of San Mateo and the annexation of San Mateo County, or a portion thereof, to the city and county of San Francisco, and to that end amending Article XI of the Constitution of the State of California by adding a new section thereto, to be known as Section 3a.

Assembly Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article IV thereof, by adding a new section thereto, to be numbered Section 24, relating to sessions of the Legislature.

Assembly Constitutional Amendment No. 73—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by amending Section 8 of Article XI thereof, relating to the adoption and amendment of freeholders' charters of the cities containing a population of more than 3,500 inhabitants.

Assembly Constitutional Amendment No. 74—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to be known and designated as Section 8b of said Article XI of the Constitution of the State of California, permitting the amendment of the charter of the city and county of San Francisco, in addition to the method and the times provided in Section 8 of said Article XI of the Constitution, to provide for the granting of franchises to any person, firm or corporation, to supply the inhabitants of the city and county of San Francisco with light, water, power, heat, transportation, telephone service or other means of communication, and to acquire all works installed under any such franchise, as well as franchises granted in pursuance of such charter amendment.

Assembly Constitutional Amendment No. 75—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 19 of Article XI thereof, relating to the establishment and operation of public works in municipal corporations.

Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of the State amending Article XXIII, providing for the recall by the electors, of public officials.

Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 7 of Article IX thereof, relating to boards of education, free text-books, and minimum use of such text-books.

Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section thereto to be known as Section 37 of Article IV thereof, relating to the regulation, prevention or prohibition of the erection, maintenance or display of bill boards, signs and all advertising or sign device.

Assembly Constitutional Amendment No. 80—A resolution proposing to the people of the State of California an amendment of the Constitution of the State by amend-

ing Section 4 of Article VI thereof relating to jurisdiction of Supreme Court and District Courts of Appeal, and Appellate Districts.

Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 2, Article IV of the Constitution of the State, relating to the introduction of bills.

Assembly Constitutional Amendment No. 83—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a section thereto to be known as Section 19½ of Article XI, relating to the acquiring of public works or utilities by municipalities.

Assembly Constitutional Amendment No. 85—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article I thereof, to be designated Section 14, relating to the rights of the people of the State over the public land therein.

Assembly Constitutional Amendment No. 86—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article I thereof, to be designated Section 26, relating to the right of the people of the State to wild game birds and insectivorous birds.

Assembly Constitutional Amendment No. 94—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 15 of Article IV thereof, relating to the origin and passage of bills.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 6 or Article IV thereof, relating to senatorial and assembly districts, and repealing Section 27 of Article IV of said Constitution relating to congressional districts and the formation thereof.

Senate Constitutional Amendment No. 35—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XIII thereof, to be designated as Section 5 of said Article XIII, relating to the exemption from taxation of buildings and lands used for institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children.

And respectfully report the same back, without recommendation.

CLARK, Chairman.

RECESS.

At eleven o'clock and twenty minutes a.m., on motion of Mr. Bohnett, the Assembly was declared at recess until eleven o'clock and thirty minutes a.m. of this day.

REASSEMBLED.

At eleven o'clock and thirty minutes a.m., the Assembly reconvened. Speaker Young in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid—and respectfully request your honorable body to concur in said amendment.

W. N. PARRISH, Secretary of Senate.
By J. A. MILLER, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1017?"

Strike out of Section 1 the words "the above entitled Act" and insert in lieu thereof the following: "An Act entitled 'An Act authorizing any incorporated town,

city, or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county,' approved March 19, 1909."

The roll was called, and Senate amendment to Assembly Bill No. 1017 was concurred in by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bradford, Canepa, Chandler, Dower, Emmons, Farwell, Finnegan, Fish, Gabbert, Guill, Hinkle, Judson, Killingsworth, McDonald, Moorhouse, Morgenstern, Mouser, Murray, Peairs, Polsley, Richardson, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, Woodley and Mr. Speaker—42.

NOES—None.

Bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1053, as amended in Senate—An Act to amend Sections 6, 7 and 12 of an Act entitled "An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, as amended by a certain Act approved March 19, 1909, as amended by a certain Act approved May 1, 1911, said amendment relating to requirements of colleges and applicants to practice medicine and surgery.

W. N. PARRISH, Secretary of Senate.

By J. A. BEEK, Assistant Secretary.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Bohnett:

WHEREAS, There are still a great number of bills to be enrolled and printed and signed by the Governor, thereby necessitating another day's work on the part of the engrossing clerks;

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the appropriation for the pay of officers and employees of the Assembly in favor of and for the amounts set opposite the following named persons:

J. O. Hestwood	\$6 00
M. I. Hoffman	5 00
M. J. Castro	5 00
Harmon Alberry	5 00
E. C. Cramer	5 00
Gilbert Ridran	5 00

And the State Treasurer is hereby directed to pay the same.

Mr. Bohnett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ambrose, Bagby, Benedict, Bloodgood, Bohnett, Bowman, Bradford, Brown, Canepa, Cary, Chandler, Clarke, Geo. A., Dower, Emmons, Farwell, Finnegan, Fish, Gabbert, Guill, Hinkle, Judson, Killingsworth, Kingsley, Libby, McDonald, Morgenstern, Mouser, Murray, Nelson, Peairs, Polsley, Roberts, Ryan, Scott, Shannon, Shartel, Slater, Strine, Stuckenbruck, Sutherland, Tulloch, Wall, Weldon, White, and Mr. Speaker—47.

NOES—None.

By Mr. Sutherland:

Resolved, That the State Printer be, and he is hereby, directed to print 60,000 copies of Senate Bill No. 905 with index and annotations and to deliver the same to the Industrial Accident Board for distribution to persons desiring copies thereof, and that the Industrial Accident Board be requested to assist in the indexing and annotation of said bill.

Resolution read, and on motion adopted.

By Mr. Bloodgood:

WHEREAS, Rev. Frank Baker has shown by his patriotic sentiments, scholarly attainments and religious devotion as manifested in the opening prayers delivered before the Assembly during the fortieth session of the California Legislature, that he is a man of noble ideals and high aspirations; therefore, be it

Resolved, That the Assembly do hereby authorize the State Printer to print one hundred fifty booklets containing his prayers delivered before it this session; and be it further

Resolved, That a copy of said booklet be sent to each member of the Assembly and desk clerks of the House and fifty copies be given to Rev. Frank Baker.

Resolution read, and on motion adopted.

At eleven o'clock and thirty-five minutes a.m., on motion of Mr. Bohnett, the Assembly was declared at recess until eleven o'clock and fifty minutes a.m. of this day.

REASSEMBLED.

At eleven o'clock and fifty minutes a.m., the Assembly reconvened.

Speaker Young in the chair.

ANNOUNCEMENT.

The Speaker announced the appointment of committees to prepare arguments for and against the adoption of proposed Assembly constitutional amendments and proposed Senate constitutional amendments in accordance with the provisions of Section 1195 of the Political Code.

Assembly Constitutional Amendment No. 6, Messrs. Clarke, Geo. H., Smith, and Bush.

Assembly Constitutional Amendment No. 7, Messrs. Gelder, Finnegan, and Chandler.

Assembly Constitutional Amendment No. 19, Messrs. Clark, Wm. C., and Bohnett.

Assembly Constitutional Amendment No. 23, Messrs. Smith and Peairs.

Assembly Constitutional Amendment No. 25, Messrs. Clark, Wm. C., and Gates.

Assembly Constitutional Amendment No. 32, Messrs. Ryan and Benedict.

Assembly Constitutional Amendment No. 47, Messrs. Murray and Bradford.

Assembly Constitutional Amendment No. 60, Messrs. Clark, Wm. C., and Slater.

Assembly Constitutional Amendment No. 62, Messrs. Sutherland, Morgenstern, and Fish.

In accordance with the following Assembly concurrent resolutions the following committees were appointed:

Assembly Concurrent Resolution No. 14, Messrs. Ellis, Johnston, and Guill.

Senate Concurrent Resolution No. 16, Messrs. Bohnett, Shannon, and Bloodgood.

Assembly Concurrent Resolution No. 29, Messrs. Chandler, Johnstone, and Slater.

Assembly Concurrent Resolution No. 31, Messrs. Kuck and Chandler.

Senate Concurrent Resolution No. 29, Mr. Peairs.

Assembly Concurrent Resolution No. 38, Mr. Clark, Wm. C.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Brown:

WHEREAS, There has been an unprecedented demand for copies of bills and other printed matter during the present session of the Legislature; and

WHEREAS, Many requests have already been received for the chaptered laws;

Resolved, That the Chief Clerk be and he is hereby authorized and empowered to have sufficient copies of chapters and other printed matter published to meet the demand.

Resolution read, and on motion adopted.

Also:

Resolved, That this Assembly hereby extends its thanks to the Hon. H. Stanley Benedict and the Hon. W. F. Chandler for the able and just manner and uniform fairness with which they have performed the duties pertaining to the chairmanships of the Judiciary and Ways and Means Committees of this Assembly, and hereby expresses its approval and appreciation of the manner in which they have conducted the business of these committees.

Resolution read, and on motion adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 143—An Act to amend Section 321 of the Penal Code of the State of California, relating to lottery tickets.

Also: Senate Bill No. 677—An Act to amend the Penal Code by amending Section 266 thereof, relating to inveigling or enticing females for the purpose of prostitution or to have illicit carnal connection with any man.

Have had the same under consideration, and respectfully report the same back, without recommendation.

NELSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1913.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 370—An Act to amend Section 264 of the Penal Code by striking out the words "not less than five years" and inserting in lieu thereof the words "not more than fifty years."

Also: Assembly Bill No. 369—An Act to amend Section 261 of the Penal Code relating to the crime of rape.

Also: Assembly Bill No. 359—An Act to add two new sections to the Penal Code to be numbered Sections 260 and 261a and to amend Sections 261 and 264 of said Code, relating to the crime of rape and the punishment thereof.

Also: Assembly Bill No. 419—An Act regulating marriages and the issuance of marriage licenses, prohibiting in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Also: Assembly Bill No. 475—An Act to add two new sections to the Civil Code of the State of California, to be known as Sections 68a and 68b; both relating to marriage.

Also: Assembly Bill No. 1080—An Act to amend Section 412 of the Penal Code, relating to prize fights, by prohibiting sparring exhibitions between negroes and whites.

Also: Assembly Bill No. 1104—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 330b, relating to gambling by the use of cards, dice, billiard balls, pool balls, cues or other devices.

Also: Assembly Bill No. 106—An Act to amend the Penal Code of California by adding a new section thereto to be numbered 327, relating to possession of lottery tickets.

Also: Assembly Bill No. 335—An Act to amend Section 322 of the Penal Code of the State of California relating to aiding lotteries.

Also: Assembly Bill No. 336—An Act to amend Section 323 of the Penal Code of the State of California, relating to lottery offices and the advertising of lottery offices.

Also: Assembly Bill No. 333—An Act to amend Section 320 of the Penal Code of the State of California relating to the punishment for drawing lottery.

Also: Assembly Bill No. 334—An Act to amend Section 321 of the Penal Code of the State of California relating to the punishment for selling lottery tickets.

Also: Assembly Bill No. 1865—An Act to amend Sections 1, 2, 5, 8 and 11 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

Also: Assembly Bill No. 1777—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known and numbered as Sections 63c and 63d, relating to the sale, giving away, or serving of intoxicants on holidays, and prescribing a penalty therefor.

Also: Assembly Bill No. 1778—An Act to prohibit the maintaining of any place for the sale or distribution of alcoholic liquors of any kind, including wine, ale, and beer, within 660 feet of any public school, and providing a penalty therefor.

Also: Assembly Bill No. 1266—An Act to amend Sections 12 and 16 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

Also: Assembly Bill No. 549—An Act to add a new section to the Penal Code of California, to be known as Section 317a, relating to advertising alcoholic liquors on certain buildings and signboards.

Also: Assembly Bill No. 615—An Act to amend Section 172a of the Penal Code of California, relating to the sale of alcoholic liquors near universities.

Also: Assembly Bill No. 762—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto to be numbered Section 308a.

Also: Assembly Bill No. 763—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto to be numbered Section 308c.

Also: Assembly Bill No. 764—An Act to amend Section 397b of the Penal Code of California.

Also: Assembly Bill No. 105—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 397c, relating to the sale or disposal of intoxicating liquors between certain hours.

Also: Assembly Bill No. 1993—An Act to amend an Act entitled "An Act regulating the employment and hours of employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, approved April 14, 1911, as amended, by amending Section 5 thereof.

Also: Assembly Bill No. 1400—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, and as amended by an Act approved April 14, 1911, by amending Section 5 thereof.

Also: Assembly Bill No. 761—An Act to amend Section 308 of the Penal Code of California.

Also: Assembly Bill No. 1830—An Act to amend Section 307 of the Penal Code, relating to the sale and use of opium, and the visiting places where opium is smoked, or the fumes of opium inhaled.

Also: Assembly Bill No. 700—An Act to amend the Political Code of the State of California by adding thereto a new section to be numbered 2185d, relating to the furnishing of narcotic drugs or stimulants to persons committed or paroled under the provisions of Section 2185c of the Political Code of the State of California.

Also: Assembly Bill No. 400—An Act to amend Section 273*g* of the Penal Code of the State of California, relating to children, and to add a new section to the Penal Code to be known and numbered as Section 273*i*.

Also: Assembly Bill No. 376—An Act to amend an Act entitled "An Act in relation to pandering; to define and prohibit the same, and to provide for punishment thereof; for the competency of certain evidence at the trial therefor," approved February 8, 1911.

Also: Assembly Bill No. 118—An Act to add a new section to the Penal Code of the State of California, to be numbered 269*c*.

Also: Assembly Bill No. 276—An Act amending Section 59 of the Civil Code relating to marriages which are incestuous and void.

Also: Assembly Bill No. 2088—An Act to establish a state censorship board to censor vaudeville shows or acts, and to regulate the performance, showing or otherwise exhibiting such vaudeville shows or acts within the State of California, and to punish persons violating the provisions of this Act.

Also: Assembly Concurrent Resolution No. 21—To create a commission of five Senators and five Assemblymen to make a thorough investigation of the white slave traffic, with relation to the alleged low wages paid female help, and any other contributory or resultant causes.

Also: Assembly Bill No. 1249—An Act to add a new section to the Penal Code, to be known as Section 311*a*, relating to theaters, concert halls, moving pictures, moving-picture shows, nickelodeons, and penny arcades or other places of amusement, and fixing the penalty for the violation thereof.

Have had the same under consideration, and respectfully report the same back, without recommendation.

NELSON, Chairman.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution relative to granting reprieves to men confined in the state prisons of this State under sentence of death:

WHEREAS, Thirteen men now confined in the San Quentin and Folsom prisons are under sentence of death by virtue of judicial decree; and

WHEREAS, In the year 1912 an initiative petition, subscribed to by over forty-two thousand qualified electors of the State of California, was duly filed with the Secretary of State, with a view to ultimately abolish capital punishment, but failed of expression by virtue of lapse of statutory time; and

WHEREAS, The California Anti-Capital Punishment League is now circulating an initiative petition relative to the question of the abolition of capital punishment, said petition to place said question on the ballot at the next state election; and

WHEREAS, The execution of the men now under sentence of death in the State of California will but subserve the purpose of arbitrary destruction, and be in accord with a law enacted before equal suffrage obtained; and

WHEREAS, The relieving of the present condemned men until such time as the people of the State of California can express their will at the polls on the question of the abolition of capital punishment will be in accord with the modern doctrines of conservation, and tend to create that regard for the sacredness of human life as is essential to its protection; therefore, be it

Resolved, That the Assembly of the Legislature of the State of California earnestly request the Governor of California to grant reprieves to all men confined in the state penitentiaries awaiting the death penalty until said question of the abolition of capital punishment is determined by the electorate.

Also: The annexed resolutions, to wit: One introduced by Mr. Polsley on April 10, 1913, relative to Fish and Game Commission, and requiring an itemized statement from said commission of certain matters therein referred to.

Also: A resolution introduced by Mr. Brown, relative to order of business of the Assembly.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BROWN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution relative to the appointment by the Governor of a commission to present a memorial to the President of the United States relative to the Japanese in California:

WHEREAS, The progress, happiness and prosperity of the people of a nation depend upon a homogeneous population having mutual aims and high aspirations for the protection of the home, for guarding the interests of labor, for the encouragement of industry and for the dissemination of knowledge;

WHEREAS, The influx from the overpopulated Asiatic nations, of people who are unfit for American citizenship and for assimilation with the Caucasian race, whose

aims and purposes are not in sympathy with our people, has resulted and will result in lowering the American standard of life, the dignity and wage-earning capacity of American laborers and the development of the national qualities needed to accomplish the destiny hoped for by the fathers and patriots of the republic:

WHEREAS, The acquisition and holding of agricultural lands in the State of California and other states of the Union has already disturbed, and will continue if not prevented in some legal way to seriously disturb, the economic and social welfare of the people;

WHEREAS, In the State of California there exists a large number of agricultural communities where the evils growing from such acquisition and holding of agricultural land demand early correction at the hands of the state and nation within the respective jurisdiction of each;

WHEREAS, The Legislature of the State of California, by virtue of its sovereign right in the premises, which rights it hereby asserts, has passed a law intended to remedy this evil;

WHEREAS, There is now in force between the Government of the United States and the Empire of Japan, one of the Asiatic nations affected by the provisions of said law, a treaty granting certain rights and privileges to the citizens of each nation;

WHEREAS, It is reported that the Empire of Japan, one of the contracting parties to said treaty, is alleging that the State of California is exceeding its authority as a state, by the passage of said law;

WHEREAS, Pending consideration by the Legislature of the State of California of such law, the Hon. William J. Bryan, Secretary of State of the United States, representing the President of the United States, in a conference with the members of the Legislature, expressed the following sentiments: "The President has impressed upon me at all times that I should emphasize the fact that his only purpose is to confer with the Legislature as to the national and international phases of the question under consideration, and that he confers not as an unsympathetic friend, but as one who desires to aid to the extent of his ability where he has not only a constitutional duty to perform, but where he may be assumed to be able to judge of the effect of legislation upon our relations with other countries."

WHEREAS, Having full confidence in the patriotic desires of the President of the United States to protect the rights of the people of the several states, and recognizing the obligations imposed upon him as President to maintain the national honor, in behalf of the people of California, the members of the Senate and Assembly express the hope that all questions at issue between the Empire of Japan and the Government of the United States be considered and adjusted by diplomatic means at as early a date as can possibly be arranged consistent with the rights of the two governments and those of the people of the State of California; therefore, be it.

Resolved. That the President of the United States be memorialized to initiate diplomatic negotiations between the United States and the Empire of Japan with a view of adjusting any differences that may exist between the two nations, and also to make effective the desires of the people of the State of California, to stop the further purchase of agricultural lands within the confines of said State: be it further

Resolved. That the Legislature of the State of California also memorializes the Senate of the United States to lend its aid to the people of the State of California in securing the relief they so much desire; be it further

Resolved. That the Legislature of the State of California hereby memorializes the House of Representatives of the United States to lend such assistance in this effort as may be within the rights of that branch of Congress to aid the people of the State of California; be it further

Resolved. That the Governor of the State of California be and he is hereby directed and instructed to appoint a commission of five citizens of the State to proceed to the national capital for the purpose of presenting this memorial to the President of the United States, and to the Senate and House of Representatives thereof, and to use all honorable means to accomplish the objects of these resolutions, and also pending diplomatic negotiations, if initiated, to represent the State of California; and be it further

Resolved. That the Governor be and he is hereby requested to transmit the foregoing to the President, Secretary of State, President of the Senate and Speaker of the House of Representatives of the United States.

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

BROWN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Rules, to whom was referred Assembly Concurrent Resolution No. 16.

Also: Assembly Concurrent Resolution No. 10.

Also: Assembly Concurrent Resolution No. 15.

Have had the same under consideration, and respectfully report the same back, without recommendation.

BROWN, Chairman.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Insurance, to whom was referred Assembly Bill No. 1981—An Act to amend Section 452a of the Civil Code of the State of California, relating to mutual benefit and life associations.

Also: Assembly Bill No. 1982—An Act to amend Section 440 of the Civil Code of the State of California, relating to mutual, life, health and accident insurance corporations.

Also: Assembly Bill No. 1983—An Act to amend the Civil Code by changing the headings of the title to Chapter II of Title II of Part IV of Division First of said Civil Code, and to amend Sections 421 and 429 of said Civil Code, and to repeal Section 432 of said Civil Code forming part of said Chapter II, and to add to said Civil Code a new chapter to be known as Chapter VII of Title II of Part IV of Division First of said Civil Code, relating to title insurance companies.

Also: Assembly Bill No. 1984—An Act to amend an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, by adding a new section thereto to be numbered Section 107, relating to trust companies.

Also: Assembly Bill No. 312—An Act authorizing the Governor to appoint a commission to investigate and report concerning the adoption of a system of old age insurance and pensions, and making an appropriation therefor.

Also: Assembly Bill No. 358—An Act to amend Section 452a of the Civil Code relating to the incorporation of mutual benefit and life associations.

Also: Assembly Bill 1807—An Act to amend Section 611 of the Political Code of the State of California, relating to the publication of an annual statement by insurance companies.

Also: Assembly Bill No. 1853—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city, or other legal subdivision thereof.

Also: Assembly Bill No. 1854—An Act to protect the public against combinations, conspiracies, and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

Also: Assembly Bill No. 1857—An Act to add a new section to the Political Code of California to be numbered Section 594b, relating to the deposit of securities by foreign insurance companies before transacting any business in the State.

Also: Assembly Bill No. 1874—An Act to amend the Civil Code by adding a new chapter to be known as Chapter VIII, of Title II of Part IV of Division First, of said Civil Code, relating to mortgage insurance companies.

Also: Assembly Bill No. 1953—An Act to amend Section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Also: Assembly Bill No. 1907—An Act providing for the organization and management of mutual workmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California.

Also: Assembly Bill No. 1760—An Act to authorize municipal corporations to insure property against loss or damage by fire.

Also: Assembly Bill No. 1657—An Act relating to fire insurance companies doing business in the State of California under any other than their corporate name.

Also: Assembly Bill No. 1596—An Act relating to the compensation of injured workmen in certain industries herein enumerated and the compensation to their dependents where such injuries result in death, creating an industrial insurance department, making an appropriation for its administration, providing for the creation and disbursement of funds for the compensation and care of workmen injured in hazardous employment, providing penalties for the non-observance of regulations for the prevention of such injuries and for violation of its provisions, asserting and exercising the police power in such cases, and, except in certain specified cases, abolishing the doctrine of negligence as a ground for recovery of damages against employers, and depriving the courts of jurisdiction of such controversies.

Also: Assembly Bill No. 1564—An Act to add a new section to the Political Code of the State of California, to be known as Section 611a, relating to the regulation and supervision of insurance rate-making associations.

Also: Assembly Bill No. 1243—An Act to protect the public against combinations, conspiracies and agreements among insurers, whereby rates of insurance are fixed or charged; and to discourage monopoly and encourage competition among persons, firms, corporations and associations engaged in the business of insurance.

Also: Assembly Bill No. 278—An Act to regulate the organization of fraternal insurance associations.

Also: Assembly Bill No. 2023—An Act to add a new section to the Political Code of the State of California to be known and numbered Section 633a, relating to the licensing of insurance brokers.

Also: Assembly Bill No. 1043—An Act to create and provide a plan for the insurance against loss by fire on all public buildings in the State of California, by the State of California, and for the several counties therein; and to create a fire insurance fund for the purpose of reimbursing the State of California and the several counties therein from loss by fire to the public buildings.

Also: Assembly Bill No. 211—An Act to provide a life fund, and for life insurance, and life annuities to the citizens of California, without liability to the State of California other than the administration thereof, and to provide for the control, management and administration thereof by certain state officers, by adding a new section to the Political Code, numbered Section 595b.

Also: Assembly Bill No. 637—An Act to amend Section 622a of the Political Code of the State of California, relating to fire insurance.

Also: Assembly Bill No. 683—An Act to add a new section to the Political Code of the State of California, to be known and numbered 636.

Also: Assembly Bill No. 744—An Act to create a commission to be known and designated as the commission on superannuation and pensions, for the purpose of investigating and reporting to the forty-first session of the Legislature, conditions and remedies in relation to superannuation, dependency due to old age or invalidity, retirement, pension and relief provisions, and kindred subjects; defining its powers and duties and making an appropriation for the expenses of such commission.

Also: Assembly Bill No. 745—An Act to establish a commission for the investigation of the matter of mothers' pension, widows' compensation, old age pensions and state insurance.

Also: Assembly Bill No. 638—An Act to add a new section to the Penal Code of the State of California, to be known and numbered as Section 439a.

Also: Assembly Bill No. 324—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 594b, relating to the deposit of security by fidelity and surety insurance companies organized under the laws of any other state of the United States or of any country outside of the United States, with the Insurance Commissioner of the State of California.

Also: Assembly Bill No. 1127—An Act relating to the compensation of injured workmen in our industries and the compensation to their dependents where such injuries result in death; providing for the administration of this Act and making an appropriation for its administration; providing for the creation and disbursement of funds for the compensation of workmen injured in hazardous employment; providing penalties for the non-observance of regulations for the prevention of such injuries and for violation of its provisions, asserting and exercising the police power in such cases and except in certain specified cases, abolishing the doctrine of negligence as a ground for recovery of damages against employers, and depriving the courts of jurisdiction of such controversies, and repealing sections of Acts in conflict herewith, reserving certain sections thereof.

Also: Assembly Bill No. 1973—An Act to amend Section 425 of the Civil Code of the State of California, relating to fire, marine, and title insurance companies.

Also: Assembly Bill No. 1199—An Act to amend an Act entitled, "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Sections 1, 2, 3, 5, 6, 7, and 8 thereof.

Also: Assembly Bill No. 1242—An Act to promote free competition among those engaged in the business of insurance in this State, by prohibiting combinations among two or more persons, firms, corporations, partnerships or associations, or any two or more of them, for the purpose of fixing or regulating rates of insurance, or fixing or regulating the amount of commissions or compensation to be paid or allowed agents or brokers for securing insurance, or regulating the manner in which the business of insurance shall be transacted in this State, or in any county, city and county, city, or other legal subdivision thereof.

Also: Assembly Bill No. 639—An Act to add a new section to the Political Code of the State of California, to be known and numbered Section 633a.

Also: Senate Bill No. 240—An Act relating to life insurance companies and prohibiting discrimination.

Also: Senate Bill No. 892—An Act for the regulation and control of mutual or benefit associations organized or formed and composed of members of secret societies, lodges or councils exclusively.

Also: Senate Bill No. 893—An Act to repeal Section 630 of the Political Code of the State of California, relating to insurance.

Also: Senate Bill No. 894—An Act to amend an Act entitled "An Act for the regulation and control of fraternal benefit societies," approved May 1, 1911, by amending Section 5 thereof.

Have had the same under consideration, and respectfully report the same back, without recommendation.

KUCK, Chairman.

Also:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 103—An Act to amend Section 465 of the Civil Code of the State of California relating to powers of railroad corporations.

Assembly Bill No. 228—An Act providing for the construction of an addition to the present dining hall and kitchen at the university farm and agricultural school at Davis, and making an appropriation therefor.

Assembly Bill No. 229—An Act providing for the construction of small buildings, and for the repair of the present buildings, at the university farm and agricultural school at Davis, and making an appropriation therefor.

Assembly Bill No. 963—An Act to amend Sections 11 and 18 of an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, relating to the duties of supervisors, the fixing of rates to be paid, and the disposition of property on dissolution of district.

Assembly Bill No. 1228—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead, and providing penalties for the violation thereof.

Assembly Bill No. 1298—An Act authorizing the State Dairy Bureau to draw up regulations and to issue certificates for testing milk or cream in creameries, cheese factories, condenseries, milk depots and other factories of dairy products of the State.

Assembly Bill No. 1318—An Act to amend the Act approved March 11, 1907, entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," by adding a new section thereto, to be known as Section 27.

Assembly Bill No. 1470—An Act to amend Sections 3, 8, 9, 13, 19 and 32 of "An Act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expense of acquiring such land," approved April 22, 1909, and to add a new section to be numbered Section 22a, relating to reassessments.

Also: Assembly Joint Resolution No. 19.—Relative to establishing game refuges in the national forest reserve in the State of California.

And were presented to the Governor May 12, 1913, at ten o'clock a.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 1016—An Act to define and distinguish state highways and state roads and to designate names for certain state roads.

Assembly Bill No. 1066—An Act to amend Section 963 of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken to the Supreme Court.

Assembly Bill No. 1110—An Act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments, and places of amusement, and to provide for the enforcement thereof.

Assembly Bill No. 1126—An Act to provide for a health certificate for marriage: to prevent persons afflicted with certain diseases from entering into the marriage relation; providing a division of marriage and child welfare in the Bureau of Vital Statistics.

Assembly Bill No. 1131—An Act to amend Section 4230 of the Political Code of the State of California, relating to compensation of officers of counties of the first class, their clerks, deputies and assistants.

Assembly Bill No. 1183—An Act to amend Sections 1160 and 1164 of the Political Code, relating to time of opening and closing the polls.

Assembly Bill No. 1287—An Act to add a new section to the Political Code of the State of California, to be known as Section 1738½, with reference to the location of county high schools.

Assembly Bill No. 1323—An Act making an appropriation for the purpose of installing new elevators in the State Capitol building.

And were presented to the Governor, May 12, 1913, at ten o'clock a.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 6—An Act to add a new section to the Penal Code of the State of California to be numbered 631*d* providing for the breeding and sale of American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, bobwhite quail, California valley and mountain quail and all varieties of wild ducks; providing for a license therefor; for the manner of killing, tagging, transportation and sale thereof; for reports; for the fencing of the preserves and for the revocation of licenses.

Assembly Bill No. 8—An Act appropriating money to be expended by and under the direction of the Department of Engineering, for the purpose of rectifying, improving, and dredging the channel of San Rafael Creek.

Assembly Bill No. 13—An Act to make an appropriation for the further construction and improvement of the Alpine state highway.

Assembly Bill No. 16—An Act providing for the free use of all public school-houses and property and to establish a civic center at each and every public school-house in the State of California, and to provide for the maintenance, conduct and management of the same.

Assembly Bill No. 20—An Act to amend Section 4259 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirtieth class.

Assembly Bill No. 22—An Act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors relating to roads, and to repeal Section 2641 of the Political Code.

Assembly Bill No. 26—An Act making an appropriation to construct, furnish and equip a building to be used as a state printing office, and purchasing a site therefor.

Assembly Concurrent Resolution No. 36—Relative to granting to the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fortieth session of the Legislature of the State of California the privilege to absent themselves from the State for a period of more than sixty days.

Assembly Bill No. 56—An Act to amend an Act entitled, "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts; and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending the title and Sections 1, 15, 17 and 18 of said Act and adding a new section thereto, so as to permit the organization of irrigation districts for the purpose of distributing to the individual land owners therein power for pumping water, to provide for the acquisition, development and distribution of electricity or other power by irrigation districts, to provide for the enforcement of by-laws, rules and regulations of such districts and to strike from said Act a provision relating to the assignment of the right to water.

Assembly Bill No. 60—An Act providing for the acquisition of a site for an armory and exposition building at the city of Stockton, California; providing for the appointment of a commission to select and acquire by donation said site; and providing for the erection of an armory and exposition building on said site, and appropriating money therefor.

Assembly Bill No. 65—An Act making an appropriation to pay for services rendered the State of California in the prosecution of criminals in the county of Kern, State of California.

Assembly Bill No. 66—An Act to amend Section 1791 of the Political Code of the State of California, relative to the general powers of the boards of examination of cities and cities and counties.

Assembly Bill No. 71—An Act to amend Sections 1721, 1738, 1739, 1749, 1750, 1755 and 1756 of the Political Code of the State of California, relating to high school districts.

Assembly Bill No. 76—An Act to amend Section 1490 of the Code of Civil Procedure of the State of California, relating to the giving of notice to creditors of the estates of deceased persons.

Assembly Bill No. 79—An Act to amend Section 607*e* of the Civil Code of the State of California, relating to the compensation of societies organized for the prevention of cruelty to animals, or for the prevention of cruelty to children.

Assembly Bill No. 81—An Act to amend the Penal Code of the State of California by adding a new section thereto to be known as Section 396*a*, relating to the driving of vehicles propelled by motor power or by animal power.

Assembly Bill No. 86—An Act appropriating money for building a horse barn, a swine barn, a pavilion, and other farm buildings at the California Polytechnic School.

Assembly Bill No. 99—An Act appropriating money for the purchase of additional land for the Santa Barbara State Normal School of Manual Arts and Home Economics.

Assembly Bill No. 100—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 544a, relating to the service of civil process on all corporations or firms other than state, county, municipal, or district corporations, doing business in more than one county in this State.

Assembly Bill No. 101—An Act to amend Section 3 of an Act entitled, "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Assembly Bill No. 111—An Act appropriating two thousand dollars for the completing of the restoration and rebuilding of the Mission San Francisco de Solano of the city of Sonoma, California.

Assembly Bill No. 164—An Act to amend Section 628f of the Penal Code of the State of California, relating to clams and prescribing a penalty for taking or gathering clams under a certain size, or having more than a certain number in possession during any one calendar day.

Assembly Bill No. 175—An Act to amend Section 759 of the Political Code, relating to the appointment and employment of a phonographic reporter by each of the District Courts of Appeal and prescribing his duties and compensation.

Assembly Bill No. 200—An Act to amend Section 4250 of the Political Code of the State of California relating to the salaries and fees of the officers of the counties of the twenty-first class.

Assembly Bill No. 214—An Act to amend Section 3247a of the Political Code, relating to the purchase of supplies for the State by boards, committees, and other persons.

Assembly Bill No. 218—An Act to authorize the payment of the claim of "Pacific Union Club" against the State of California and making an appropriation therefor.

Assembly Bill No. 223—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Assembly Bill No. 235—An Act to add ten new sections to the Political Code, to be numbered 4225a, 4225b, 4225c, 4225d, 4225e, 4225f, 4225g, 4225h, 4225i, and 4225j, all relating to county boards of health and sanitary inspectors.

Assembly Bill No. 236—An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems.

Assembly Bill No. 249—An Act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles.

Assembly Bill No. 266—An Act appropriating money for the construction of bleachers and for the purpose of playground equipment for the Los Angeles State Normal School.

Assembly Bill No. 282—An Act to amend Section 718 of the Political Code of the State of California, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Assembly Bill No. 285—An Act to provide for locating, surveying and maintaining a highway from Pescadero in the county of San Mateo to the Santa Cruz County line, to connect with a road to the California Redwood Park, and making an appropriation therefor.

Assembly Bill No. 311—An Act to amend Section 4284 of the Political Code of the State of California, relating to salaries of officers in counties of the fifty-fifth class.

Assembly Bill No. 313—An Act establishing a state normal school in Humboldt County, State of California, to be known as "Humboldt State Normal School," and making an appropriation for the maintenance of said school.

Assembly Bill No. 318—An Act to amend Section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Assembly Bill No. 321—An Act to amend Section 1665a of the Political Code of the State of California, relating to the establishment and maintenance of cosmopolitan schools in cities of the first, first and one half, second, and second and one half classes.

Assembly Bill No. 325—An Act to add a new section to the Penal Code of the State of California, to be numbered Section 628g, relating to the protection and preservation of salt-water perch.

Assembly Bill No. 330—An Act to amend Section 980 of the Code of Civil Procedure of the State of California, relating to the powers of Superior Court on appeal.

Assembly Bill No. 341—An Act to amend Section 1218 of the Civil Code, relating to the recording of copies of the record of instruments affecting titles to real property and the effect of such recording.

Assembly Bill No. 346—An Act to amend Section 4253 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the twenty-sixth class.

Assembly Bill No. 367—An Act to amend Section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class.

Assembly Bill No. 372—An Act to amend the Code of Civil Procedure of the State of California by adding thereto a new section, to be numbered 1690: providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

Assembly Bill No. 383—An Act to amend Section 534 of the Political Code of the State of California.

Assembly Bill No. 386—An Act providing for the extension of the agricultural pavilion on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Assembly Bill No. 388—An Act providing for the moving of the horse barns on the State Fair grounds at Agricultural Park, in the city of Sacramento, and making an appropriation therefor.

Assembly Bill No. 389—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Assembly Bill No. 391—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento.

Assembly Bill No. 392—An Act providing for the erection of three additional cattle barns on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Assembly Bill No. 393—An Act appropriating money to provide for the disposal of drainage and sewage from the State Fair grounds in the city of Sacramento.

Assembly Bill No. 395—An Act to provide for the survey of the San Joaquin River above Stockton.

Assembly Bill No. 410—An Act to amend Section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Assembly Bill No. 433—An Act to amend Section 2939 of the Civil Code, relating to the manner of satisfying mortgages by foreign executors, administrators and guardians.

Assembly Bill No. 434—An Act to amend Section 1543 of the Political Code of the State of California relating to the duties of the superintendent of schools of each county.

Assembly Bill No. 451—An Act to amend Section 1195a of the Political Code of the State of California relating to the advertisement of amendments to the Constitution and to the advertisement of questions, propositions and constitutional amendments to be submitted to a vote of the people, and providing for the designation as the same will appear on the ballots.

Assembly Bill No. 459—An Act to amend Section 1197 of the Political Code of the State of California, relating to election ballots, and said section as amended, also providing for the Secretary of State determining the order of placing all questions, propositions, proposed laws and constitutional amendments on the ballot and providing for the preparation of the designation or ballot title by the Attorney General and by a board of title commissioners, created by this Act, if objection be made to the ballot title prepared by the Attorney General, by which all such questions, propositions, proposed laws and constitutional amendments shall be designated on the ballot and providing the procedure therefor.

Assembly Bill No. 464—An Act to amend Section 4254 of the Political Code of California, relating to salaries of officers of counties of the twenty-fifth class.

Assembly Bill No. 470—An Act to provide for the building and construction of a self-propelling snag boat and dredger for the use of the State Department of Engineering, and making an appropriation of fifty thousand dollars therefor.

Assembly Bill No. 471—An Act to provide for the work of the direct improvement of the navigation of the upper Sacramento River of the State of California, and making an appropriation therefor.

Assembly Bill No. 483—An Act to prohibit the desecration of the flag of the United States and to provide a punishment therefor.

Assembly Bill No. 488—An Act to promote the apicultural interests of the State of California, to provide for the appointment of a board of apiary examiners, of a state apiculturist and of county inspectors of apiaries, to define their respective powers and duties, to fix their respective compensations, to appropriate money to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with this Act.

Assembly Bill No. 496—An Act to amend Section 4262 of the Political Code, relating to salaries of officers and fees and mileage of jurors in counties of the thirty-third class.

Assembly Bill No. 503—An Act providing for the licensing and inspecting of charitable and philanthropic associations, societies, corporations and institutions soliciting for their use and benefit moneys, gifts, or donations from the public.

Assembly Bill No. 505—An Act to permit counties to acquire rights of way for state highways and to pay part of the expense of constructing state highways and bridges within their limits and authorizing the State to accept the same.

Assembly Bill No. 507—An Act amending Sections 1 and 3 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" approved March 22, 1909.

Assembly Bill No. 511—An Act to amend Section 370 of the Code of Civil Procedure, relating to parties to civil actions when a married woman is a party.

Assembly Bill No. 513—An Act to amend the Penal Code by adding thereto a new section to be numbered 272a, relating to the selling of children.

Assembly Bill No. 516—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 3804a, relating to the approval or rejection of claims for refund of taxes, penalties and costs by boards of supervisors.

Assembly Bill No. 530—An Act to establish free labor bureaus in the cities of San Francisco, Los Angeles, and Sacramento, under the control and management of the Commissioner of the Bureau of Labor Statistics, and providing for the appointment of an inspector of factories and workshops, and making an appropriation for the expense thereof.

Assembly Bill No. 535—An Act to improve and regulate the milk and cream supply of incorporated cities except in those of the fifth and sixth class and of cities and counties; to promote sanitary methods in the production, handling and marketing of milk and cream intended for consumption within such cities, and cities and counties; to establish within the State of California uniform rules and regulations governing the production, handling and marketing of milk and cream intended for consumption and governing the inspection of dairies from which the same is obtained; to establish municipal milk commissions therein, and to provide a practical method of dealing with tuberculosis among dairy herds supplying milk and cream to any such city, or city and county.

Assembly Bill No. 536—An Act to improve the quality of dairy products and promote sanitary methods in the production and marketing thereof; to prevent fraud and deception in the production and sale of dairy products; to aid in controlling and eradicating tuberculosis and other infectious diseases in and from the dairy herds of the State; to establish uniform standards and uniform rules and regulations governing the production, manufacture and marketing of dairy products; and to appropriate money therefor.

Assembly Bill No. 540—An Act to provide for the erection of two memorial monuments on the battlefield of San Pasqual, San Diego County; appointing a commission therefor and providing an appropriation to carry this Act into effect.

Assembly Bill No. 541—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Assembly Bill No. 550—An Act to amend Section 4286 of the Political Code of the State of California, relating to the county and township officers in counties of the fifty-seventh class.

Assembly Bill No. 554—An Act to amend Section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Assembly Bill No. 556—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as Section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

Assembly Bill No. 563—An Act authorizing municipalities to grant permits for the construction and maintenance of passageways or other structures under or over public alleys for the purpose of connecting buildings located on abutting property.

Assembly Bill No. 570—An Act to amend an Act entitled "An Act to establish and maintain a state hygienic laboratory for bacteriological and chemical analysis for the use of the State Board of Health, providing for the appointment of a director thereof, and assistants; making an appropriation therefor and prescribing the duties of the State Controller and State Treasurer in relation thereto," approved March 18, 1905, and relating to the state hygienic laboratory.

Assembly Bill No. 573—An Act to amend an Act entitled "An Act to protect domestic livestock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending Sections 2, 3, 4, 5, 6 and 7 thereof, by adding a new section thereto to be known and numbered as Section 64, and repealing Section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarian, and fixing salaries, and prescribing penalties for violations of this Act.

Assembly Bill No. 576—An Act to amend Section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Assembly Bill No. 580—An Act to amend Section 628c of the Penal Code of the State of California, relating to young fish, private ponds, and hatchery streams.

Assembly Bill No. 592—An Act to add a new section to the Political Code of the State of California, to be known as number 2982a, providing for a sanitary engineer to the State Board of Health, and fixing his salary.

Assembly Bill No. 593—An Act to amend Section 3075 of the Political Code relating to the office of State Registrar of the Bureau of Vital Statistics and the State Board of Health and providing for deputies, clerks, and assistants and their compensation.

Assembly Bill No. 594—An Act making an appropriation for the location and survey of a proposed highway to connect the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Assembly Bill No. 510—An Act to amend Section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Assembly Bill No. 600—An Act to create the office of attorney for the State Bureau of Labor Statistics.

Assembly Bill No. 612—An Act to amend Section 4278 of the Political Code of the State of California relating to the compensation of officers of counties of the forty-ninth class.

Assembly Bill No. 623—An Act to amend that certain Act entitled "An Act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and to provide penalties for the infraction thereof, and to appropriate money therefor," approved May 1, 1911, by amending Sections 8, 9, 11, 13, 14, and 18 thereof, and by repealing Section 12 thereof and by adding two new sections to said Act, which sections shall be numbered 12 and 12½, relating to the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes, and providing for the branding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes in certain cases.

Assembly Bill No. 628—An Act to validate the organization and incorporation of municipal corporations.

Assembly Bill No. 634—An Act making it the duty of the State Board of Charities and Corrections to prescribe forms of record for the use of county hospitals and almshouses, county jails and city prisons; and authorizing such board to furnish such records; and making the neglect or failure on the part of superintendents and jailers in charge thereof to keep such records a misdemeanor.

Assembly Bill No. 642—An Act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this Act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the period for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this Act; defining certain words and terms used in this Act; repealing all acts or parts of Acts in conflict with this Act; declaring how this Act shall be known; making legislative declaration concerning those parts of this Act which may not be declared unconstitutional.

Assembly Bill No. 643—An Act creating a state board of forestry; prescribing its powers and duties; creating the office of State Forester and providing for the appointment and revocation of appointment of a proper person thereto and the certification of his qualifications; prescribing the power and duties of the State Forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of firewardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Board of Forestry and persons, firms, association, or corporations, or any combination or groups of such persons, firms, associations or corporations and for agreements between the State Board of Forestry and the Federal Government; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land on which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duty of those owning or controlling lands on which fires may burn; providing for the payment into county treasuries of moneys collected under the penal sections of this Act; providing penalties for violating provisions of this Act; defining the word "forest"; repealing Chapter 264 of the laws of 1905 as amended by the Act of April 7, 1911, and all Acts or parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

Assembly Bill No. 652—An Act to amend Section 4233 of the Political Code of the State of California relating to officers and salaries in counties of the fourth class.

Assembly Bill No. 655—An Act to amend Section 157 of the Code of Civil Procedure of the State of California relating to the qualifications of superior judges.

Assembly Bill No. 663—An act to regulate the practice or occupation of steam engineering in the State of California; providing for the registration and licensing of persons to carry on such practice or occupation; providing for a board of examiners and a clerk thereof, to be under the supervision and management of the Commissioner of the Bureau of Labor Statistics; fixing the terms, compensation, powers and duties of the clerk and the members of the said board of examiners; fixing the fees to be paid by persons authorized to practice under the provisions of this Act; and creating a fund to be kept by the State Treasurer for the purposes of this Act.

Assembly Bill No. 671—An Act to provide for the supplying the county auditor with a report of commitments to public institutions.

Assembly Bill No. 678—An Act to add a new section to the Code of Civil Procedure to be known as Section 274c, relating to the duties of county clerk regarding court reporter's compensation.

Assembly Bill No. 689—An Act to amend Section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Assembly Bill No. 690—An Act to amend Section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

Assembly Bill No. 697—An Act to amend Section 246 of the Political Code of the State of California, relating to officers and employees of the Assembly and Senate.

Assembly Bill No. 698—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 268a, relating to salaries of officers and employees of the Assembly.

Assembly Bill No. 699—An Act to amend Section 526 of the Political Code of the State of California, relating to the general duties of the Superintendent of State Printing.

Assembly Bill No. 701—An Act to amend Section 2 of an Act entitled "An Act to provide for maintenance of county highways improved under bond issues in the counties of the State and empowering the boards of supervisors to levy therefor," approved May 1, 1911.

Assembly Bill No. 703—An Act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor.

Assembly Bill No. 736—An Act to amend Section 4279 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fiftieth class.

Assembly Bill No. 756—An Act to amend Section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

Assembly Bill No. 770—An Act authorizing certain suits against the State, and regulating the procedure therein.

Assembly Bill No. 774—An Act to provide for the inspection, measurement and graduation of merchandise, manufactured articles and commodities; to provide for

the regulation of the use and inspection of weighing and measuring instruments: to provide for a state inspector of weighing and measuring instruments and his deputies and defining the powers and duties of such officers; and defining the duties of certain county officers and making an appropriation to carry this Act into effect.

Assembly Bill No. 777—An Act making an appropriation to pay the premium or charge on official bonds of state officers as provided for in an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Assembly Bill No. 778—An Act appropriating money to pay the claim of Clark & Henery Construction Company against the State of California.

Assembly Bill No. 779—An Act appropriating money to pay the claim of O. Nelson against the State of California.

Assembly Bill No. 780—An Act appropriating money to pay the claim of John Ewart against the State of California.

Assembly Bill No. 781—An Act appropriating money to pay the claim of the Coalinga Water and Electric Company against the State of California.

Assembly Bill No. 783—An Act appropriating money to pay the deficiency in the appropriation for stationery, fuel, lights and supplies for the Legislature and state offices for the sixty-second fiscal year.

Assembly Bill No. 784—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 495, Statutes of 1909, to erect, construct and equip a pavilion to be used as a gymnasium for boys at the Sonoma State Home.

Assembly Bill No. 786—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 70, Statutes of 1909, for leveling and planting the grounds and painting and repairing the buildings at the State Agricultural Park.

Assembly Bill No. 788—An Act appropriating money to pay the deficiency in the appropriation made by Chapter 332, Statutes 1907, for searching for beneficial insects.

Assembly Bill No. 790—An Act appropriating money for completion and repairs of minor improvements at Preston School of Industry.

Assembly Bill No. 791—An Act appropriating money for the erection and equipment of a hospital at Preston School of Industry.

Assembly Bill No. 792—An Act appropriating money for the purchase of special machinery and equipment at Preston School of Industry.

Assembly Bill No. 793—An Act appropriating money for building and furnishing cottages at Preston School of Industry.

Assembly Bill No. 794—An Act appropriating money for building a wing to the trades building at Preston School of Industry.

Assembly Bill No. 803—An Act to add a new section to the Political Code, to be known as Section 1617c, relating to the establishment and maintenance of kindergartens, to the levy of taxes for the support of kindergartens and to the discontinuance thereof.

Assembly Bill No. 815—An Act to amend Sections 7 and 14 of an Act entitled, "An Act creating a state commission on voting or balloting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting or ballot machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the result at such elections; and providing for the punishment of all violations of the provisions of this Act," approved March 20, 1903, as subsequently amended.

Assembly Bill No. 839—An Act providing money for the building and equipment of a new conservatory and propagating plant on the State Capitol grounds at Sacramento.

Assembly Bill No. 861—An Act to provide for the instruction of blind students in certain state institutions.

Assembly Bill No. 862—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, by adding a new section thereto.

Assembly Bill No. 882—An Act to add a new section to the Penal Code to be designated as Section 378a, relating to the transportation of offal, swill, garbage, and other refuse from one county or city and county into another county, and providing regulations governing the same.

Assembly Bill No. 890—An Act to amend an Act entitled "An Act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, by amending Section 1 of said Act so as to make said Act applicable to all jails, and to all prisoners imprisoned for misdemeanor, whether in county jails or in city prisons.

Assembly Bill No. 897—An Act to amend Section 1408 of the Penal Code, relating to the disposition of stolen or embezzled property taken on search warrant proceedings.

Assembly Bill No. 907—An Act to amend Sections 1, 4, 6, 7, 8, 8a, and 8b and to add two new sections to be known as Sections 8c and 8d, of an Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 5, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911.

Assembly Bill No. 909—An Act to amend Section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties in the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Assembly Bill No. 912—An Act to amend Section 4142a of the Political Code relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Assembly Bill No. 914—An Act to amend the Political Code by adding one new section thereto, relating to the completion and correction of election returns; said section to be numbered 1281a.

Assembly Bill No. 930—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending Sections 5, 6, 7, 9, 17 and 19 thereof, and by adding three new sections to be numbered Sections 9a, 9b and 9c, relating to the powers and duties of the Department of Engineering and making certain acts a misdemeanor.

Assembly Bill No. 944—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of Acts in conflict with this Act.

Assembly Bill No. 948—An Act to amend Section 634 of the Penal Code of the State of California, relating to the protection of salmon.

Assembly Bill No. 970—An Act to establish a legislative counsel bureau and making an appropriation therefor.

Assembly Bill No. 990—An Act to amend Section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 991—An Act to amend Section 1055 of the Political Code, relating to publication of election proclamations.

Assembly Bill No. 996—An Act to amend Section 1 of an Act entitled "An Act to provide for the transfer to the State of California by owners of patented lands therein of the right to preserve and protect wild game on such patented lands; to define the duties of the State Board of Fish Commissioners in relation to the control of such rights, and to declare the hunting of wild game within the exterior boundaries of the land to which right attaches, a misdemeanor," approved March 21, 1907.

Assembly Bill No. 645—An Act authorizing counties, cities and counties and municipalities to levy a tax necessary to pay principal and interest on bonds authorized and unsold at the time the annual tax levy is made.

Assembly Bill No. 1006—An Act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

Assembly Bill No. 1008—An Act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November in the year one thousand nine hundred and ten which is provided in Section 14 of Article XIII of the Constitution of this State and as provided in an Act of the thirty-ninth session of the Legislature entitled, "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the State, all relating to revenue and taxation."

Assembly Bill No. 1024—An Act to provide for the construction of a power house, power plant equipment, tank, pipe line, and improvements in drainage, water, heating, and electrical systems on the premises of the state normal school at Chico, California, and making an appropriation therefor.

Assembly Bill No. 1027—An Act to amend Section 4264 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the thirty-fifth class.

Assembly Bill No. 1072—An Act granting to the city of Arcata the tide lands and submerged lands of the State within the boundaries of, and within two miles of the boundaries of said city.

Assembly Bill No. 1074—An Act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof.

Assembly Bill No. 1091—An Act to amend Section 4249 of the Political Code of the State of California, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Assembly Bill No. 1099—An Act to amend Section 1599 of the Political Code of California, relating to the election of school trustees.

Assembly Bill No. 1108—An Act to amend Sections 2283, 2285, 2286, 2287, and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children.

Assembly Bill No. 1111—An Act to amend Section 4285 of the Political Code, relating to the salaries and compensation of officers of counties of the fifty-sixth class.

Assembly Bill No. 1124—An Act to provide for the repair and maintenance of the Trinity state highway in Trinity County, and to provide for the construction of bridges along said highway to be located at Mad River and the South Fork of Trinity River along said highway, and making an appropriation therefor.

Assembly Bill No. 1134—An Act to amend Section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian.

Assembly Bill No. 1135—An Act to amend Section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Assembly Bill No. 1147—An Act to appropriate money to assist the county of Trinity in the construction of a highway from a point on the Trinity River, in the county of Trinity, near the town of Northfork, thence westerly down said river to connect with an existing road in Humboldt County, and making an appropriation therefor.

Assembly Bill No. 1152—An Act to amend Section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Assembly Bill No. 1162—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending Sections 2, 3, 30, 31, 32, 41, 43 and 61 thereof, and to add two new sections to said Act to be numbered 32½ and 54½, said new sections relating respectively to selling for less than par bonds of such districts authorized but not sold, and to reports to be made by officers of such districts to the State Engineer and recommendations to be made by him.

Assembly Bill No. 1180—An Act making an appropriation for the payment of the claim of Mr. Frederick Maskeu.

Assembly Bill No. 1181—An Act to amend an Act entitled, "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act," approved March 20, 1903, and as amended by an Act approved March 24, 1911.

Assembly Bill No. 1186—An Act providing for the creation and management of the Branscomb Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and manage said Branscomb Redwood Park.

Assembly Bill No. 1191—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure" approved March 11, 1872, by amending Sections 85 and

97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Assembly Bill No. 1192—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure approved March 11, 1872, by amending Section 1135 thereof, and by adding three new sections thereto, to be numbered and designated as Sections 849a, 850b and 858b thereof, relating to proceedings in justices' courts.

Assembly Bill No. 1194—An Act creating a reclamation district to be called and known as "Reclamation District No. 1400," and providing for the management and control thereof.

Assembly Bill No. 1198—An Act to amend Section 14 of an Act, entitled, "An Act to carry into effect the provisions of Section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

Assembly Bill No. 1234—An Act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Assembly Bill No. 1235—An Act appropriating money to pay for the expense of improving First street in the city of Chico, fronting the property belonging to the state normal school in that city.

Assembly Bill No. 1250—An Act making an appropriation for the construction of a fine arts building for the Los Angeles State Normal School and for drives and walks adjacent thereto.

Assembly Bill No. 1251—An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act.

Assembly Bill No. 1255—An Act to amend Section 1890 of the Political Code of the State of California, relating to fire escapes in certain school buildings and to the provision for fire drills in certain schools.

Assembly Bill No. 1257—An Act to amend Sections 12 and 13 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Assembly Bill No. 1263—An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

Assembly Bill No. 1279—An Act to amend Sections 439 and 440 of the Political Code, relating to the employees of the Controller's office and the salaries paid to such employees.

Assembly Bill No. 1289—An Act to amend Section 626k of the Penal Code of the State of California, relating to the sale of wild game or the dead bodies thereof.

Assembly Bill No. 1291—An Act to amend Section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

Assembly Bill No. 1294—An Act making an appropriation to pay for services rendered the State of California by C. William White in the prosecution of criminals in the county of Trinity, State of California.

Assembly Bill No. 1295—An Act to amend Section 4017 of the Political Code of the State of California, relating to consolidation of county offices.

Assembly Bill No. 1325—An Act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a commission to determine the amount to be expended for furnishing and equipping said buildings and accepting a suitable site, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation therefor, making an appropriation of five thousand dollars for the expenses of printing and lithographing said bonds and providing for the submission of this Act to a vote of the people.

Assembly Bill No. 1335—An Act to amend Section 427 of the Code of Civil Procedure of the State of California, relating to joinder of causes of action.

Assembly Bill No. 1343—An Act to regulate the construction, operation, and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the Bureau of Labor Statistics; and providing for a penalty for violation thereof.

Assembly Bill No. 1360—An Act to amend Section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Assembly Bill No. 1364—An Act to amend Section 4251 of the Political Code, relating to the salaries and fees of officers of counties of the twenty-second class.

Assembly Bill No. 1370—An Act to amend Section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, said amendment pertaining to the definition of the term boulevard, and use of said boulevards.

Assembly Bill No. 1376—An Act to make an appropriation for maintenance of the Alpine state highway.

Assembly Bill No. 1379—An Act to amend Section 456 of the Political Code, relating to the office of the Treasurer of State, his deputy and assistants and the salaries of the deputy and assistants.

Assembly Bill No. 1385—An Act to provide for the medical treatment of residents afflicted with tuberculosis; to create a fund therefor; to prescribe the duties of the State Board of Health, its agents and other public officials with relation thereto; and making an appropriation for the purposes of this Act.

Assembly Bill No. 1390—An Act to amend Section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

Assembly Bill No. 1404—An Act amending the Civil Code of the State of California by adding a new section thereto, to be numbered 633½.

Assembly Bill No. 1421—An Act to amend Section 16 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, amended, approved April 21, 1911.

Assembly Bill No. 1428—An Act to amend an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Assembly Bill No. 1437—An Act providing for an appropriation for the restoration and preservation of fish for the sixty-fifth and sixty-sixth fiscal years.

Assembly Bill No. 1439—An Act to amend Section 637a of the Penal Code of the State of California, relating to the protection of fish and game.

Assembly Bill No. 1442—An Act to amend Section 628 of the Penal Code of the State of California, relating to the protection and preservation of fish.

Assembly Bill No. 1450—An Act to amend Section 627b of the Penal Code of the State of California, relating to the protection of fish and game.

Assembly Bill No. 1452—An Act to amend Section 628b of the Penal Code, relating to the protection of fish.

Assembly Bill No. 1456—An Act to amend Section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and prescribing their powers and duties.

Assembly Bill No. 1461—An Act providing for an appropriation for investigation in economic ornithology and for the dissemination of information gained thereby, for the sixty-fifth and sixty-sixth fiscal years.

Assembly Bill No. 1464—An Act to amend Section 4248 of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Assembly Bill No. 1487—An Act authorizing and directing the State Board of Health to establish the state barber registration and sanitation bureau, for the purpose of regulating barbers and their occupation and the sanitation of barber shops; providing for the appointment, salaries and expenses of a director, two assistants; defining the powers and duties of said officers and employees; providing for registration and examination of barbers and apprentices, and the issuance of certificates, licenses or permits to practice the occupation of a barber; providing for sanitation of barber shops; and defining the duties of the State Board of Health in relation to said matters; and providing penalties for the violation of its provisions.

Assembly Bill No. 1494—An Act to amend Section 290 of the Civil Code of the State of California relative to articles of incorporation and what they must set forth.

Assembly Bill No. 1498—An Act to appropriate the sum of eight thousand eight hundred forty-one and seventy-nine one hundredths dollars out of the general fund in the state treasury to pay the assessments levied, by the city and county of San Francisco, against property belonging to the State of California for local improvements.

Assembly Bill No. 1515—An Act authorizing the State Board of Prison Directors

to establish and enforce rules and regulations for the payment of wages to prisoners confined in any state prison or reformatory of this State; and further authorizing said State Board of Prison Directors to pay such wages in pursuance of such rules and regulations; and making an appropriation for the purpose of carrying out the provisions of this Act.

Assembly Bill No. 1517—An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose.

Assembly Bill No. 1518—An Act to add a new section to the Penal Code, to be known as Section 1202a, relating to indeterminate sentences.

Assembly Bill No. 1535—An Act to amend Section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Assembly Bill No. 1541—An Act making an appropriation for the location, survey, construction and improving of a state highway from the west end of the Donner state road at Emigrant Gap, Placer County, to Nevada City in Nevada County.

Assembly Bill No. 1542—An Act making an appropriation for the location and survey of a proposed highway from Boca to the Nevada state line along the Truckee River in Nevada County.

Assembly Bill No. 1548—An Act to amend Sections 2 and 3 of an Act entitled "An Act to provide for the division of municipalities into sewer districts, and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

Assembly Bill No. 1550—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-first session of the Legislature concerning the adoption of a system of old age insurance and pensions, and mothers' pensions, and making an appropriation therefor.

Assembly Bill No. 1561—An Act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies relating to future assessments.

Assembly Bill No. 1570—An Act to provide for the survey and construction of a state highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor.

Assembly Bill No. 1572—An Act to amend Section 4283 of the Political Code of the State of California, relating to the salaries of officers of counties of the fifty-fourth class.

Assembly Bill No. 1573—An Act to amend Section 731 of the Code of Civil Procedure, and to add to said code a new section to be designated as 731a, relating to the abatement of public nuisances and by whom actions may be instituted for such purpose.

Assembly Bill No. 1576—An Act to provide for the formation and establishment of road districts; the construction, acquisition, maintenance, control and use of roads; defining the term road; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such roads; providing for a road commission to have charge of the affairs of road districts, and the construction, maintenance and repair of roads, within such districts; providing for the election of such commissions, their terms of office, and of elections to be held in such districts.

Assembly Bill No. 1581—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 1060 relating to the recovery of damages by a husband, wife, child, parent, guardian, or employer from any person or persons accepting or taking, or assisting in any way in accepting or taking of moneys or other thing of value in any game of chance prohibited by the laws of this State.

Assembly Bill No. 1582—An Act to amend Section 18 of an Act entitled "An Act relating to the Panama-Pacific International Exposition Commission of the State of California and defining its powers and duties," approved March 4, 1911.

Assembly Bill No. 1598—An Act to amend Section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-first class.

Assembly Bill No. 1599—An Act to amend Section 4287 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the fifty-eighth class.

Assembly Bill No. 1600—An Act to amend Section 4274 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-fifth class.

Assembly Bill No. 1604—An Act to provide for the issuance and sale of state bonds to create a fund for the construction, erection, equipment, completion and furnishing of a state building or buildings upon a lot of land in the city and county of San Francisco, to be used by the officers and departments of the State which are located in said city and county of San Francisco, which lot of land has been secured from the city and county of San Francisco in exchange for the lot heretofore purchased by the State for said purposes; and to create a sinking fund for the payment of said bonds; and defining the duties of state officers in relation thereto; and making an appropriation of one thousand dollars for the printing and sale of

said bonds; and providing for the submission of this Act to the vote of the people.

Assembly Bill No. 1605—An Act to provide for the construction, erection, equipment and furnishing of a building or buildings in the city and county of San Francisco and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the state government of the State of California located in said city and county of San Francisco, and repealing other Acts in conflict herewith.

Assembly Bill No. 1629—An Act to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg; appointing a commission in connection therewith; and making an appropriation therefor.

Assembly Bill No. 1634—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered Section 2717, relating to the reconstruction, repair or maintenance of bridges or culverts crossing the line or lines between counties.

Assembly Bill No. 1635—An Act to amend Section 21 of an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expense of the same," approved March 27, 1895.

Assembly Bill No. 1644—An Act appropriating money to pay the claim of Jerome B. Graham against the State of California.

Assembly Bill No. 1649—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Assembly Bill No. 1654—An Act to provide for the identification of persons who may be under arrest and held over to the Superior Court for trial, and for the destruction of such records upon acquittal.

Assembly Bill No. 1659—An Act to amend Section 10 of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers, to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, relating to the appointment of probation officer and his assistants.

Assembly Bill No. 1666—An Act to amend Section 1049 of the Political Code, relating to the conduct of municipal elections.

Assembly Bill No. 1667—An Act to amend Section 1203 of the Penal Code of the State of California, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

Assembly Bill No. 1671—An Act to amend Section 1191 of the Penal Code of the State of California, relating to the time for pronouncing judgment.

Assembly Bill No. 1677—An Act to appropriate the sum of three hundred and fifty-eight and 50/100 dollars to pay the claims of the State Board of Health.

Assembly Bill No. 1682—An Act to repeal an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said Acts, has forfeited either its charter or right to do business in this State.

Assembly Bill No. 1695—An Act to authorize the appointment of a commission and to empower it to sell and convey all or any part of the lands and buildings of the Whittier State School; to change the name of the Whittier State School to "California Trades School"; to purchase and improve a new and suitable site for said school; to provide for the erection and construction upon the site so purchased of buildings and other structures and improvements necessary for said school; and to provide for the purchase of furniture, fixtures and apparatus of said school.

Assembly Bill No. 1697—An Act to add a new section to the Political Code, to be numbered Section 1083a, relating to the signing up of certain petitions and nominating papers.

Assembly Bill No. 1698—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Assembly Bill No. 1705—An Act legalizing the formation and organization of Reclamation District No. 802, in the county of Contra Costa, State of California, fixing, defining and establishing the boundaries thereof, providing for its management and control subject to the provisions of the Political Code of the State of California and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith.

Assembly Bill No. 1709—An Act to amend Sections 1538 and 1539 of the Code of Civil Procedure of the State of California, relating to petitions for sale of real property, conveyance of the estates of deceased persons, and to notice thereof.

Assembly Bill No. 1710—An Act to amend Section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Assembly Bill No. 1731—An Act to amend Section 1366a of the Political Code of the State of California, relating to the declaration of party affiliation by electors.

Assembly Bill No. 1734—An Act to amend Section 1083 of the Political Code, relating to the right to vote and the registration of voters.

Assembly Bill No. 1740—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2633a, relating to the time for notice of loss in casualty or accident insurance policies.

Assembly Bill No. 1741—An Act to appropriate the sum of thirty-five hundred dollars for the purpose of clearing obstructions from the Pit River, its tributaries, and other streams.

Assembly Bill No. 1752—An Act to amend Section 1195 of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments.

Assembly Bill No. 1755—An Act to amend Section 1262 of the Political Code of the State of California, relating to election returns.

Assembly Bill No. 1756—An Act to amend Section 1285 of the Political Code of the State of California, relating to making election returns from a district.

Assembly Bill No. 1765—An Act to amend Section 893 of the Code of Civil Procedure relating to form of judgments and notice thereof to be given to litigants.

Assembly Bill No. 1798—An Act to add a new section to the Political Code of the State of California to be known and designated as Section 459a, relating to the giving of bonds by the deputy state treasurer, cashier and bond officer of the Treasurer and providing for the payment of premiums thereon.

Assembly Bill No. 1813—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Act or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Assembly Bill No. 1814—An Act to amend Sections 1188 and 1192 of the Political Code of the State of California relating to the nomination of candidates otherwise than by primary election, and to the filing of certificates of such nomination.

Assembly Bill No. 1815—An Act to repeal an Act entitled "An Act to authorize the establishment of the California state trades and training school for dependent orphans, half-orphans, abandoned children and children committed by court and placed under guardianship of the board of trustees, the appointment of a board of trustees, the purchase of a site, the preparation of plans and specifications for grounds and buildings, and to make the necessary appropriation therefor," approved April 14, 1909.

Assembly Bill No. 1829—An Act to amend Sections 1897, 1898, 1900, 1901, and 1902, of the Political Code of the State of California, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

Assembly Bill No. 1851—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known and numbered as Section 3489a, relating to reclamation and swamp land districts.

Assembly Bill No. 1858—An Act to provide for the establishment and maintenance of safety funds by fire insurance companies.

Assembly Bill No. 1875—An Act to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of the Constitution of this State, for the municipal taxes of such cities, and for the equalization and correction of such assessment by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold by the non-payment of such taxes, and for the performance by county officers of the duties of officers of such cities respecting such matters; and to provide for the compensation to be paid to counties by such cities for the services performed by such county officers for such cities under the provisions of this Act.

Assembly Bill No. 1878—An Act to amend Section 1 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act

to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893."

Assembly Bill No. 1879—An Act to amend Sections 626, 626a, 626d, and 626f of the Penal Code of the State of California, relating to the protection of fish and game.

Assembly Bill No. 1900—An Act to amend Section 4269 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fortieth class.

Assembly Bill No. 1903—An Act to amend Section 4300e of the Political Code, relating to justices of the peace fees.

Assembly Bill No. 1912—An Act to amend Section 172 of the Civil Code of the State of California, relating to the disposition of certain community property.

Assembly Bill No. 1920—An Act to amend Sections 1094, 1120 and 1121 of the Political Code, all relating to registration of voters and the registers to be used at elections.

Assembly Bill No. 1922—An Act to amend Section 1288 of the Political Code of the State of California, relating to the certification of election returns by the county clerk.

Assembly Bill No. 1923—An Act authorizing municipal corporations to adopt and use the "preferential system of voting" in municipal elections.

Assembly Bill No. 1934—An Act to amend Section 1104 of the Political Code, relating to the registration of voters.

Assembly Bill No. 1935—An Act to amend Section 1105 of the Political Code, relating to the cancellation of registrations.

Assembly Bill No. 1936—An Act to amend Section 1210 of the Political Code, relating to sample ballots and instruction cards.

Assembly Bill No. 1937—An Act to amend Section 1115 of the Political Code, relating to affidavits of registration.

Assembly Bill No. 1939—An Act to amend Section 1215 of the Political Code of the State of California, relating to the electioneering and secrecy of the ballot.

Assembly Bill No. 1940—An Act to amend Sections 1096 and 1097 of the Political Code of the State of California, relating to elections and the registration of voters.

Assembly Bill No. 1947—An Act appropriating money for constructing a hospital building on site near the Ferry Building in the city and county of San Francisco; arranging for its upkeep by said city and county.

Assembly Bill No. 1951—An Act to amend the Political Code of the State of California by adding thereto a new section to be known as and numbered 2167b, relating to and providing for the parole of mentally sick or psychopathic patients out of the lunacy court or the Superior Court sitting as a lunacy court in each county providing for the care, custody and maintenance of such psychopathic patients while on parole until recovered, and providing for psychopathic parole officers, fixing their salaries and providing for the payment thereof.

Assembly Bill No. 1996—An Act to authorize the State Board of Health to purchase or prepare, and distribute, free of cost, to certain persons, anti-rabic virus, and making an appropriation therefor.

Assembly Bill No. 2013—An Act to amend Section 2906 of the Political Code, relating to authority of any person or corporation to construct a wharf, chute or pier, and requiring the approval of the Railroad Commission therefor.

Assembly Bill No. 2022—An Act appropriating money to pay the claim of Vincent Bona against the State of California.

Assembly Bill No. 2026—An Act appropriating money for work on the state highway known as Kings River Canyon road, to authorize changes in the location of said road, and to repeal all Acts and parts of Acts in conflict herewith.

Assembly Bill No. 2027—An Act appropriating money to pay the claim of Associated Contracting Company, a corporation, against the State of California.

Assembly Bill No. 2032—An Act to create a state humane commission, defining its powers and duties, providing revenue therefor and fixing penalties.

Assembly Bill No. 2038—An Act making appropriation for sewer construction and to provide for street work on streets fronting the property of the Los Angeles State Normal School.

Assembly Bill No. 2044—An Act to provide for the establishing and maintaining of parole headquarters in connection with state schools and reformatories.

Assembly Bill No. 2045—An Act to provide for a survey of the coastal waters of the State of California and delegating to the Scripps Institute of Biological Research the duty of investigating the matter of the artificial propagation of animals and plants inhabiting the sea and to report on the advisability of establishing perpetual reservations of the same and leasing or disposing of such reservations to individuals or corporations and a plan to properly protect the artificial propagation of animals and plants inhabiting the sea.

Assembly Bill No. 2052—An Act appropriating money to pay the claim of Bert Blanchard against the State of California.

Assembly Bill No. 2055—An Act making an appropriation to pay the claim of Mrs. M. Foley against the State of California.

Assembly Bill No. 2056—An Act authorizing and directing the State Water Commission to examine, or cause to be examined, and report to the Legislature on all school lands belonging to the State as to which of said lands contain valuable resources or rights of way or sites of sufficient value to warrant the State in withdrawing or withholding from sale any portion or portions of said lands; authorizing the State Surveyor General, the State Engineer, the State Mineralogist and the State Forester to co-operate with the State Water Commission in said examination; reappropriating money for the purpose of carrying out the provisions of this Act; repealing all Acts or parts of Acts in conflict herewith.

Assembly Bill No. 2058—An Act to repeal Section 4 of an Act entitled "An Act to prevent the taking of fish by means of weirs, dams, nets, traps or seines, in certain tide water on the coast of Mendocino County," approved March 15th, 1909, as amended April 14th, 1911, relating to the preservation of fish.

Assembly Bill No. 2063—An Act appropriating money for the purpose of preservation, protection and improvement of the Monterey Custom House and grounds.

Assembly Bill No. 2065—An Act to amend Section 777 of that certain Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to contracts for public works.

Assembly Bill No. 2070—An Act to amend Section 2853 of the Political Code of the State of California, relating to ferries by adding a provision thereto relating to employers and employees.

Assembly Bill No. 2075—An Act to provide for the payment of municipal bonds before maturity.

Assembly Bill No. 2078—An Act appropriating money for the purpose of insuring the state printing plant.

Assembly Bill No. 2080—An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority, and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor.

Assembly Bill No. 2083—An Act to authorize and provide for the sale of the land, buildings and improvements of the Stockton State Hospital at Stockton, to provide for a commission for rebuilding the Stockton State Hospital, to authorize and empower such commission to sell, and to authorize the conveyance of the lands, buildings and improvements of said Stockton State Hospital, to authorize said commission to select and designate a new and suitable site therefor, and from the proceeds of said sale to improve said site, and erect and construct upon such site buildings and other structures and improvements necessary and proper for said Stockton State Hospital, to pay the cost and expenses of said commission, its clerk hire and office expense, to purchase furniture, fixtures, apparatus and other things necessary for said Stockton State Hospital, to construct sewers, water works, pumps, water pipes, electrical machinery, poles and wires for transmitting electric current, to provide and pay for the removal of the inmates of Stockton State Hospital to the new site of said hospital, to rent and provide such temporary buildings and grounds as may be necessary for the use of said Stockton State Hospital until the completion of the new Stockton State Hospital buildings, and to conduct, carry on and maintain in operation said Stockton State Hospital after such rebuilding.

Assembly Bill No. 2090—An Act to provide for the partial completion and partial furnishing of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Assembly Bill No. 2091—An Act to amend Section 1095 of the Political Code of the State of California, relating to affidavits of registration.

Assembly Bill No. 2095—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highway; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Assembly Bill No. 2096—An Act making an appropriation for the location, survey, construction and improving of a state highway from the town of Banning in Riverside County, thence in a southeasterly direction by the most feasible route to Brawley in Imperial County.

Assembly Bill No. 2097—An Act making an appropriation for the location, survey, construction and improving of a state highway from a point on the Malibu county

road near Topanga Creek, Los Angeles County, thence in a northerly direction through Topanga Canyon to the town of Calabasas, Los Angeles County.

Assembly Bill No. 2098—An Act to provide for the purchase by the State of California of the armory building and wharf located on the bay of San Diego and making available and reappropriating certain moneys for the purchase of said armory and wharf.

Assembly Bill No. 2105—An Act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Act known as the Public Utilities Act of the State of California, approved December 23, 1911.

Assembly Bill No. 2114—An Act appropriating money to pay the claim of Grace Elvira Raynaud against the State of California.

Assembly Bill No. 2116—An Act to provide for the issuance and sale of state bonds to be known as "state fair grounds bonds," to provide a fund for the acquirement of additional land for the enlargement and extension of the State Fair grounds in the city of Sacramento, the erection of additions to buildings now existing on said grounds, the erection of new buildings thereon, the equipping of said buildings and the general improvement and beautification of said State Fair grounds as a complete plant for the exhibition and exploitation of the resources and products of the State; appropriating the proceeds thereof for said purposes and providing for the manner in which the same shall be expended; creating a sinking and interest fund for the payment of interest on said bonds and the redemption thereof, making an appropriation therefor and providing for the collection of revenue for such purposes; making an appropriation for the expense of preparing such bonds and providing for the submission of this Act to a vote of the people.

Assembly Bill No. 2118—An Act making an appropriation to pay the claim of L. B. Dutton Company against the State of California.

Assembly Bill No. 2121—An Act to amend Section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Assembly Bill No. 2122—An Act making an appropriation for the legislative printing fund.

Assembly Bill No. 2127—An Act making an appropriation for the pay of officers and employees of the Assembly for the fortieth session of the Legislature.

Assembly Bill No. 2128—An Act to provide for the levy and collection of taxes for the support of the state government for the sixty-fifth and sixty-sixth fiscal years.

Assembly Bill No. 2129—An Act to make an appropriation for the contingent expenses of the Assembly for the session of the fortieth Legislature of the State of California during the sixty-fourth fiscal year.

Assembly Bill No. 2131—An Act to add a new section to the Penal Code of the State of California, to be numbered 54c, prohibiting the use of the initiative for mercenary purposes.

Assembly Bill No. 2132—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, appropriating money for such purpose and providing for the transfer of money from the San Francisco harbor improvement fund to the general fund of the state treasury.

And were presented to the Governor May 12, 1913, at ten o'clock a.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled:

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment of the Constitution of the State by amending Section 1 of Article XIII thereof, relating to revenue and taxation.

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XIII, relating to revenue and taxation.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 13 of Article XX, relating to elections.

Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to Section 23a of Article IV of the Constitution of the State of California relative to the limitation of expense for officers and employees of the Legislature.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XI of the Constitution of the State of California relating to municipal corporations.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California

to amend Section 13 of Article XI relating to supervision, regulation and conduct of the affairs of irrigation, reclamation or drainage districts.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 7½, Article XI thereof, relating to charters of counties and amendments to such charters and to the surrender thereof.

Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 23 of Article XII, relating to public utilities, their supervision and regulation.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to Section 6 of Article XI of the Constitution of the State of California, relating to municipal corporations.

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 31 of Article IV, relating to irrigation districts.

Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment of the Constitution of the State of California by adding a new section to Article XII thereof, to be numbered Section 23a, in relation to the power of the Railroad Commission to fix the just compensation to be paid for the taking of any property of any public utilities in eminent domain proceedings.

Assembly Constitutional Amendment No. 88—A resolution to propose to the people of the State of California an amendment to Section 2 of Article XVIII of the Constitution of the State of California, relating to convention for revising the Constitution of the State of California.

Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding to Article XX a new section, to be numbered 17½, relating to the conditions of labor and welfare of employees.

Assembly Constitutional Amendment No. 92—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 20 of Article V thereof, relating to the election of United States Senators.

Assembly Concurrent Resolution No. 14—Relative to the appointment of a committee to consider the advisability and to suggest plans for the creation of a state industrial farm for state prisoners.

Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

Assembly Concurrent Resolution No. 23—Relative to the mailing of copies of all Acts passed and approved, relating to courts, judicial officers and amendments to codes to each judge of Superior Courts, district attorneys and county clerks of the counties and city and counties of the State.

Assembly Concurrent Resolution No. 31—Relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding state roads.

Assembly Concurrent Resolution No. 32—Approving a certain amendment to the charter of the city of San Bernardino, in the county of San Bernardino, State of California, voted for and ratified by the qualified electors of said city of San Bernardino, at a special municipal election held therein on the 18th day of April, 1913.

Assembly Concurrent Resolution No. 34—Approving a certain amendment to the charter of the city of Alameda, in Alameda County, California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the 14th day of April, 1913.

Assembly Concurrent Resolution No. 38—Relative to the appointment of a juvenile court inquiry committee, for studying, investigating and reporting upon the problems of administration of juvenile courts in California, and the problems of dependency and delinquency, both as to cause and as to effect, and the need, if any, of amending the juvenile court law.

Assembly Concurrent Resolution No. 39—Relative to the proposed transcontinental tour under the auspices of the Indiana Automobile Manufacturers' Association.

Assembly Joint Resolution No. 12—A joint resolution requesting the Congress of the United States to appropriate money to construct an efficient and practical fishway in the Derby Dam in the Truckee River, Nevada.

Assembly Concurrent Resolution No. 40—Relative to setting aside for aquatic sports certain submerged lands lying along the water front of the city and county of San Francisco.

And were presented to the Governor May 12, 1913, at ten o'clock a.m.

MOORHOUSE, Chairman.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 7—An Act to add a new section to the Penal Code of the State of California, under Title XVI thereof, to be numbered 681, prohibiting the use of cruel and unusual punishments in state prisons and reformatory institutions.

Assembly Bill No. 227—An Act appropriating money for the erection and equipment of an assembly hall at the Stockton State Hospital.

Assembly Bill No. 614—An Act to amend Section 1617 of the Political Code of the State of California, defining the powers and duties of boards of school trustees and city boards of education.

Assembly Bill No. 644—An Act granting to the town of Emeryville the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, to the town of Emeryville, and regulating the management, use, and control thereof.

Assembly Bill No. 743—An Act to amend an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911, and also repealing an Act entitled 'An Act to amend the Railroad Commission Act by amending Section 15 thereof relating to powers and duties of the Railroad Commission of the State of California, and to amend Section 37 thereof relating to free and reduced-rate transportation for freight and passengers,' approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act," by amending Section 47 thereof, so as to provide that the Railroad Commission might have power to determine and ascertain the just compensation that should be paid by a county city and county, incorporated city or town, or municipal water district for the taking in eminent domain proceedings of any existing public utility or lands, property and rights of any character whatsoever connected with such existing public utility, or any part or portion thereof.

Assembly Bill No. 766—An Act to amend Section 4256 of the Political Code of the State of California, relating to compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers, and assistants.

Assembly Bill No. 787—An Act appropriating money to pay the deficiency in the appropriation for the arrest of criminals without the State for the sixty-second fiscal year.

Assembly Bill No. 813—An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom for fish preservation and restoration.

Assembly Bill No. 836—An Act to amend Sections 1517, 1518, 1519, 1520, 1521 of the Political Code of the State of California, creating a state board of education, and prescribing its powers and duties; providing for the appointment of three assistant superintendents of public instruction, and defining their duties; providing for the compensation of members of the state board of education and the assistant superintendents of public instruction; providing for the publication, compilation, manufacture and distribution of state school text-books; repealing Sections 1522, 1874, and 1874a of the Political Code of the State of California, relating to the traveling expenses of the members of the state board of education, to the publication and distribution of a system of text-books, the appointment of a secretary of the state text-book committee and his compensation; and repealing all other laws or Acts relating to the publication and distribution of state text-books in conflict with this Act.

Assembly Bill No. 911—An Act to amend Section 4300c of the Political Code, relating to the fees of recorders.

Assembly Bill No. 957—An Act to amend Section 435 of the Penal Code of the State of California, relating to illegal sales or gifts of intoxicating liquors.

Assembly Bill No. 992—An Act to amend Sections 1560 and 1564 of the Political Code, relating to teachers' institutes.

Assembly Bill No. 1017—An Act to amend an Act entitled "An Act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits, or any portion thereof, by the supervisors or highway commissioners of the county," approved March 19, 1909, and permitting boards of supervisors to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary and to permit such boards of supervisors to macadamize or pave or gutter such highway or boulevard, and providing the manner in which the cost and expense thereof shall be paid.

Assembly Bill No. 1083—An Act to amend an Act entitled "An Act to regulate the sale of eggs and butter that have been in cold storage for a longer period than

three months, requiring the labeling thereof by all persons selling or offering the same for sale, empowering and directing the State Board of Health to make rules and regulations to carry this Act into effect and fixing penalties for the violation of the same or any of the provisions," approved March 14, 1911.

Assembly Bill No. 1119—An Act to amend Section 1858 of the Political Code of the State of California, relating to units of attendance in the public schools.

Assembly Bill No. 1136—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying the channel of Napa River, in Napa County, and improving the navigability of such stream in said county and for acquiring land for necessary rights of way.

Assembly Bill No. 1144—An Act to amend the Political Code by amending Sections 2293, 2295, 2295a and 2300, and by repealing Section 2303 thereof.

Assembly Bill No. 1252—An Act prohibiting the destruction of foodstuffs, food products or food articles.

Assembly Bill No. 1278—An Act to amend Section 453a of the Political Code in relation to the funds in the state treasury.

Assembly Bill No. 1285—An Act to amend Section 1577 of the Political Code of the State of California with reference to the formation of new petition for changing boundaries of old joint districts.

Assembly Bill No. 1352—An Act to amend Sections 764 and 862 of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 1378—An Act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power.

Assembly Bill No. 1407—An Act to accept from the Woman's Relief Corps Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Santa Clara County, California, known as the Woman's Relief Corps Home, with the improvements and furnishings thereon, and of all personal property, including money in bank, now belonging to said Woman's Relief Corps Home Association.

Assembly Bill No. 1433—An Act to amend Sections 632 and 632½ of the Penal Code of the State of California relating to the protection and preservation of fish.

Assembly Bill No. 1463—An Act to provide for the formation of mosquito control districts, the appointment of boards of mosquito control, specifying the procedure for levying a tax for the purposes of the Act and for disbursing the same.

Assembly Bill No. 1491—An Act to amend Section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court.

Assembly Bill No. 1554—An Act to add a new section to the Civil Code, to be numbered Section 617, relating to the disposition by cemetery corporations of the unclaimed ashes or bodies of deceased persons.

Assembly Bill No. 1559—An Act providing for the construction and maintenance by the State of state aid highways in counties and towns.

Assembly Bill No. 1750—An Act to amend Section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

Assembly Bill No. 1811—An Act to amend Section 2237 of the Political Code of the State of California, specifying the objects and changing the name of the California Institution for the Deaf and the Blind.

Assembly Bill No. 1812—An Act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending Sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said direct primary law, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Assembly Bill No. 1890—An Act to amend Section 1204 of the Political Code of the State of California relating to the manner of voting.

Assembly Bill No. 1911—An Act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor.

Assembly Bill No. 1938—An Act to amend Section 1258 of the Political Code, relating to tally of votes.

Assembly Bill No. 2012—An Act to provide a state highway from Happy Camp, Siskiyou County, to Orleans Bar, Humboldt County.

Assembly Bill No. 2051—An Act appropriating money to pay the claim of J. W. Galloway against the State of California.

Assembly Bill No. 2053—An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby," approved March 21, 1905.

Assembly Bill No. 2068—An Act to amend Section 1 of an Act entitled "An Act to provide for the alterations of the boundaries of and for annexation of territory to incorporated towns and cities and for the incorporation of such annexed territory in, and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889.

Assembly Bill No. 2071—An Act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

Assembly Bill No. 2074—An Act to amend Sections 1, 4 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by Act approved March 20, 1905, and as amended by Act approved March 4, 1907, and as amended by Act approved April 21, 1911.

Assembly Bill No. 2086—An Act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of corporations, and making an appropriation therefor.

Assembly Bill No. 2104—An Act authorizing municipalities of the fifth and sixth classes to declare weeds growing upon public streets to be a nuisance, providing a means for the abatement of said nuisance, and collecting the cost of removing such weeds from the owners of abutting land.

Assembly Bill No. 2110—An Act to amend Sections 1, 2, 8 and 24 of an Act entitled "An Act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Assembly Bill No. 2123—An Act appropriating money to pay the claim of Joseph Nelligan against the State of California.

Assembly Bill No. 2125—An Act appropriating money to pay the claim of Frank P. Cady against the State of California.

Assembly Bill No. 2133—An Act to amend Section 4275 of the Political Code, relating to the compensation of officers of counties of the forty-sixth class.

Assembly Bill No. 2136—An Act making an appropriation to pay the cost of printing, publishing and distributing state text-books free to the school children of the State in accordance with the provisions of the Constitution.

Assembly Bill No. 2137—An Act authorizing the Trustees of the State Library to accept as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco, the library commonly denominated the "Sutro Library," and to establish a branch of the State Library in the city and county of San Francisco and making an appropriation for the establishment and maintenance of the same.

Assembly Bill No. 2139—An Act authorizing the State Treasurer, upon the approval of the Governor and the Board of Control, to enter into agreements to pay commissions on the sale of certain bonds of the State of California, and appropriating money for such purpose.

And were presented to the Governor, May 12, at ten o'clock a.m.

MOORHOUSE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1913.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 2117—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created

by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the "Inheritance Tax Act"; to repeal an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act, and for suits to quiet title against claims of liens, arising hereunder; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act, 'approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act,' approved April 7, 1911.

Assembly Bill No. 1684—An Act to amend the title and an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911.

Assembly Bill No. 1739—An Act to add a new section to the Civil Code of California to be known as Section 2567a, relating to the waiver of fraud and irregularities in insurance policies and the time of payment.

And were presented to the Governor, May 12, 1913, at ten o'clock, a.m.

MOORHOUSE, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Peairs:

Resolved, That the Speaker appoint a committee of three to wait upon his Excellency Hiram W. Johnson, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker announced the appointment of the following committee to wait upon the Governor: Messrs. Peairs, Brown, and Killingsworth.

By Mr. Clark:

Resolved, That a committee of three be appointed to wait upon the Senate and inform them that the Assembly has concluded its labors and ask if they have any further messages to deliver to this body.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker announced the appointment of the following committee to wait upon the Senate: Messrs. Clark, Bagby, and Finnegan.

REPORT OF SELECT COMMITTEES.

The committee appointed to wait upon the Governor appeared before the bar of the Assembly and reported that they had waited upon the Governor, and that he had no further communication to make to the Assembly.

The committee to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate would communicate its wishes through a committee from that body.

COMMITTEE FROM THE SENATE.

Senators Hans, Strobridge, and Caminetti appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker replied that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate.

READING AND APPROVAL OF MINUTES.

The minutes of Monday, May 12, 1913, were read, and, on motion of Mr. Bohnett, approved.

ADJOURNMENT.

At twelve o'clock m. of Monday, May 12, 1913, the Hon. C. C. Young, Speaker of the Assembly, announced that the time for final adjournment of the fortieth session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned *sine die*.

C. C. YOUNG,
Speaker of the Assembly.

W. A. JOHNSTONE,
Speaker pro tem. of the Assembly.

L. B. MALLORY,
Chief Clerk of the Assembly.

H. A. HARPER,
Minute Clerk of the Assembly.

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